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MAIN READING ROOM

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#### PRINCIPAL OFFICIALS IN THE EXECUTIVE BRANCH

Appointed January 20-  
April 20, 1961

A listing of more than 350 appointments of key officials made after January 20, 1961. Serves as a supplement to the 1960-61 edition of the U.S. Government Organization Manual

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# Presidential Documents

## Title 3—THE PRESIDENT

### Proclamation 3408

WORLD TRADE WEEK, 1961

By the President of the United States  
of America

#### A Proclamation

WHEREAS a fundamental aim of United States policy is the development of an international economic environment that will foster the material well-being and political independence of all free peoples; and

WHEREAS an effective United States commercial policy in support of this aim requires a vigorous domestic economy, an expanding international commerce, and an equilibrium in our international payments; and

WHEREAS American business is being challenged in a highly competitive international economy to strive with greater vigor to develop expanding opportunities for the sale of American products in foreign markets:

NOW, THEREFORE, I, JOHN F. KENNEDY, President of the United States of America, do hereby proclaim the week beginning May 21, 1961, as World Trade Week; and I request the appropriate officials of the Federal Government and of the State and local governments to cooperate in the observance of that week.

I also urge business, labor, agricultural, educational, and civic groups, as well as the people of the United States generally, to observe World Trade Week with gatherings, discussions, exhibits, ceremonies, and other appropriate activities designed to promote continuing awareness of the importance of world trade to our economy and to our relations with other nations.

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

DONE at the City of Washington this 22d day of April in the year of our Lord nineteen hundred and sixty-  
[SEAL] one, and of the Independence of the United States of America the one hundred and eighty-fifth.

JOHN F. KENNEDY

By the President:

DEAN RUSK,  
Secretary of State.

[F.R. Doc. 61-3836; Filed, Apr. 25, 1961;  
9:55 a.m.]

### Executive Order 10936

#### REPORTS OF IDENTICAL BIDS

WHEREAS it is in the interest of the United States to obtain truly competitive bids in connection with its procurement and sale of property and services pur-

suant to public invitations for bids and the prevalence of identical bidding is harmful to the effective functioning of a system of competitive bids;

WHEREAS identical bidding may constitute evidence of the existence of conspiracies to monopolize or restrain trade or commerce; and

WHEREAS the collection and dissemination of information with regard to identical bids submitted to the Federal Government will discourage future submissions of such bids, aid in the enforcement of the antitrust laws and the maintenance of a competitive economy and serve to reduce the costs of the Government,

NOW, THEREFORE, by virtue of the authority vested in me by the Constitution and statutes, and as President of the United States, I hereby order and direct:

1. Whenever, in connection with a procurement of property or services exceeding \$10,000 in total amount and made pursuant to an advertisement or other public invitation for bids, a department, agency or instrumentality of the Government shall hereafter receive two or more bids

(a) which are identical as to unit price or total amount, or

(b) which, after giving effect to discounts and all other relevant factors, the department, agency or instrumentality shall consider to be identical as to unit price or total amount,

then such department, agency, or instrumentality shall make a report of the bid proceedings to the Attorney General not later than 20 days following the award. Whenever two or more bids of the nature described in clauses (a) and (b) hereof are received in bid proceedings which result for any reason in the rejection of all bids and the total value of the property or services bid upon is estimated by the department, agency or instrumentality to be in excess of \$10,000, it shall make a report of such proceedings to the Attorney General not later than 20 days following the rejection. Notwithstanding the preceding provisions of this section, a report shall not be made of bid proceedings in which only foreign sources have participated and in connection with which delivery and performance is to take place outside the United States.

2. The reports required by section 1 shall be in a form prescribed by the Attorney General and shall include the following information or such other information as he may prescribe:

(a) The name and location of the particular component of the department, agency or instrumentality which advertised for the bids;

(b) the amount and a description of the property or services for which bids were solicited, and the proposed date of delivery or performance;

(c) the date of opening of the bids; and

(d) the names and addresses of all bidders and as to the bid of each:

(1) the unit price and terms of discount, if any, together with a notation of the point of origin specified by the bidder and a statement whether freight and any other costs of transportation to the point of delivery are included or excluded, and

(2) in the case of an accepted bid identical, or considered to be identical, as to unit price or total amount with another, the method by which selected.

3. Whenever, in connection with a sale of property for more than \$10,000 in total amount pursuant to an advertisement or other public invitation for bids, a department, agency or instrumentality of the Government shall receive two or more bids

(a) which are identical as to unit price or total amount, or

(b) which, after giving effect to all relevant factors, the department, agency or instrumentality shall consider to be identical as to unit price or total amount, then such department, agency or instrumentality shall make a report of the bid proceedings to the Attorney General not later than 20 days following the award to the purchaser. Whenever two or more bids of the nature described in clauses (a) and (b) hereof are received in bid proceedings which result for any reason in the rejection of all bids and the total sales value of the offered property is estimated by the department, agency or instrumentality to be in excess of \$10,000, it shall make a report of such proceedings to the Attorney General not later than 20 days following the rejection. The reports required by this section shall be in a form prescribed by the Attorney General and shall include information similar to that prescribed by section 2. Notwithstanding the preceding provisions of this section, a report shall not be made of bid proceedings in which only foreign sources have participated and in connection with which delivery and performance is to take place outside the United States.

4. The Attorney General is granted authority to establish reasonable exemptions and variations from the requirements of section 1 or of section 3 from time to time based upon his experience in connection with this order, including authority to take the following actions:

(a) exclude any category of property or services from the reporting requirements of section 1 or of section 3; and

(b) increase or decrease the \$10,000 limit prescribed in section 1 or in section 3.

5. The Attorney General shall consult with the Secretary of Defense, the Administrator of General Services and the heads of such other departments, agencies and instrumentalities of the Government as he may deem advisable for the purpose of obtaining information in a feasible manner with regard to iden-

tical bidding in publicly advertised procurement and sale proceedings completed by these departments, agencies and instrumentalities during periods prior to the date of execution of this order. The Secretary of Defense, the Administrator of General Services and the other heads of departments, agencies or instrumentalities consulted by the Attorney General shall cause the submission of reports to him in respect of such categories of these proceedings and for such periods as may be agreed upon. The reports shall conform to the requirements of section 2.

6. The Attorney General shall formulate and put into effect procedures whereby State and local governments are invited to transmit reports to him of identical bids received by such governments similar to the reports required by sections 1, 3 and 5.

7. From time to time, as he shall find suitable, the Attorney General shall make a report to the President consolidating the information he has received pursuant to this order, and he shall transmit copies thereof to the President of the Senate and the Speaker of the House of Representatives. However, there shall be excluded from such report any information submitted by a department, agency or instrumentality of the Government which it has requested to be withheld for reasons of national security.

8. The principal purpose of this order is to make more effective the enforcement of the antitrust laws by insuring that the Attorney General has at his disposal all information which may tend to establish the presence of a conspiracy in restraint of trade and which may warrant further investigation with a view to preferring civil or criminal charges. In exercising the discretionary authority granted under the provisions of this order, the Attorney General shall be mindful of this purpose and shall exercise such authority in a manner which insures that programs of reporting and analysis hereunder shall not by their magnitude interfere with his enforcement of those laws but instead shall contribute thereto. The heads of the departments, agencies and instrumentalities of the Government shall cooperate with and aid the Attorney General in analyzing the data reported to him and shall make available to him to the fullest extent possible any facilities they may have which would expedite that work. In particular, they should bring to his attention any further information which, in their judgment, may constitute additional evidence of collusion among Government contractors.

9. The heads of the departments, agencies and instrumentalities of the Government are directed to give particular attention to compliance with the provisions of 41 U.S.C. § 252(d) and 10

U.S.C. § 2305(d) requiring referral to the Attorney General of bids received in an advertised procurement proceeding which appear to them to evidence a violation of the antitrust laws. It is to be noted that the bids which must be referred to the Attorney General under those statutes as evidencing collusion include, although they are not limited to, identical bids. Nothing in this order shall be construed to mean that a report submitted hereunder to the Attorney General in connection with identical bids evidencing collusion in a procurement proceeding shall constitute a referral satisfying the requirements of those statutes or of the regulations issued pursuant thereto. Similarly, nothing in this order shall be construed to mean that a report submitted hereunder in connection with identical bids evidencing collusion in a sale proceeding shall satisfy the requirements of 40 U.S.C. § 488 in certain cases, or of the regulations issued pursuant to that statute, that specified information be supplied to the Attorney General for his use in considering the applicability of the antitrust laws to the sale.

JOHN F. KENNEDY

THE WHITE HOUSE,  
April 24, 1961.

[F.R. Doc. 61-3873; Filed, Apr. 25, 1961;  
11:06 a.m.]

# Rules and Regulations

## Title 5—ADMINISTRATIVE PERSONNEL

### Chapter I—Civil Service Commission

#### PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

##### Civil Aeronautics Board

Effective upon publication in the FEDERAL REGISTER, paragraph (h) of § 6.337 is revoked and paragraph (e) is amended as set out below.

##### § 6.337 Civil Aeronautics Board.

(e) Director, Bureau of Economic Regulation.

(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. 61-3795; Filed, Apr. 25, 1961; 8:52 a.m.]

## Title 7—AGRICULTURE

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

[Milk Order 2]

#### PART 902—MILK IN THE WASHINGTON, D.C., MARKETING AREA

##### Order Amending Order

##### § 902.0 Findings and determinations.

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

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

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

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

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

(b) *Additional findings.* It is necessary in the public interest to make this order amending the order effective not later than May 1, 1961. Any delay beyond that date would tend to disrupt the orderly marketing of milk in the marketing area.

The provisions of the said order are known to handlers. The recommended decisions of the Deputy Administrator of the Agricultural Marketing Service were issued December 20, 1960, and February 10, 1961, and the decision of the Assistant Secretary containing all amendment provisions of this order, was issued April 6, 1961. The changes effected by this order will not require extensive preparation or substantial alteration in method of operation for handlers. In view of the foregoing, it is hereby found and determined that good cause exists for making this order amending the order effective May 1, 1961, and that it would be contrary to the public interest to delay the effective date of this order for 30 days after its publication in the FEDERAL REGISTER. (Sec. 4(c), Administrative Procedure Act, 5 U.S.C. 1001-1011).

(c) *Determinations.* It is hereby determined that:

(1) The refusal or failure of handlers (excluding cooperative associations specified in section 8c(9) of the Act) of more than 50 percent of the milk, which is marketed within the marketing area, to sign a proposed marketing agreement, tends to prevent the effectuation of the declared policy of the Act;

(2) The issuance of this order, amending the order, is the only practical means pursuant to the declared policy of the Act of advancing the interests of producers as defined in the order as herein amended; and

(3) The issuance of the order amending the order is approved or favored by at least two-thirds of the producers who during the determined representative period were engaged in the production of milk for sale in the marketing area.

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

1. Delete § 902.15 and substitute the following:

##### § 902.15 Producer.

"Producer" means:

(a) Any dairy farmer, except a producer-handler or dairy farmer for other markets, who produces milk which is approved by a duly constituted health authority for fluid disposition and which is received at a pool plant or is diverted to a nonpool plant during any month(s) of March through September or on not more than 8 days (4 days in the case of every-other-day delivery) during any month(s) of October through February: *Provided*, That the milk so diverted shall be deemed to have been received by the diverting handler at a pool plant at the location from which it was diverted: *And provided further*, That the criterion for determination of qualification under this paragraph for a dairy farmer delivering milk to a pool plant qualified under § 902.9(b) shall be the holding of a valid farm inspection permit issued by the applicable health authority having jurisdiction in the marketing area: *Provided also*, That the definition of producer pursuant to this paragraph shall not include any dairy farmer whose milk is diverted during the month on more than the number of days specified in this paragraph; or

(b) Any other dairy farmer who in the preceding month was a producer pursuant to paragraph (a) of this section whose milk was received at a pool plant which qualified pursuant to § 902.9(c) and whose milk for every day of delivery during the current month is diverted by a handler to the same plant which is a nonpool plant, or is physically received (not diverted) at a pool plant, or is diverted to other nonpool plants on not more than the number of days specified in paragraph (a) of this section.

2. Add a new § 902.19 as follows:

##### § 902.19 Base and excess milk.

(a) "Base milk" means milk received at a pool plant from a producer during any of the months of April through June which is not in excess of such producer's daily base computed pursuant to § 902.63 multiplied by the number of days in such month on which such producer's milk was received at such pool plant: *Provided*, That with respect to any producer on every-other-day delivery, a day of nondelivery following a day on which delivery is made shall be considered as a day of delivery for purpose of this paragraph.

**RULES AND REGULATIONS**

(b) "Excess milk" means milk received at a pool plant from a producer during any of the months of April through June which is in excess of base milk received from such producer during such month.

**§ 902.22 [Amendment]**

3. In § 902.22 delete the word "and" at the end of § 902.22(j) (2), change the period at the end of § 902.22(k) to a semicolon and add the word "and", and add a new paragraph as follows:

(1) On or before February 20 of each year (beginning in 1962), notify:

(1) Each cooperative association of the daily base established by each producer member of such association; and

(2) Each nonmember producer of the daily base established by such producer.

**§ 902.44 [Amendment]**

4. In § 902.44 delete paragraph (c) and substitute the following:

(c) As Class I milk if transferred in the form of any product designated as Class I milk pursuant to § 902.41(a) (1) to a nonpool approved plant or if in producer milk diverted to such nonpool approved plant, unless otherwise classified pursuant to subparagraphs (1) through (4) of this paragraph, in which case all milk diverted and transferred to the nonpool plant shall share pro rata in such classification:

(1) As Class I milk to the extent of such nonpool plant's disposition of skim milk and butterfat, respectively, as Class I milk on routes in the marketing area;

(2) Any remaining quantities of skim milk and butterfat as Class I milk equal to the extent of assignment to Class I pursuant to § 902.46 (a) (3) and (b) of transfers from the nonpool plant to pool plants; and

(3) Any further remaining quantities of skim milk and butterfat as Class I milk to the extent of remaining Class I utilization in the nonpool plant after prior assignment of receipts at such nonpool plant from nonproducer dairy farmers whom the market administrator determines constitute its regular source of fluid milk supply to such Class I utilization.

(4) Any further remaining quantities of skim milk and butterfat may be assigned to Class II milk.

**§ 902.46 [Amendment]**

5. In § 902.46(a) (3) insert just before the final semicolon the following words "or in other source milk received from dairy farmers for other markets".

**§ 902.50 [Amendment]**

6. In § 902.50 delete paragraph (a) and substitute the following:

(a) *Class I price.* During the period January 1961 and subsequent months through and including September 1962 the price for Class I milk shall be \$5.55 for the months of July through February and \$5.10 for the months of March through June: *Provided,* That such price in any month shall be adjusted to reflect the deviation of the average of the Federal order Class I prices for the Philadelphia, New York-New Jersey and Chicago markets for such month from such aver-

age price in the corresponding month of 1958, as follows:

3-market average deviation from corresponding month of 1958 (cents), plus or minus:	Washington price adjustment (cents), plus or minus
0-15-----	0
15.1-35-----	20
35.1-55-----	40
55.1-75-----	60
75.1-95-----	80

7. In § 902.50(b) delete subparagraph (2) and substitute the following:

(2) *Skim milk.* The average of carlot prices per pound for nonfat dry milk, spray and roller process, respectively, for human consumption, f.o.b. manufacturing plants in the Chicago area, as reported for the period from the 26th day of the preceding month through the 25th day of the current month by the Department of Agriculture shall determine the skim values as follows:

Average price per pound of nonfat dry milk-spray and roller process:	Skim value
\$0.065 or below-----	\$0.00
\$0.066 to \$0.075-----	.075
\$0.076 to \$0.085-----	.15
\$0.086 to \$0.095-----	.225
\$0.096 to \$0.105-----	.30
\$0.106 to \$0.115-----	.375
\$0.116 to \$0.125-----	.45
\$0.126 to \$0.135-----	.525
\$0.136 to \$0.145-----	.60
\$0.146 to \$0.155-----	.675
\$0.156 to \$0.165-----	.75
\$0.166 to \$0.175-----	.825
\$0.176 to \$0.185-----	.90
\$0.186 to \$0.195-----	.975

**§ 902.62 [Amendment]**

8. In § 902.62 delete paragraph (b) and substitute the following:

(b) Each pool handler who received is allocated pursuant to § 902.46 (a) (3) at his pool plant other source milk which and (b) shall make payment on the quantity so allocated to Class I milk which is in excess of the quantities of skim milk and butterfat, respectively, assigned to Class I milk pursuant to § 902.44(c) (2) in milk and milk products received from nonpool plants, at the difference between the Class I price and the Class II price applicable at the location of the nearest nonpool plants (as determined by the application of the location differential schedule set forth in § 902.52) from which an equivalent amount of such other source milk was received; and

9. Insert new sections numbered §§ 902.63 and 902.64 as follows:

**§ 902.63 Computation of base for each producer.**

For each of the months of April through June of each year beginning in 1962 the market administrator shall compute a base for each producer as follows, subject to the rules set forth in § 902.64:

(a) Except as provided in paragraphs (b), (c) and (d) of this section divide the total pounds of milk received by all pool handler(s) from such producer during the months of July through December of the preceding year by the number of days beginning with the first day of receipt and through December 31, but not less than 154 days;

(b) The base of any producer whose milk during the preceding July-December period was received at a plant which became a pool plant after the beginning of such base-earning period shall be computed by dividing the total pounds of milk received from such dairy farmer at the plant, and at pool plants as producer milk, both during such July-December period, by the number of days beginning with the first day of such receipt and through December 31, but not less than 154;

(c) The base of any producer who was a producer during all the months of October, November and December of the preceding year, and during any of the just preceding months of July, August and September qualified under the Upper Chesapeake Bay Federal milk Order No. 127 as a "producer" as defined in that order, shall be computed by dividing the total pounds of milk received from such farmer during all of such months (July through December, inclusive) at pool plants under both orders by the number of days beginning with the first day of receipt and through December 31, but not less than 154; and

(d) The base of any producer who is not described in paragraphs (b) and (c) of this section but whose milk was received by a handler as producer milk during the months of October, November and December of the preceding year at a pool plant at which receipt of his milk in the just preceding months of July, August, and September would have qualified or did qualify him as a "dairy farmer for other markets", shall be computed by dividing the total pounds of milk received from such producer at pool plants during such months of July through December and verified receipts at the nonpool plant of the handler, affiliate of the handler, or any person who controls or is controlled by the handler, during such months of July through September, inclusive, by the number of days beginning with the first day of receipt and through December 31, but not less than 154.

**§ 902.64 Base rules.**

The following rules shall apply in connection with the establishment of bases:

(a) A base computed pursuant to § 902.63 may be transferred in its entirety upon written notice to the market administrator on or before the last day of the month of transfer, but only if a producer sells, leases or otherwise conveys his herd to another producer and it is established to the satisfaction of the market administrator that the conveyance of the herd was bona fide and not for the purpose of evading any provision of this part;

(b) If a producer operates more than one farm, each delivering milk to a pool plant, he shall establish a separate base with respect to producer milk delivered from each such farm; and

(c) Only one base shall be allotted with respect to milk produced by one or more persons where the herd, land, buildings, and equipment used are jointly owned or operated: *Provided,* That if a base is held jointly, the entire base shall

be transferable only upon the receipt of an application signed by all joint holders or their heirs, or assigns.

10. In § 902.71 delete the language preceding paragraph (a) and substitute the following:

**§ 902.71 Computation of the uniform price.**

For each month prior to April 1962, and thereafter for each of the months of July through March, the market administrator shall compute the uniform price per hundredweight of producer milk of 3.5 percent butterfat content, f.o.b. market as follows:

11. Insert a new section numbered § 902.72 as follows:

**§ 902.72 Computation of uniform prices for base milk and excess milk.**

For each of the months of April through June, beginning with April 1962, the uniform prices per hundredweight for base milk and for excess milk, each of 3.5 percent butterfat content, f.o.b. market, shall be as follows:

(a) Compute the aggregate value of excess milk for all handlers who made reports prescribed in § 902.30(a), and who are not in default of payments pursuant to § 902.84 for the preceding month as follows: (1) Multiply the hundredweight quantity of such milk which does not exceed the total quantity of producer milk assigned to Class II milk in the pool plants of such handlers by the Class II milk price, (2) multiply the remaining hundredweight quantity of excess milk by the Class I milk price, and (3) add together the resulting amounts;

(b) Divide the total value of excess milk obtained in paragraph (a) of this section by the total hundredweight of such milk and round to the nearest cent. The resulting figure shall be the uniform price for excess milk of 3.5 percent butterfat content received from producers;

(c) Subtract the total value of excess milk, determined by multiplying the uniform price obtained in paragraph (b) of this section by the hundredweight of excess milk, from the total value of producer milk for the month as determined according to the calculations set forth in § 902.71(a) through (d);

(d) Divide the amount calculated pursuant to paragraph (c) of this section by the total hundredweight of base milk for handlers included in these computations; and

(e) Subtract not less than 4 cents nor more than 5 cents from the price computed pursuant to paragraph (d) of this section. The resulting figure shall be the uniform price for base milk of 3.5 percent butterfat content f.o.b. market.

**§ 902.80 [Amendment]**

12. In § 902.80 delete paragraph (a) and substitute the following:

(a) Except as provided in paragraph (b) of this section each pool handler on or before the 15th day after the end of each month shall make payment to each producer for milk which was received from such producer during the month at not less than the uniform price computed pursuant to § 902.71 for each month

prior to April 1962 and thereafter for the months of July through March, and at not less than the price for base milk computed pursuant to § 902.72(e) with respect to base milk received from such producer, and not less than the excess price determined pursuant to § 902.72(b) for excess milk received from such producer for the months of April through June (beginning in 1962) subject to the following adjustments: (1) The butterfat differential computed pursuant to § 902.81, (2) less the location differential computed pursuant to § 902.82, and (3) less proper deductions authorized in writing by such producer: *Provided*, That if by such date such handler has not received full payment from the market administrator pursuant to § 902.85 for such month, he may reduce pro rata his payments to producers by not more than the amount of such underpayment. Payment to producers shall be completed thereafter not later than the date for making payments pursuant to this paragraph next following after receipt of the balance due from the market administrator;

13. Delete § 902.82 and substitute the following:

**§ 902.82 Location differential to producers.**

In making payments to producers or to a cooperative association pursuant to § 902.80 (a) and (b) except with respect to excess milk, a handler shall deduct with respect to all such milk received at pool plants located 75 miles by shortest highway distance from the zero milestone in the District of Columbia, as determined by the market administrator, 12 cents per hundredweight plus 1.5 cents for each 10-mile additional distance, or fraction thereof, which such plant is located from such milestone.

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

Issued at Washington, D.C., April 21, 1961, to be effective on and after the 1st day of May, 1961.

JOHN P. DUNCAN, Jr.,  
Assistant Secretary.

[F.R. Doc. 61-3784; Filed, Apr. 25, 1961; 8:50 a.m.]

[Milk Order 13]

**PART 913—MILK IN GREATER KANSAS CITY MARKETING AREA**

**Order Amending Order**

**§ 913.0 Findings and determinations.**

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

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing

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

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

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

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

(b) *Additional findings.* It is necessary in the public interest to make this order amending the order effective not later than May 1, 1961. Any delay beyond that date would tend to disrupt the orderly marketing of milk in the marketing area.

The provisions of the said order are known to handlers. The recommended decision of the Deputy Administrator of the Agricultural Marketing Service was issued February 14, 1961, and the decision of the Secretary containing all amendment provisions of this order, was issued March 22, 1961. The changes effected by this order will not require extensive preparation or substantial alteration in method of operation for handlers. In view of the foregoing, it is hereby found and determined that good cause exists for making this order amending the order effective May 1, 1961, and that it would be contrary to the public interest to delay the effective date of this order for 30 days after its publication in the FEDERAL REGISTER. (Sec. 4(c), Administrative Procedure Act, 5 U.S.C. 1001-1011.)

(c) *Determinations.* It is hereby determined that:

(1) The refusal or failure of handlers (excluding cooperative associations specified in section 8c(9) of the Act) of more than 50 percent of the milk, which is marketed within the marketing area, to sign a proposed marketing agreement, tends to prevent the effectuation of the declared policy of the Act;

(2) The issuance of this order, amending the order, is the only practical means pursuant to the declared policy of the Act of advancing the interests of producers as defined in the order as herein amended; and

(3) The issuance of the order amending the order is approved or favored by at least two-thirds of the producers who during the determined representative period were engaged in the production of milk for sale in the marketing area.

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

1. Delete § 913.13 and substitute the following:

**§ 913.13 Producer milk.**

"Producer milk" means only that skim milk or butterfat contained in milk (a) received at a pool plant directly from producers; (b) received by a cooperative association in its capacity as a handler pursuant to § 913.11 (c) or (d); or (c) diverted from a pool plant to a nonpool plant in accordance with the conditions set forth in § 913.7.

**§ 913.14 [Amendment]**

2. Delete § 913.14(a) and substitute therefor the following:

(a) Receipts during the delivery period of fluid milk products except:

(1) Fluid milk products received from other pool plants and cooperative associations acting in the capacity of handler pursuant to § 913.11 (c) and (d), or  
(2) Producer milk; and

3. Delete § 913.18 and substitute therefor the following:

**§ 913.18 Fluid milk product.**

"Fluid milk product" means milk, skim milk, buttermilk, flavored milk, flavored milk drinks, fortified milk or skim milk, reconstituted milk or skim milk, sweet or sour cream and any mixture of such cream and milk or skim milk (including such mixtures containing less than the required butterfat standard for cream but not including any cultured sour mixtures to which cheese or any food substance other than a milk product has been added in an amount not less than 3 percent by weight of the finished product) and concentrated (frozen or fresh) milk, flavored milk, or flavored milk drinks which are neither sterilized nor in hermetically sealed cans.

**§ 913.41 [Amendment]**

4. Delete § 913.41(b) (6) and substitute therefor the following:

(6) In shrinkage allocated to receipts specified in § 913.42(b) (1) but not to exceed the following:

(i) 2 percent of receipts of skim milk and butterfat in milk received from producers, including that which is received by a cooperative association in its capacity as a handler pursuant to § 913.11 (c) or (d) but not including producer milk diverted in cans to a nonpool plant(s) pursuant to § 913.7; plus

(ii) 1.5 percent of skim milk and butterfat, respectively, received in bulk tank lots from other pool plants; plus

(iii) 1.5 percent of skim milk and butterfat, respectively, received directly from a cooperative association which is a handler pursuant to § 913.11(c) except that if the handler operating the pool plant files with the market administrator notice that the purchase of such milk is on the basis of farm weights determined by farm bulk tank calibrations, the applicable percentage shall be 2 percent; less

(iv) 1.5 percent of skim milk and butterfat, respectively, disposed of in bulk tank lots from pool plants to other milk plants; and less

(v) 1.5 percent of skim milk and butterfat, respectively, disposed of to plants by a cooperative association which is the handler pursuant to § 913.11(c) unless the exception provided in (iii) of this § 913.41(b) (6) applies in which case the applicable percentage shall be 2 percent; and

**§ 913.42 [Amendment]**

5. In § 913.42(b) (1) change "§ 913.11 (c)" to read "§ 913.11 (c) and (d)".

**§ 913.46 [Amendment]**

6. Delete § 913.46(a) (3) and substitute therefor the following:

(3) Subtract the pounds of skim milk in other source milk received from a plant(s) fully regulated under another order issued pursuant to the Act, as specified:

(i) If such product was not processed or packaged in the pool plant during the month, subtract from the pounds of skim milk in Class I milk the pounds of skim milk in sour cream or yogurt packaged in consumer or institutional size packages, classified and priced either as Class I milk pursuant to another order issued pursuant to the Act or as Class II milk pursuant to Order No. 41, regulating the handling of milk in the Chicago, Illinois, marketing area (Part 941 of this chapter), and disposed of in the same packages as received;

(ii) Subtract from the pounds of skim milk remaining in each class, in series beginning with Class II, the pounds of skim milk in other source milk, other than that subtracted pursuant to (i) of this subparagraph, received from such a plant(s), and classified and priced as Class I milk under such other order(s).

7. In § 913.46(a) redesignate subparagraphs "(5)" and "(6)" as "(6)" and "(5)", respectively.

**§ 913.50 [Amendment]**

8. In § 913.50(a) delete the words "divided by 3.5 and multiplied by 3.8".

9. In §§ 913.50(b) (1); 913.51(b) (1); 913.52; 913.71 (d) and (f); 913.72 (d), (e), (f) and (i); 913.80(b) (2); and 913.82 delete "3.8" wherever it appears and substitute therefor "3.5".

**§ 913.51 [Amendment]**

10. In the language preceding paragraph (a) delete the words "one-tenth of a".

11. In the portion of § 913.51(a) preceding § 913.51(a) (1) delete "\$1.15" and "\$1.45" and substitute therefor "\$1.18" and "\$1.49" respectively.

12. Delete § 913.51(a) (1) and substitute therefor the following:

(1) Divide the total receipts of producer milk in the second and third months preceding by the total gross volume of Class I milk at pool plants (excluding interhandler transfers) for the same months, multiply the result by 100 and round to the nearest whole number. The result shall be known as the "current utilization percentage".

13. In § 913.51(b) (1) delete the phrase "plus 15 cents" and substitute therefor "plus 19 cents".

14. In § 913.51(b) (2) (i) delete "4.60" and substitute therefor "4.24".

15. In § 913.51(b) (2) (iii) delete the phrase "subtract 78 cents" and substitute therefor "subtract 74 cents".

**§ 913.52 [Amendment]**

16. (a) In § 913.52(a) delete "1.3" and substitute therefor "1.2".

(b) Delete § 913.52(b) and substitute therefor the following:

(b) For Class II milk, multiply the butter price specified in § 913.50(b) (1) by 1.15, divide the result by 10, and round to the nearest one-tenth of a cent.

**§ 913.70 [Amendment]**

17. Delete § 913.70 (c) and (d) and substitute therefor the following:

(c) Add an amount computed by multiplying the hundredweight of skim milk and butterfat pursuant to subparagraph (1) or (2) of this paragraph, whichever is less, by a rate equal to the difference between the Class II price for the preceding delivery period and the Class I price for the current delivery period: (1) that remaining in Class II after the computations pursuant to § 913.46(a) (4) and the corresponding step of § 913.46(b) for the preceding delivery period, or (2) that subtracted from Class I milk pursuant to § 913.46 (a) (4) and (b); and

(d) Add an amount computed by multiplying the hundredweight of skim milk and butterfat specified in subparagraphs (1) and (2) of this paragraph by a rate computed at the difference between the Class II price and the Class I price applicable at the location of the nearest nonpool plant(s) from which an equivalent volume of such other source milk was received: *Provided*, That such calculation shall not apply if the total receipts of producer milk at pool plants during the delivery period are not more than 120 percent of the total Class I utilization of such plants for the delivery period.

(1) That subtracted from Class I pursuant to § 913.46 (a) (2) and (b); and

(2) That subtracted from Class I pursuant to § 913.46 (a) (4) and (b), which is in excess of the sum of (i) skim milk and butterfat applied pursuant to paragraph (c) of this section; and (ii) the skim milk and butterfat subtracted from Class II pursuant to § 913.46 (a) (3) (ii), and (b) in the preceding month.

**§ 913.80 [Amendment]**

18. Delete § 913.80(d) and substitute therefor the following:

(d) To a cooperative association with respect to milk for which such associa-



tion is acting in the capacity of a handler pursuant to § 913.11 (c) and/or (d):

(1) On or before the 20th day of the delivery period an amount equal to the rate specified in paragraph (b) times the volume received during the first 15 days of the delivery period; and

(2) On or before the 14th day after the end of each delivery period an amount equal to not less than the value of such milk as classified pursuant to § 913.44(a) at the applicable respective class price(s) less payment made pursuant to paragraph (d)(1) of this section.

19. Delete § 913.83 and substitute therefor the following:

**§ 913.83 Producer-settlement fund.**

The market administrator shall establish and maintain a separate fund known as the "producer-settlement fund" into which he shall deposit all funds received pursuant to paragraph (a) and (b) of this section and out of which he shall make all payments required pursuant to paragraph (c) of this section.

(a) Payments made by handlers pursuant to § 913.61 (a) (1) and (b) (1), and §§ 913.84 and 913.86.

(b) Payments received from the administrator of another order issued pursuant to the Act which have been required under such order with respect to milk distributed in the marketing area regulated by such other order from pool plants regulated by this order.

(c) Payments due handlers pursuant to §§ 913.85 and 913.86: *Provided*, That payments due any handler shall be offset by payments due from such handler pursuant to §§ 913.61, 913.84, 913.86, 913.87 and 913.88.

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

Issued at Washington, D.C., April 21, 1961, to be effective on and after the 1st day of May, 1961.

JOHN P. DUNCAN, Jr.,  
Assistant Secretary.

[F.R. Doc. 61-3783; Filed, Apr. 25, 1961; 8:50 a.m.]

[Valencia Orange Reg. 222, Amdt. 1]

**PART 922—VALENCIA ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA**

**Limitation of Handling**

*Findings.* 1. Pursuant to the marketing agreement and Order No. 22, as amended (7 CFR Part 922), regulating the handling of Valencia oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.; 68 Stat. 906, 1047), and upon the basis of the recommendation and information submitted by the Valencia Orange Administrative Committee, established under the said marketing agreement and order, as amended, and upon other available information, it is hereby found that the limitation of handling of such Valencia oranges as

hereinafter provided will tend to effectuate the declared policy of the act.

2. It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this amendment until 30 days after publication hereof in the FEDERAL REGISTER (60 Stat. 237; 5 U.S.C. 1001 et seq.) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient, and this amendment relieves restriction on the handling of Valencia oranges grown in Arizona and designated part of California.

*Order, as amended.* The provisions in paragraph (b) (1) (i) of § 922.522 (Valencia Orange Regulation 222, 26 F.R. 3237) are hereby amended to read as follows:

(i) District 1: 300,000 cartons.

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

Dated: April 21, 1961.

FLOYD F. HEDLUND,  
Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 61-3785; Filed, Apr. 25, 1961; 8:50 a.m.]

**PART 936—FRESH BARTLETT PEARS, PLUMS, AND ELBERTA PEACHES GROWN IN CALIFORNIA**

**Determination Relative to Establishment of an Operating Reserve**

Notice was published in the March 22, 1961, issue of the FEDERAL REGISTER (26 F.R. 2412) that consideration was being given to proposals regarding the establishment of an operating reserve to provide for the maintenance and functioning of the Control Committee, the agency established to administer the terms and provisions of the marketing agreement, as amended, and Order No. 36, as amended (7 CFR Part 936), regulating the handling of fresh Bartlett pears, plums, and Elberta peaches grown in California. This program is effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674).

After consideration of all relevant matters presented, including the proposals set forth in the aforesaid notice which were submitted by the above mentioned Control Committee, it is hereby determined that:

**§ 936.215 Reserve fund.**

(a) The establishment of an operating reserve in the maximum amount of \$80,000, which approximates the average expenses of the Control Committee for one season, is appropriate and necessary to the maintenance and functioning of the Control Committee. Such reserve shall be apportioned and separately maintained for the several commodities regulated under this part in the follow-

ing maximum amounts: Bartlett pears \$23,000; Early plums \$19,000; Late plums \$20,000; and Elberta peaches \$18,000.

(b) The Control Committee, at the end of each season, is hereby authorized to carryover into the operating reserve any excess assessment funds collected during such season: *Provided*, That the total funds in such operating reserve shall not, at any time, exceed the maximum amounts herein specified.

(c) The funds in said operating reserve may be used by the Control Committee to cover (1) any authorized expenses incurred by the committee during any season when assessment income is less than committee expenses, and (2) necessary expenses of liquidation in the event of termination, in whole or in part, of the said amended marketing agreement and order.

(d) Upon such termination, any funds not required to defray the necessary expenses of such liquidation shall be disposed of in such manner as the Secretary may determine to be appropriate: *Provided*, That, to the extent practical, such funds shall be returned pro rata to the shippers from whom such funds were collected.

Terms used herein shall have the same meaning as given to the respective term in said amended marketing agreement and order.

The provisions hereof shall become effective 30 days after publication in the FEDERAL REGISTER.

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

Dated: April 21, 1961.

FLOYD F. HEDLUND,  
Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 61-3799; Filed, Apr. 25, 1961; 8:53 a.m.]

[Milk Order 63]

**PART 963—MILK IN GREAT BASIN MARKETING AREA**

**Order Amending Order**

**§ 963.0 Findings and determinations.**

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

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the

handling of milk in the Great Basin marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

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

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

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

(4) All milk and milk products handled by handlers, as defined in the order as hereby amended, are in the current of interstate commerce or directly burden, obstruct, or affect interstate commerce in milk or its products; and

(5) It is hereby found that the necessary expense of the market administrator for the maintenance and functioning of such agency will require the payment by each handler, as his pro rata share of such expense, 4 cents per hundredweight or such amount not to exceed 4 cents per hundredweight as the Secretary may prescribe, with respect to each hundredweight of butterfat and skim milk contained in (i) producer milk, (ii) other source milk allocated to Class I milk pursuant to § 963.44(a) (2) and (3) and the corresponding step of § 963.44 (b), and (iii) the respective applicable quantity specified in § 963.62 (a) (2) or (b) (2).

(b) *Additional findings.* It is necessary in the public interest to make this order amending the order effective not later than May 1, 1961. Any delay beyond that date would tend to disrupt the orderly marketing of milk in the marketing area.

The provisions of the said order are known to handlers. The recommended decision of the Deputy Administrator of the Agricultural Marketing Service was issued December 21, 1960, and the decision of the Secretary containing all amendment provisions of this order, was issued March 29, 1961. The changes effected by this order will not require extensive preparation or substantial alteration in method of operation for handlers. In view of the foregoing, it is hereby found and determined that good cause exists for making this order amending the order effective May 1, 1961, and that it would be contrary to the public interest to delay the effective date of this order for 30 days after its publication in the FEDERAL REGISTER. (Sec. 4(c), Administrative Procedure Act, 5 U.S.C. 1001-1011).

(c) *Determinations.* It is hereby determined that:

(1) The refusal or failure of handlers (excluding cooperative associations specified in section 8c(9) of the Act) of more than 50 percent of the milk, which is marketed within the marketing area, to sign a proposed marketing agreement, tends to prevent the effectuation of the declared policy of the Act;

(2) The issuance of this order, amending the order, is the only practical means pursuant to the declared policy of the Act of advancing the interests of producers as defined in the order as herein amended; and

(3) The issuance of the order amending the order is approved or favored by at least two-thirds of the producers who during the determined representative period were engaged in the production of milk for sale in the marketing area.

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

1. Delete § 963.6 and substitute therefor the following:

#### § 963.6 Great Basin marketing area.

"Great Basin marketing area" herein-after called the "marketing area" means all territory, including all government reservations and installations and all municipalities, within the counties of Box Elder, Davis, Morgan, Salt Lake, Tooele, Utah, Wasatch, Weber, Summit, Grand, Daggett, Duchesne, Carbon, Sanpete, Juab, Millard, Sevier, Uintah, and Emery in the State of Utah, and the counties of Elko and White Pine in the State of Nevada.

2. Delete § 963.8 and substitute therefor the following:

#### § 963.8 Producer-handler.

"Producer-handler" means an individual, or a partnership or corporation for which written articles of partnership or incorporation are furnished the market administrator, which:

(a) Produces milk and operates an approved plant described in § 963.10(a);

(b) Receives, either at such plant or for disposition on routes only milk from (1) his own farm production, and (2) from pool plants in an amount during the month not in excess of the larger of 3,000 pounds or five percent of such person's Class I sales; and

(c) The operation of the milk production, processing, and distributing facilities are under the complete and exclusive control of such person and at his sole risk.

#### § 963.11 [Amendment]

3. Delete § 963.11(a) and substitute the following:

(a) An approved plant, except the plant of a producer-handler as described in § 963.8, from which during the month there is disposed of on routes fluid milk products equal to not less than 50 percent in the months of August through March and 40 percent in other months of the receipts during the month at such

plant of producer milk, producer milk diverted therefrom by the plant operator and receipts at the plant of fluid milk products from plants described pursuant to paragraph (b) of this section, and there are disposed of on routes in the marketing area fluid milk products equal to not less than 15 percent of the total fluid milk product disposition from the plant on routes: *Provided*, That if a handler operates more than one approved plant, the combined receipts and disposition of any of such plants may be used as the basis for qualifying the respective plants pursuant to the preceding computations specified in this paragraph if the handler in writing so requests the market administrator: *And provided further*, That any approved plant from which the total route disposition of fluid milk products is to individuals or institutions for charitable purposes and is without remuneration from such individuals or institutions shall not qualify as a pool plant pursuant to this paragraph.

#### § 963.41 [Amendment]

4. Delete § 963.41(b) (5) and substitute therefor the following:

(5) In shrinkage of skim milk and butterfat, respectively, allocated pursuant to § 963.45(b) (2) not to exceed the following: 2 percent of producer milk (except diverted milk), plus 1½ percent of milk received from pool plants of other handlers in bulk tank lots, plus 1½ percent of milk received from a cooperative association which is the handler for such milk pursuant to § 963.9(c) (except that if the handler operating the pool plant files notice with the market administrator that he is purchasing such milk on the basis of farm weights, the applicable percentage shall be 2 percent), less 1½ percent of milk disposed of in bulk tank lots to pool plants of other handlers (except when the preceding exception hereof applies, the applicable percentage shall be 2 percent).

#### § 963.42 [Amendment]

5. Delete § 963.42(c) (4) and substitute therefor the following:

(4) Class I utilization in the nonpool plant does not exceed the receipts of skim milk and butterfat in milk received during the month from dairy farmers who deliver Grade A milk not priced under any Federal order directly from farms to such plant. If Class I utilization exceeds such receipts, the skim milk and butterfat transferred or diverted shall be Class I to the extent of such excess, except that when transfers or diversions are made during the month to such nonpool plant from other plants subject to the classification and pricing provisions of this part or other orders issued pursuant to the Act, the skim milk and butterfat assigned to Class I at the pool plant shall be not less than that obtained by prorating the assignable Class I milk at the transferee plant over all such receipts at such nonpool plant.

#### § 963.45 [Amendment]

6. Delete § 963.45(b) and substitute therefor the following:

(b) For each handler prorate the resulting amounts between (1) the pounds

of skim milk and butterfat in other source milk received in bulk form as fluid milk products, and (2) the pounds of skim milk and butterfat in other fluid milk products received in bulk form (excluding diverted milk).

7. Delete § 963.80 and substitute therefor the following:

**§ 963.80 Time and method of payment for producer milk.**

(a) Except as provided in paragraph (b) or (d) of this section, each handler shall make payment to each producer from whom milk is received as follows:

(1) On or before the last day of each month, for producer milk received during the first 15 days of the month, at not less than 1.2 times the Class II price for the preceding month; and

(2) On or before the 17th day of the following month, for producer milk received during the month, at not less than the uniform prices pursuant to § 963.71 adjusted by the butterfat and location differentials to producers, subject to the following adjustments:

(i) Less marketing service deductions made pursuant to § 963.85;

(ii) Less the payment made pursuant to subparagraph (1) of this paragraph;

(iii) Plus or minus adjustments for errors made in previous payments to such producers and proper deductions authorized in writing by such producer; and

(iv) If by the date specified, such handler has not received full payment from the market administrator pursuant to § 963.83 for such month, he may reduce pro rata his payments to producers by not more than the amount of such underpayment. Payments to producers shall be completed thereafter not later than the date for making payments pursuant to this paragraph next following after the receipt of the balance due from the market administrator.

(b) In the case of a cooperative association, which is authorized by its members to collect payment for their milk, and which has requested such payment from any handler in writing, such handler shall on or before the second day prior to the dates on which payments are due to individual producers, pay the cooperative association for milk received from the producer-members of such association, amounts equal to not less than the totals of the payments otherwise due such producer-members for milk deliveries during the first 15 days of each month and for the entire month as determined pursuant to paragraph (a) of this section: *Provided*, That the cooperative has provided the handler with a written promise to reimburse the handler the amount of any actual loss incurred by such handler because of any improper claim on the part of the cooperative association;

(c) Each handler who received milk from producers for which payment is to be made to a cooperative association pursuant to paragraph (b) of this section shall report to such cooperative association for each such producer on or before the second day prior to the end of the month, the pounds of milk received during the first 15 days of such month and on or before the 7th day of the following month, as follows:

(1) The total pounds of milk received during the month, including the pounds of base milk and excess milk;

(2) The pounds of milk received each day, together with the butterfat content of such milk;

(3) The amount or rate and nature of any proper deductions authorized to be made from payments; and

(4) The amount and nature of payments due pursuant to § 963.84.

(d) Each handler shall pay a cooperative association for milk received by him from such cooperative association for which the association is the handler as follows:

(1) On or before the second day prior to the end of each month, for milk received during the first 15 days of the month an amount per hundredweight not less than 1.2 times the Class II price for the preceding month; and

(2) On or before the 15th day of the following month for milk received during the month, not less than an amount computed by multiplying the minimum prices for milk in each class subject to the applicable location adjustment provided in § 963.53 and the butterfat differential provided by § 963.52, by the hundredweight of milk in each class pursuant to § 963.44, such amount to be reduced in the amount of the payment made pursuant to subparagraph (1) of this paragraph.

**§ 963.53 [Amendment]**

8. In § 963.53 after the phrase "all in Utah", insert the following " , or Elko, Nevada".

9. Delete § 963.62 and substitute therefor the following:

**§ 963.62 Handler operating a nonpool plant.**

In lieu of the payments required pursuant to § 963.80 through § 963.85, each handler who operates during the month a nonpool plant from which Class I milk is disposed of in the marketing area on a route(s), but which is not subject to the classification and pricing provisions of another order issued pursuant to the Act, is not the plant of a producer-handler, and is not described pursuant to the second proviso of § 963.11(a), shall pay to the market administrator on or before the 25th day after the end of the month, the amounts calculated pursuant to paragraph (a) of this section with respect to operations of such plant unless the handler elects at the time of reporting pursuant to § 963.31(a) to have his obligations computed pursuant to paragraph (b) of this section;

(a) The following amounts:

(1) To the producer-settlement fund any plus amount remaining after deducting from the value that would have been computed pursuant to § 963.70, if such handler had operated a pool plant, the gross payments made by such handler for Grade A milk received during the month from dairy farmers at such plant; and

(2) As his share of the expense of administration, the rate provided in § 963.86 with respect to an amount of milk equal to that which would have applied had such plant been a pool plant; and

(b) The following amounts:

(1) To the producer-settlement fund an amount equal to the value of all skim milk and butterfat disposed of as Class I milk on routes in the marketing area at the Class I price applicable at the location of such handler's plant, less the value of such skim milk and butterfat at the Class II price; and

(2) As his share of the expense of administration, the rate provided in § 963.86 with respect to Class I milk so disposed of in the marketing area.

**§ 963.86 [Amendment]**

10. Delete § 963.86(c) and substitute therefor the following:

(c) The respective applicable quantity specified in § 963.62 (a) (2) or (b) (2).

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

Issued at Washington, D.C., April 21, 1961, to be effective on and after the 1st day of May, 1961.

JOHN P. DUNCAN, JR.,  
Assistant Secretary.

[F.R. Doc. 61-3782; Filed, Apr. 25, 1961; 8:49 a.m.]

## Title 8—ALIENS AND NATIONALITY

### Chapter I—Immigration and Naturalization Service, Department of Justice

#### PART 103—POWERS AND DUTIES OF SERVICE OFFICERS

#### PART 211—DOCUMENTARY REQUIREMENTS: IMMIGRANTS; WAIVERS

#### PART 264—REGISTRATION AND FINGERPRINTING OF ALIENS IN THE UNITED STATES

#### PART 282—PRINTING OF REENTRY PERMITS: FORMS FOR SALE TO PUBLIC

#### PART 292—REPRESENTATION AND APPEARANCES

#### PART 299—IMMIGRATION FORMS

#### Miscellaneous Amendments

The following amendments to Chapter I of Title 8 of the Code of Federal Regulations are hereby prescribed:

1. Section 103.1(a) (2) (ii) is amended to read as follows:

**§ 103.1 Delegations of authority.**

\* \* \* \* \*

(a) Associate Commissioner, Operations. \* \* \*

(2) Deputy Associate Commissioner, Travel Control. \* \* \*

(ii) Assistant Commissioner, Special Projects. The Service activities outside the United States.

**§ 103.2 [Amendment]**

2. Section 103.2 *Formal applications and petitions* is amended by adding the following sentence at the end thereof:

"A document executed abroad which was not issued by the authorized custodian of the official records of a government agency, church, university, or college on the basis of information contained in such records shall be executed by a person having personal knowledge of the facts stated in the document and shall be acknowledged by such person before the nearest American consular officer."

§ 211.1 [Amendment]

3. The last sentence of § 211.1 *Visas* is amended to read as follows: "A reentry permit or Form I-151 shall be invalid under this section when presented by an alien who during his temporary absence abroad travelled to, in, or

through Bulgaria, Czechoslovakia, Estonia, Hungary, Latvia, Lithuania, Poland, Rumania, the Soviet Zone of Germany ("German Democratic Republic"), the Union of Soviet Socialist Republics, or Yugoslavia, except when a reentry permit duly issued to an alien is presented by him endorsed to show that the restriction with respect to any of the foregoing country or countries has been waived."

§ 264.1 [Amendment]

4. The class of aliens enumerated in paragraph (a) *Prescribed registration forms* of § 264.1 *Registration and fingerprinting* with respect to Form I-94 is amended to read as follows:

Form No.	Class
I-94 Arrival-Departure Record.	Nonimmigrants in status; aliens paroled into the United States under section 212(d) (5) of the Immigration and Nationality Act; aliens whose claimed entry prior to July 1, 1924, cannot be verified, they having satisfactorily established residence in the United States since prior to July 1, 1924; aliens lawfully admitted to the United States for permanent residence who have not been registered previously; aliens who are granted permission to depart without the institution of deportation proceedings or against whom deportation proceedings are being instituted.

5. Section 282.2 is amended to read as follows:

§ 282.2 Forms printed by the Public Printer.

The Public Printer is authorized to print for sale to the public by the Superintendent of Documents the following forms prescribed by subchapter B of this chapter: G-28, I-20, I-21, I-94, I-95, I-129B, I-130, I-131, and I-418.

§ 292.2 [Amendment]

6. The last sentence of paragraph (b) *Accreditation* of § 292.2 *Requests by organizations for recognition* is deleted.

7. Section 299.2 is amended to read as follows:

§ 299.2 Forms available from the Superintendent of Documents.

The following forms required for compliance with the provisions of subchapter B of this chapter may be obtained, upon prepayment, from the Superintendent of Documents, Government Printing Office, Washington, D.C.: G-28, I-20, I-21, I-94, I-95, I-129B, I-130, I-131, and I-418. A small supply of those forms shall be set aside by immigration officers for free distribution and official use.

(Sec. 103, 66 Stat. 173; 8 U.S.C. 1103)

This order shall become effective on the date of its publication in the FEDERAL REGISTER. Compliance with the provisions of section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U.S.C. 1003) as to notice of proposed rule making and delayed effective date is unnecessary in this instance because the rules prescribed by the order relate to agency procedure and management.

Dated: April 20, 1961.

J. M. SWING,  
Commissioner of  
Immigration and Naturalization.

[F.R. Doc. 61-3779; Filed, Apr. 25, 1961; 8:49 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

##### Olympic National Park, Washington; Fishing

Notice is hereby given that pursuant to the authority contained in section 3 of the act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 3), Departmental Order 2640 (16 F.R. 5846), National Park Service Order No. 14 (19 F.R. 8824), Regional Director, Region Four Order No. 3 (21 F.R. 1495), as amended, to amend Title 36 CFR 7 as set forth below. The purpose of this amendment is to bring into conformity the regulations for fishing in park waters with those of the State of Washington for the same and similar waters adjacent to the park. The assumption of exclusive jurisdiction by the Federal Government on July 2, 1960, of all lands which were added to the park after March 1943, has resulted in this necessary change.

The following amendment shall become effective upon publication in the FEDERAL REGISTER in order to give the public the benefit of its provisions as soon as possible after the opening date of the 1961 fishing season.

Section 7.28 is amended to change the present text of paragraph (a) and to add a new subparagraph (8). Paragraph (a) reads as set forth below. Paragraphs (f) and (g) of § 7.28 are deleted.

##### § 7.28 Olympic National Park.

(a) *Fishing*—(1) *Open season*. The opening dates of the summer fishing sea-

son for fishing in park waters shall conform to that of the State of Washington for streams and lakes for the adjoining counties of Clallam, Jefferson, Mason and Grays Harbor. The closing date for this fishing in the park shall be October 31, except that whitefish and steelhead and other trout fishing seasons shall be in agreement with the dates as established by the State of Washington for adjoining counties. During steelhead trout season, only the following streams or portions thereof are open to steelhead trout fishing:

(i) Regular steelhead trout season:

Quillayute River.  
Bogachiel River.  
Dosewallips River below fall east of Muscott Flat Campground.  
Queets River below Tshletshy Creek.  
Hoh River, including the South Fork.  
Quinault River, including the North Fork below Wolf Bar.  
Shelter and the East Fork below Graves Creek.  
Soleduck River below the North Fork.  
Ozette River.

All other streams passing through the Olympic Ocean Strip in which the State of Washington permits steelhead trout fishing.

(ii) Extended steelhead trout season:

Queets River below Matheny Creek.  
Quinault River below the bridge connecting the North Fork and East Fork roads.  
Hoh River in the section passing through the Olympic Ocean Strip.  
Quillayute River.

(2) *Closed waters*. (i) The entire Morse Creek watershed except Lake Angeles and P. J. Lake is closed to fishing.

(ii) All park waters are closed to fishing for salmon except for the following rivers or portions thereof, which shall be open to the fishing for salmon in accordance with dates established by the State of Washington in adjoining waters:

Hoh River below the South Fork.  
Queets River below Matheny Creek.  
Quinault River below the bridge connecting the North Fork and East Fork roads.

(iii) Fishing is prohibited from one hour after sunset until sunrise.

(3) *Size limit*. (i) *Summer season*: The minimum size of all fish, except salmon, which may be retained shall be 6 inches in length, except that in the following named rivers or portions thereof the minimum size limit shall be 10 inches in length:

Bogachiel River below the North Fork.  
Queets River below Tshletshy Creek.  
Hoh River below Mt. Tom Creek.  
Quinault River, including the North Fork below Wolf Bar Shelter and the East Fork below Graves Creek.  
Quillayute River.  
Soleduck River below North Fork.  
Dosewallips River below the falls East of the Muscott Flat campground.

(ii) *Winter season*: The minimum size limit for park waters open to fishing during the regular and extended steelhead trout fishing season shall be 12 inches in length.

(iii) **Salmon:** The minimum size limit for all salmon shall be 12 inches. Only two of the daily creel limit of salmon may exceed 20 inches in length.

(iv) All fish caught under or over the legal size limit shall be carefully handled, released, and returned at once to the water.

(4) **Limit of catch and possession.** The limit of catch per person per day shall not exceed 10 fish or 10 pounds and one fish, exclusive of salmon, except for the following provisions:

(i) During the summer fishing season, the above catch limit shall not contain more than two steelhead trout over 20 inches in length.

(ii) The limit of catch of steelhead trout per person during the regular and extended winter steelhead fishing season shall not exceed 3 fish per day or 6 fish per week or 24 fish per winter season with the said limits to include fish caught in State of Washington waters outside the park.

(iii) A daily catch limit from Lake Crescent shall contain no more than two fish that exceed 18 inches in length.

(iv) The limit of catch of salmon per person per day shall not exceed 6 fish.

(v) Any person lawfully fishing in any fresh water lake, river or stream for fish other than salmon may take and possess not more than 4 incidental-caught jack salmon per day not less than 12 inches or more than 16 inches in length.

(vi) No person shall have in his possession more than one day's catch limit at any time.

(5) **Bait.** (i) Fishing with any line, gear, or tackle having more than two spinners, spoons, blades, flashers or like attractions, and with more than one rudder, and more than three hooks attached to such line, gear, or tackle is prohibited.

(ii) The use of fish eggs as bait is permitted.

(6) **Pollution of waters.** The cleaning of fish in park lakes or streams, or depositing fish entrails, heads, gills, or other refuse in any park lake or stream is prohibited.

(7) **License.** A license to fish in Park waters is not required, however, a State of Washington punch card, which may be obtained free of charge, shall be in possession for steelhead fishing during the regular and extended steelhead trout fishing season. All steelhead caught from Park waters shall be accounted for in the same manner as those caught from State waters.

(8) **Use of boats.** Boats and rubber rafts may be used for fishing, only in the following Park waters:

Quillayute River.  
Bogachiel River.  
Queets River below Tshletshy Creek.  
Hoh River.  
Quinault River, including the North Fork below Wolf Bar Shelter and the East Fork below Graves Creek.  
Lake Crescent.  
Lake Mills.

OSCAR A. SEDERGRÉN,  
*Acting Superintendent,  
Olympic National Park.*

[F.R. Doc. 61-3828; Filed, Apr. 25, 1961;  
8:53 a.m.]

## Title 50—WILDLIFE AND FISHERIES

Chapter I—Bureau of Sport Fisheries and Wildlife, Fish and Wildlife Service, Department of the Interior

### PART 33—SPORT FISHING

North Dakota; Tewaukon National Wildlife Refuge

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER.

§ 33.5 Special regulations; sport fishing; for individual wildlife refuge areas.

#### NORTH DAKOTA

##### TEWAUKON NATIONAL WILDLIFE REFUGE

###### Corrections

In the special regulation submitted April 14, 1961 for North Dakota National Wildlife Refuges (26 F.R. 3363), the section for Tewaukon, paragraph (b) should read as follows:

(b) Open season: May 6, 1961 through September 15, 1961.

Paragraph (e), 3 should read as follows:

(e) Other provisions:

\* \* \* \* \*

3. The provisions of this regulation are effective to September 16, 1961.

R. W. BURWELL,  
*Regional Director, Bureau of  
Sport Fisheries and Wildlife.*

APRIL 19, 1961.

[F.R. Doc. 61-3767; Filed, Apr. 25, 1961;  
8:46 a.m.]

## Title 14—AERONAUTICS AND SPACE

Chapter III—Federal Aviation Agency

### SUBCHAPTER E—AIR NAVIGATION REGULATIONS

[Airspace Docket No. 60-NY-153]

#### PART 600—DESIGNATION OF FEDERAL AIRWAYS

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

Revocation of Federal Airway, Associated Control Areas, and Reporting Points

On February 15, 1961, a notice of proposed rule making was published in the FEDERAL REGISTER (26 F.R. 1310) stating that the Federal Aviation Agency proposed to revoke Blue Federal airway No. 45 in its entirety, its associated control areas and reporting points.

No adverse comments were received regarding the proposed amendments.

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

The substance of the proposed amendments having been published, therefore, pursuant to the authority delegated to me by the Administrator (25 F.R. 12582) and for the reasons stated in the notice, Parts 600 and 601 (14 CFR 600, 601) are amended by revoking the following sections:

§ 600.645 Blue Federal airway No. 45 (Montpelier, Vt., to Newport, Vt.). [Revoked]

§ 601.645 Blue Federal airway No. 45 control areas (Montpelier, Vt., to Newport, Vt.). [Revoked]

§ 601.4645 Blue Federal airway No. 45 (Montpelier, Vt., to Newport, Vt.). [Revoked]

These amendments shall become effective 0001 e.s.t., June 29, 1961.

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

Issued in Washington, D.C., on April 20, 1961.

D. D. THOMAS,  
*Director, Bureau of  
Air Traffic Management.*

[F.R. Doc. 61-3758; Filed, Apr. 25, 1961;  
8:45 a.m.]

# Proposed Rule Making

## POST OFFICE DEPARTMENT

[ 39 CFR Parts 56, 61 ]

### SPECIAL DELIVERY AND MONEY ORDER CHARGES

#### Proposed Increase

The amendments set forth below are proposed to be made by the Post Office Department to regulations contained in Chapter I of Title 39, Code of Federal Regulations, effective July 1, 1961. They make the following changes in existing regulations:

1. Part 56 is amended by increasing the special delivery fees by 10 cents in each fee classification for other than first-class matter.

2. Part 61 is amended to revise fee brackets and increase fees on both domestic and international money orders. New domestic fee schedule combines the present 15-cent and 20-cent fee brackets into one, at 20 cents, and splits the present 30-cent bracket at the \$50 level, raising to 35 cents the fee for denominations from \$50.01 to \$100. The new international fee schedule combines the present 30-cent and 40-cent fee brackets into one, at 40 cents. It also splits the present 60-cent bracket at the \$50 level, raising to 70 cents the fee for denominations from \$50.01 to \$100.

Although the proposed changes relate to proprietary and foreign affairs functions of the Government, it is the desire of the Postmaster General voluntarily to observe the rule making requirements of the Administrative Procedure Act (5 U.S.C. 1003) in order that patrons of the Postal Service may have an opportunity to present written views concerning the proposed regulations. Accordingly, such written views may be submitted to Mr. E. A. Riley, Director, Postal Services Division, Bureau of Operations, Post Office Department, Room 4426, Washington 25, D.C., at any time prior to the thirtieth day following the date of publication of this notice in the **FEDERAL REGISTER**.

The proposed amendments which are to become effective July 1, 1961, are as follows:

In Part 56—Special Delivery, § 56.2 *Payment for special delivery* amend paragraph (a) to read as follows:

(a) *Special delivery fees.*

Class of mail	Weight		
	Not more than 2 lbs.	More than 2 lbs. but not more than 10 lbs.	More than 10 lbs.
	Cents	Cents	Cents
First class and airmail (including air parcel post).....	30	45	60
All other classes.....	55	65	80

**NOTE:** The corresponding Postal Manual section is 166.21.

(R.S. 161, as amended, secs. 501, 507, 74 Stat. 580, 581 (Pub. Law 86-682); 5 U.S.C. 22, 39 U.S.C. 501, 507)

In Part 61—Money Orders, § 61.1 *Issuance of domestic money orders* amend subparagraph (2) of paragraph (b) to read as follows:

- (b) *Amounts, fees, payments.* \* \* \*  
(2) *Money order fees.*

Amount of money order	Amount of fee	
	Domestic	International
\$0.01 to \$10.....	\$0.20	\$0.40
\$10.01 to \$50.....	.30	.60
\$50.01 to \$100.....	.35	.70

**NOTE:** The corresponding Postal Manual section is 171.12.

(R.S. 161, as amended, secs. 501, 506, 5101, 5102, 74 Stat. 580, 581, 681 (Pub. Law 86-682); 5 U.S.C. 22, 39 U.S.C. 501, 506, 5101, 5102)

[SEAL] LOUIS J. DOYLE,  
*Acting General Counsel.*

[F.D. Doc. 61-3796; Filed, Apr. 25, 1961; 8:52 a.m.]

## DEPARTMENT OF AGRICULTURE

### Agricultural Marketing Service

[ 7 CFR Part 903 ]

[Docket No. AO-10-A25]

### MILK IN ST. LOUIS, MISSOURI, MARKETING AREA

#### Decision on Proposed Amendments to Tentative Marketing Agreement and Order

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held at St. Louis, Missouri, on March 23, 1961 pursuant to notice thereof issued on March 15, 1961 (26 F.R. 2134).

Upon the basis of the evidence introduced at the hearing and the record thereof, the Deputy Administrator, Agricultural Marketing Service, on April 5, 1961 (26 F.R. 3029; F.R. Doc. 61-3148) filed with the Hearing Clerk, United States Department of Agriculture, his recommended decision containing notice of the opportunity to file written exceptions thereto.

The material issue on the record of the hearing relates to the point of receipt of milk diverted from a city pool plant to a nonpool plant.

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

The order should be amended to provide that milk diverted from a pooled

city plant to a nonpool plant located more than 110 miles from the City Hall in St. Louis, and within the defined surplus disposal area should be considered a receipt at a pool plant at the same location as the nonpool plant to which the milk is diverted.

Under the terms of the order milk diverted from a pool plant to a nonpool plant is considered to have been received at the plant from which diverted. In addition there is no restriction on diversion during the months of flush production, March through July.

Recently some handlers who operate country plants have taken advantage of the above provisions to secure the St. Louis delivered price for milk of their producers which is moved to manufacturing plants a substantial distance from St. Louis. This has been accomplished by arranging for milk which is ordinarily received at the country receiving stations to be received at a pooled city plant for a short period of time. As soon as the producer has been thus identified with a city plant, his milk is received at a manufacturing plant in the vicinity of the country plant at which it was formerly received. It is reported by the handler, however, as being diverted from the city plant rather than from the country plant.

This results in the producer being paid the uniform price applicable at St. Louis rather than the price applicable at the zone in which the plant of usual receipt is located. The location differentials applicable at existing country plants located beyond the 110 mile zone range from 27 cents per hundredweight to 34 cents per hundredweight. In effect producers whose milk is being so diverted by country plant operators are being subsidized to this extent by nearby producers. The above proposal which would correct this abuse of the order provisions was recommended by cooperative associations which jointly represent approximately 96 percent of the producers on the market, including most of those whose milk is normally received at country plants.

One handler opposed the adoption of the proposed amendment whereby milk diverted to a nonpool plant located within the defined surplus disposal area and more than 110 miles from St. Louis would be considered received at the location to which diverted. Until a few months ago this handler operated a country receiving station in the 140-150 mile zone. The milk of producers who formerly shipped to this plant is now hauled directly to St. Louis. This handler expressed the view that the proposed amendment, if adopted, might work to its detriment and proposed that the amendment not apply to milk of a producer if milk of the producer was received at the diverting plant on more days, or in a greater volume, than at any other plant during the preceding 12-month period.

The evidence is that, while the plant was operating no milk was diverted from it and, since its closing, none of the milk procured in the area by the handler has been diverted. If the proposed amendment were adopted and milk were diverted by this handler to a plant in the surplus area and more than 110 miles from St. Louis, it would not affect the handler's costs directly, and would affect returns to his producers, only to the extent that the difference between the costs of hauling milk from the farm to the nonpool plant and from the farm to St. Louis might vary from the applicable location differential. This would not warrant the expense involved in re-auditing the receipts from individual producers at all plants for the past year.

The amendment as proposed should be adopted with slight changes in terminology to clarify its intent. The 110 mile radius beyond which location differentials would apply to diverted milk encompasses an area in Missouri within which virtually all of the producer milk is shipped directly to St. Louis without moving through country plants. Within this radius there are ample manufacturing facilities to handle all the direct shipped milk which may be produced in excess of the market's fluid requirements.

Another suggested modification of the proposed amendment would have enlarged the presently defined surplus disposal area to include additional territory in Illinois and Missouri as well as two counties in Iowa. On the basis of this record there is insufficient evidence to warrant expansion of the surplus disposal area.

It was also requested on the record that the filing of a recommended decision by the Deputy Administrator be waived in this proceeding. The record does not support the existence of emergency conditions sufficiently grave to warrant the denial of opportunity for interested parties to file exceptions, particularly in view of the conflicting testimony of interested parties.

One exceptant objected to the adoption of the proposed amendment on the grounds that it would destroy the basic concepts of the order, distort equities and create disorder and additional problems in the marketing of milk. Exception was also taken to our failure to expand the defined surplus disposal area.

For reasons noted above the evidence supports the adoption of the proposed amendment as recommended and affords no basis for expanding the surplus disposal area at this time.

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

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

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

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

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

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

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

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

**Determination of representative period.** The month of February 1961 is hereby determined to be the representative period for the purpose of ascertaining whether the issuance of the attached order amending the order regulating the

handling of milk in the St. Louis, Missouri, marketing area, is approved or favored by producers, as defined under the terms of the order as hereby proposed to be amended, and who, during such representative period, were engaged in the production of milk for sale within the aforesaid marketing area.

Issued at Washington, D.C., April 21, 1961.

JOHN P. DUNCAN, Jr.,  
Assistant Secretary.

**Order<sup>1</sup> Amending the Order Regulating the Handling of Milk in the St. Louis, Missouri, Marketing Area**

**§ 903.0 Findings and determinations.**

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

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

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

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

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

**Order relative to handling.** It is therefore ordered, that on and after the effective date hereof, the handling of milk in the St. Louis, Missouri, marketing area shall be in conformity to and in compli-

<sup>1</sup> This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders have been met.

ance with the terms and conditions of the aforesaid order, as hereby amended, and the aforesaid order is hereby further amended as follows:

Delete § 903.7(b)(2) and substitute the following:

(2) By a handler who operates a pool plant any number of days during the months of March through July: *Provided*, That milk so diverted pursuant to subparagraphs (1) and (2) of this paragraph shall be deemed to have been received at the plant from which diverted, except that milk diverted from a pool city plant to a nonpool plant located more than 110 airline miles from the City Hall in St. Louis and which is located in the surplus disposal area designated in § 903.43(c)(1) shall be deemed to have been received at a pool plant at the same location as the nonpool plant to which diverted.

[F.R. Doc. 61-3786; Filed, Apr. 25, 1961; 8:50 a.m.]

#### [ 7 CFR Part 906 ]

[Docket No. AO-210-A12]

### MILK IN OKLAHOMA METROPOLITAN MARKETING AREA

#### Decision Terminating Proceedings With Respect to Proposed Marketing Agreement and Proposed Order

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure as amended, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held at Oklahoma City, Oklahoma, on February 15, 1961, pursuant to notice thereof issued on February 8, 1960 (25 F.R. 1210). The period until March 14, 1960, was allowed interested parties for filing briefs on the record.

The material issue on the record of the hearing relates to establishing a separate classification and price for milk utilized in certain products presently classified and priced as Class II.

Interested persons have now requested another hearing at which the appropriate Class II price would be considered in all its aspects.

Since data in the record of the February 15, 1960 hearing are now partially obsolete and would tend to encumber the consideration of related issues on the basis of facts currently available, it is concluded that no action relative to the proposed marketing agreement and proposed order should be taken on the basis of the existing public hearing record and the proceeding is hereby terminated.

The due and timely execution of the function of the Secretary under the Act imperatively and unavoidably requires, for the reasons stated above, the omission of a recommended decision by the Deputy Administrator, Agricultural Marketing Service, and the opportunity for

filing exceptions thereto, with respect to such termination of proceedings.

This decision filed at Washington, D.C., April 21, 1961.

JOHN P. DUNCAN, JR.,  
Assistant Secretary.

[F.R. Doc. 61-3787; Filed, Apr. 25, 1961; 8:50 a.m.]

#### [ 7 CFR Part 922 ]

### HANDLING OF VALENCIA ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

#### Approval of Expenses and Fixing of Rate of Assessment for 1960-61 Fiscal Year

Consideration is being given to the following proposals submitted by the Valencia Orange Administrative Committee, established under the marketing agreement and Order No. 22, as amended (7 CFR Part 922), regulating the handling of Valencia oranges grown in Arizona and designated part of California, originally effective March 31, 1954, under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), as the agency to administer the terms and provisions thereof: (1) That expenses not to exceed \$170,000 will be necessarily incurred during the fiscal year November 1, 1960, through October 31, 1961, for the maintenance and functioning of the committee established under the aforesaid marketing agreement and order, as amended, and (2) that there be fixed, as the share of such expenses which each handler who first handles oranges shall pay during fiscal year in accordance with the aforesaid marketing agreement and order, as amended, the rate of assessment of eleven mills (\$0.011) per carton of oranges handled by such handler as the first handler thereof during such fiscal year.

All persons who desire to submit written data, views, or arguments in connection with the aforesaid proposals should file the same with the Director, Fruit and Vegetable Division, Agricultural Marketing Service, United States Department of Agriculture, Room 2077, South Building, Washington 25, D.C., not later than the 10th day after the publication of this notice in the FEDERAL REGISTER. All documents should be filed in quadruplicate.

As used herein, "handle," "handler," "oranges," "fiscal year," and "carton" shall have the same meaning as is given to each such term in said marketing agreement and order, as amended.

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

Dated: April 21, 1961.

FLOYD F. HEDLUND,  
Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 61-3798; Filed, Apr. 25, 1961; 8:52 a.m.]

#### [ 7 CFR Part 953 ]

[Docket No. AO-144-A9]

### HANDLING OF LEMONS GROWN IN CALIFORNIA AND ARIZONA

#### Decision With Respect to Proposed Amendments to Amended Marketing Agreement and Order

Pursuant to the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held at Los Angeles, California, on October 27, 1960, after notice thereof published in the FEDERAL REGISTER (25 F.R. 9684) on proposed amendments to the marketing agreement, as amended, and to Order No. 53, as amended (7 CFR Part 953), regulating the handling of lemons grown in California and Arizona, to be made effective pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674).

On the basis of the evidence introduced at the hearing, and the record thereof, the Deputy Administrator, Agricultural Marketing Service, on March 20, 1961, filed with the Hearing Clerk, United States Department of Agriculture, his recommended decision in this proceeding. The notice of the filing of such recommended decision, affording opportunity to file written exceptions thereto, was published in the FEDERAL REGISTER (F.R. Doc. 61-2573; 26 F.R. 2481) on March 23, 1961.

The material issues, findings and conclusions, and the general findings of the recommended decision set forth in the FEDERAL REGISTER (F.R. Doc. 61-2573; 26 F.R. 2481) are hereby approved and adopted as the material issues, findings and conclusions, and the general findings of this decision as if set forth in full herein.

*Rulings on exceptions.* An exception to the recommended decision was filed, within the prescribed time, by M. D. Street, Treasurer, Sunkist Growers, Inc. Such exception was carefully and fully considered, in conjunction with the evidence in the record, in arriving at the findings and conclusions set forth herein.

Exception was taken to the findings and conclusions of the recommended decision, and to the effectuating provisions set forth in the recommended amendment, pertaining to the specification of the minimum vote to be required in order for the Lemon Administrative Committee to recommend an increase in the weekly allotment whenever the voting thereon is not at an assembled meeting of the committee. It is contended that the only argument for changing the voting requirement that has any merit concerns the fact that market information is not as readily available to committee members when an assembled meeting is not held as it is when there is an assembled meeting; and it is argued that this does not have the validity



claimed by those supporting a change in the minimum vote since Sunkist Growers would make such market information available to any committee member who desired to obtain it.

As the recommended decision indicated, the record of the hearing contains persuasive evidence both in support of and in opposition to this proposal. The question as to whether the proposal should or should not be adopted must be resolved, to a large extent, on the basis of whether its adoption would tend to accomplish the objectives of the act as contended by the proponents or would adversely affect program operations, as contended by the opponents.

The proposal is concerned only with the minimum vote to be required in order for the committee to recommend an increase in the weekly allotment when an assembled meeting is not held. Even though the necessary vote could not be obtained at the unassembled meeting, the proposed increase could be considered further when the weekly assembled meeting is held and the available marketing information could be freely discussed.

Those opposing the proposal at the hearing stated the members could, if they desired, obtain from Sunkist Growers the available market information. This was not controverted. Even so, however, the record of the hearing shows that it is sufficiently difficult for the grower members of the committee to take advantage of this offer to provide the information that they have not, in the past, obtained it nor is it likely they would be in a position to do so in the future. The difficulty involved here is primarily one of communications since growers often are engaged in working in citrus groves and it may not be easy to communicate with them even by telephone. It is the grower members of the committee who have the least personal knowledge of current market conditions and have the greatest need to obtain it from handler members.

There remains also the objective of the proposal to bring about the more serious consideration, at the regularly scheduled weekly committee meeting, of the level of regulation to be recommended. This is a worthy objective. It appears reasonable to believe, on the basis of the evidence of record, that adoption of the proposal would tend to accomplish this objective and that the proposed change in voting procedure would not adversely affect the operation of the program.

The exception is, therefore, denied.

To the extent that the findings and conclusions contained herein are at variance with any exception pertaining thereto, such exception is denied for the foregoing reasons and on the basis of the findings and conclusions relating to the issues to which the exception refers.

*Amendments to the marketing agreement and amendments to the marketing order.* Annexed hereto and made a part hereof are two documents entitled, respectively, "Marketing Agreement, as Amended, Regulating the Handling of Lemons Grown in California and Arizona" and "Order Amending the Order

Regulating the Handling of Lemons Grown in California and Arizona" which have been decided upon as the appropriate and detailed means of effecting the foregoing conclusions. These documents shall not become effective unless and until the requirements of § 900.14 of the aforesaid rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders have been met.

*Determination of representative period.* The period beginning November 1, 1959, and ending October 31, 1960, is hereby determined to be a representative period for ascertaining whether the issuance of the order amending the order, as amended, regulating the handling of lemons grown in California and Arizona, is approved or favored by producers, who, during such period, have been engaged in the production for market of lemons within such area.

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

Dated: April 21, 1961.

JOHN P. DUNCAN, JR.,  
Assistant Secretary.

*Order Amending the Order, as Amended, Regulating the Handling of Lemons Grown in California and Arizona*

§ 953.0 Findings and determinations.

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

(a) *Findings upon the basis of the hearing record.* Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674), and the applicable rules of practice and procedure effective thereunder (7 CFR Part 900), a public hearing was held at Los Angeles, California, on October 27, 1960, upon proposed amendments to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953), regulating the handling of lemons grown in California and Arizona. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

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

<sup>1</sup> This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure governing proceedings to formulate marketing agreements and orders have been met.

(2) The said order, as amended, and as hereby further amended, regulates the handling of lemons grown in the designated production area in the same manner as, and is applicable only to persons in the respective classes of commercial or industrial activity specified in, the marketing agreement and order upon which hearings have been held;

(3) The said order, as amended, and as hereby further amended, is limited in its application to the smallest regional production area that is practicable, consistently with carrying out the declared policy of the act;

(4) The said order, as amended, and as hereby further amended, prescribes, so far as practicable, such different terms, applicable to different parts of the production area, as are necessary to give due recognition to differences in the production and marketing of lemons; and

(5) All handling of lemons grown in the designated production area is in the current of interstate or foreign commerce or directly burdens, obstructs, or affects such commerce.

*It is, therefore, ordered,* That, on and after the effective date hereof, all handling of lemons grown in the production area shall be in conformity to, and in compliance with, the terms and conditions of the said order, as amended, and as hereby further amended as follows:

§ 953.12 [Amendment]

1. The provisions of paragraph (b) of § 953.12 *Lemons available for current shipment* are deleted and the following substituted in lieu thereof:

(b) With respect to District 2, the total quantity of lemons which, in accordance with standards prescribed by the committee with the approval of the Secretary, potentially are marketable as fresh fruit under applicable laws and which were delivered to the handlers in such district during the preceding 20-week period.

§ 953.28 [Amendment]

2. The first sentence in paragraph (a) of § 953.28 *Procedure* is revised to read as follows: "Seven members of the committee shall constitute a quorum and any action of the committee shall require at least seven concurring votes except that at least eight concurring votes shall be required to recommend an increase in the quantity of lemons fixed under § 953.52 when the voting on such action is not at an assembled meeting."

3. A new § 953.33 is added as follows:

§ 953.33 Research and development.

"The committee, with the approval of the Secretary, may establish or provide for the establishment of marketing research and development projects designed to assist, improve, or promote the marketing, distribution, and consumption of lemons, the expense of such projects to be paid from funds collected pursuant to this part.

§ 953.57 [Amendment]

4. The words "ten percent" are deleted from the first sentence in § 953.57

*Overshipments* and the words "twenty percent" are substituted in lieu thereof. [F.R. Doc. 61-3797; Filed, Apr. 25, 1961; 8:52 a.m.]

**Agricultural Research Service**

[ 9 CFR Part 17 ]

**SMOKED HAMS AND OTHER PORK PRODUCTS UNDER FEDERAL MEAT INSPECTION**

**Notice of Additional Public Hearing on Moisture Content**

On March 28, 1961, and April 6, 1961, the United States Department of Agriculture issued, for publication in the **FEDERAL REGISTER** (26 F.R. 2756, 3070), notices of public hearings to be held in seven specified locations on the moisture content of smoked hams and other pork products prepared under the Meat Inspection Act, as amended (21 U.S.C. 71 et seq.), and the regulations thereunder (9 CFR Parts 1-28).

Another hearing has now been scheduled to begin at 10:00 a.m., local time, on Wednesday, May 17, 1961, in the Thomas Jefferson Memorial (Department of Agriculture) Auditorium, between 4th and 5th Wings, First Floor, U.S. Department of Agriculture South Building, 12th-14th and Independence Ave. SW., Washington, D.C.

Any interested person may present any views, facts, or arguments he wishes to offer orally at the hearings, or may submit his comments in writing to the Presiding Officer at the hearings, or may send a written statement of comments to the Administrator, Agricultural Research Service, United States Department of Agriculture, Washington 25, D.C. In view of the scheduling of the additional hearing and in order to enable interested persons to obtain copies of the transcript of the hearings before submitting written comments to the Administrator, the time for such submission is hereby extended from May 22 to June 10, 1961. Comments sent to the Administrator will be considered if received in his office on or before June 10, 1961.

It will facilitate the hearings if persons who wish to make their comments orally will notify the Administrator as soon as possible to that effect, stating at which hearing or hearings they wish to testify and how long a time they would like to have to present their testimony. However any person who wishes to testify at the hearings will be afforded opportunity to do so, whether he has given such advance notice to the Administrator or not.

The further procedures specified in the March 28 notice will apply to this additional hearing.

Done at Washington, D.C., this 21st day of April 1961.

**M. R. CLARKSON,**  
*Acting Administrator,*  
*Agricultural Research Service.*

[F.R. Doc. 61-3800; Filed, Apr. 25, 1961; 8:53 a.m.]

**PROPOSED RULE MAKING**

**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 446) has been filed by Merck and Company, Inc., Rahway, New Jersey, proposing the issuance of an amendment to § 121.210 (Amprolium (1-(4-amino-2-n-propyl-5-pyrimidinylmethyl)-2-picolinium chloride hydrochloride) in chicken feed, (c)(9) and (d)(8), by deleting that part of the regulation requiring that the medicated feed be withdrawn 4 days prior to slaughtering the birds for food, and concurrently amending § 121.1022 by establishing tolerances for residues of amprolium of 1.0 part per million (0.0001 percent) in uncooked liver and kidney, and 0.5 part per million (0.00005 percent) in uncooked muscle of chickens and turkeys.

Dated: April 19, 1961.

[SEAL] **J. K. KIRK,**  
*Assistant to the Commissioner*  
*of Food and Drugs.*

[F.R. Doc. 61-3774; Filed, Apr. 25, 1961; 8:47 a.m.]

[ 21 CFR Part 121 ]

**FOOD ADDITIVES**

**Notice of Filing of Petition**

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348 (b)(5)), notice is given that a petition (FAP 438) has been filed by National Starch and Chemical Corporation, 1700 West Front Street, Plainfield, New Jersey, proposing the amendment of § 121.1031 of the food additive regulations to provide for the safe use in food of modified starches that have been modified in part in one of the following ways:

By treatment with not more than 4 percent of succinic anhydride neutralized with sodium hydroxide.

By treatment with not more than 3 percent octenyl succinic anhydride and neutralized with sodium hydroxide.

By treatment with not more than 2 percent octenyl succinic anhydride and neutralized with aluminum sulfate.

Dated: April 19, 1961.

[SEAL] **J. K. KIRK,**  
*Assistant to the Commissioner*  
*of Food and Drugs.*

[F.R. Doc. 61-3775; Filed, Apr. 25, 1961; 8:48 a.m.]

[ 21 CFR Part 121 ]

**FOOD ADDITIVES**

**Notice of Filing of Petition**

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348 (b)(5)), notice is given that a petition (FAP 440) has been filed by Arnold, Hoffman and Company, Inc., 55 Canal Street, Providence 1, Rhode Island, proposing the issuance of a regulation to provide for the safe use of defoamer formulations in the processing and manufacture of pulp, paper, and paperboard products for food packaging. The formulations contain the following ingredients:

Aluminum stearate.  
Butyl stearate.  
Cetyl alcohol-ethylene oxide condensate.  
Cyclohexanol.  
Formaldehyde (aqueous, 3 percent).  
Glycerol monostearate.  
Kerosene, deodorized.  
Methyl palmitate-oleate mixture.  
Mineral oil.  
Oleic acid.  
Paraffin wax.  
Polyoxyethylene oleate.  
Polyoxyethylene (20) sorbitan monostearate.  
Polyoxyethylene (20) sorbitan tristearate.  
Polysorbate 80.  
Stearic acid.  
Tall oil.  
Tallow.  
Tallow, sulfated.

Dated: April 18, 1961.

[SEAL] **J. K. KIRK,**  
*Assistant to the Commissioner*  
*of Food and Drugs.*

[F.R. Doc. 61-3776; Filed, Apr. 25, 1961; 8:48 a.m.]

[ 21 CFR Part 121 ]

**FOOD ADDITIVES**

**Notice of Filing of Petition**

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348 (b)(5)), notice is given that a petition (FAP 397) has been filed by Dow Chemical Company, Midland, Michigan, proposing the issuance of a regulation amending § 121.209 to provide for the safe use of ronnel (O,O-dimethyl O-(2-4-5-trichlorophenyl) phosphorothioate) in medicated feed for dairy heifers up to 60 days before first calving.

Dated: April 19, 1961.

[SEAL] **J. K. KIRK,**  
*Assistant to the Commissioner*  
*of Food and Drugs.*

[F.R. Doc. 61-3777; Filed, Apr. 25, 1961; 8:48 a.m.]

[ 21 CFR Part 121 ]

**FOOD ADDITIVES**

**Notice of Filing of Petition**

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348 (b)(5)), notice is given that a petition

(FAP 448) has been filed by The Baker Castor Oil Company, 40 Avenue A, Bayonne, New Jersey, proposing the issuance of a regulation to provide for the safe use of hydrogenated castor oil to provide grease resistance and moisture-proof surfaces to paper and paperboard in contact with food.

Dated: April 19, 1961.

[SEAL] J. K. KIRK,  
Assistant to the Commissioner  
of Food and Drugs.

[F.R. Doc. 61-3778; Filed, Apr. 25, 1961;  
8:49 a.m.]

## ATOMIC ENERGY COMMISSION

[ 10 CFR Part 30 ]

[Docket No. 30-8]

### LOCK ILLUMINATORS CONTAINING TRITIUM

#### Notice of Receipt of Petition for Exemption

The Atomic Energy Commission has received correspondence which it considers to be a petition for rule making filed by Mr. Berard Heinz of Scranton, Pennsylvania, requesting an amendment to the Commission's regulation, "Licensing of Byproduct Material," 10 CFR Part 30. The petition requests an amendment to this regulation which would exempt from licensing and other regulatory controls the distribution, possession and use of automobile lock illuminators containing up to 15 millicuries of tritium (Hydrogen 3). The requested exemption would not apply to the manufacturers of such lock illuminators, who would still be required to obtain a specific license to manufacture and distribute them in accordance with specifications approved in the license.

The lock illuminator is intended to facilitate the insertion of a key into the lock at night or under poor lighting conditions. The petitioner states that his immediate objective is to market the lock illuminators as equipment for new automobiles.

The tritium to be incorporated in the lock illuminator is in the form of an organic tagged paint and the tritium is in a stable form, insoluble in water. The paint would be completely sealed in plastic and would not be available for dispersion into the environment without destroying the plastic ring into which it is to be incorporated. There is no detectable radiation level external to the lock illuminator, so that an individual lock illuminator containing 15 millicuries of tritium would not present a radiation hazard provided it is manufactured according to specifications which would be established in a specific license issued to the manufacturer.

Although the tritium is tightly bound in paint and is sealed in a plastic material, it must be assumed that the tritium may eventually reach the environment after a device is discarded or destroyed through deterioration or burning. It does not appear that the distribution of automobile lock illumina-

tors would significantly increase natural background radiation exposure to individuals in the population even if it is assumed that all automobiles manufactured each year, for many years, are equipped with lock illuminators. However, the request for exemption of lock illuminators containing up to 15 millicuries of tritium presents a policy question as to whether radioactive materials should be authorized for use in items used directly by consumers, where control over disposal of the radioactive material contained in the items cannot be exercised, even though the radiation dose to individuals in the population may be extremely low as related to background radiation.

Exemption of tritium in lock illuminators may be construed as establishing a precedent for the use of tritium for luminous purposes in numerous devices in the possession of the public. If all potential uses of tritium in luminous products were authorized, it is conceivable (but unlikely for the foreseeable future) that the total quantity of tritium which might be distributed annually in such devices could eventually approach the amount of tritium that is produced annually from natural sources, such as cosmic radiation.

Tritium from natural sources contributes about .003 millirem per year<sup>1</sup> to the average dose that individuals in the general population receive from natural background. This tritium dose rate results from the approximately 8 million curies<sup>2</sup> of tritium that are produced each year throughout the world by natural causes such as cosmic radiation. It is highly unlikely that all conceivable uses of tritium for luminous purposes would exceed 8 million curies per year, which is equal to the natural background tritium production rate incident upon the surface of the earth. Further, tritium incorporated in luminous products would not be available for dispersal to the environment until much of it had decayed while in use or while bound in a discarded item.

Assuming, however, that 8 million curies of tritium were released to the general environment annually from various types of luminous products and that such tritium was distributed uniformly in the environment, the distribution would result in an increase of the average radiation dose per individual in the general population of .003 millirem per year, which would be equal to the dose from naturally produced tritium and which would be 3/100,000 of the average gonadal radiation dose of 100 millirem from all natural background doses of radiation. This added dose of 0.003 millirem per year would give a 30 year genetic dose of 0.00009 rem, which is 0.00004 of the radiation dose of 2 rems per 30 years which the International

<sup>1</sup> "Report of the United Nations Scientific Committee on the Effects of Atomic Radiation," United Nations, New York, p. 53, pp. 9-11 (1958).

<sup>2</sup> Craig, H., "Radiocarbon and Tritium Distribution and Mixing Rates," Proceedings, Conf. on Recent Research in Climatology, Ed. by H. Craig, Scripps Institute of Oceanography, La Jolla, Calif., p. 53 (March 1957).

Commission on Radiological Protection has suggested as a tentative apportionment of genetic dose which the population at large might receive from nuclear energy programs and more extensive uses of radiation sources.

In addition to the radiation dose from tritium to the population, one must consider possible mutations in the population from the transmutation of tritium to helium as the tritium decays by beta emission. If one makes the extremely conservative assumptions that the tritium released from consumer products would be incorporated into the structure of deoxyribonucleic acid (a principal chemical constituent of genetic material of human reproductive cells) in the same ratio in which natural tritium occurs in deoxyribonucleic acid, and that each transmutation results in a genetic mutation, the increase in mutation rate for the world population would be approximately equivalent to the number produced from a radiation dose of 0.006 millirem per year to the gonads. When this is added to 0.003 millirem beta radiation from tritium, a combined total equivalent genetic radiation dose of 0.009 millirem per year is obtained from the annual addition of 8 million curies of tritium to the environment.

Notice is hereby given that the Atomic Energy Commission has under consideration the petition filed by Mr. Bernard Heinz which requests that the Commission's regulation "Licensing of Byproduct Material", 10 CFR Part 30, be amended to exempt from licensing and other regulatory controls the distribution, possession and use of lock illuminators, each containing up to 15 millicuries of tritium (Hydrogen 3). All interested persons who desire to submit written comments and suggestions for consideration by the Commission in connection with this petition should send them to the Secretary, United States Atomic Energy Commission, Washington 25, D.C., within sixty (60) days after publication of this notice in the FEDERAL REGISTER. Comments received after that period will be considered if it is practicable to do so, but assurance of consideration cannot be given except as to comments filed within the period specified.

It is suggested that comments filed pursuant to this notice discuss among other things the following questions:

(1) Should the Commission amend 10 CFR Part 30 to exempt from the licensing requirements of Part 30 the distribution, possession, and use of lock illuminators each containing up to 15 millicuries of tritium which are manufactured in accordance with the specifications incorporated in a specific license issued to the manufacturer by the Commission?

(2) If such exemption is granted, should it be limited to automobile lock illuminators or extended to any luminous source containing tritium manufactured in accordance with the specifications incorporated in a specific license issued to the manufacturer by the Commission?

(3) If the Commission exempts lock illuminators containing tritium, or other properly manufactured luminous sources

containing tritium, should the Commission limit the total amount of tritium distributed in such forms to approximately 8 million curies per year or to some other total quantity of tritium?

A copy of the petition filed by Mr. Bernard Heinz and related documents are available for examination in the Commission's Public Document Room, 1717 H Street NW., Washington 25, D.C., and may be obtained upon request addressed to the Acting Director, Division of Licensing and Regulation, U.S. Atomic Energy Commission, Washington 25, D.C.

Dated at Germantown, Md., this 14th day of April 1961.

For the Atomic Energy Commission.

WOODFORD B. McCool,  
*Secretary.*

[F.R. Doc. 61-3757; Filed, Apr. 25, 1961;  
8:45 a.m.]

## FEDERAL AVIATION AGENCY

[ 14 CFR Parts 600, 601 ]

[Airspace Docket No. 61-KC-9]

### FEDERAL AIRWAYS AND CONTROLLED AIRSPACE

#### Alteration of Federal Airway and Associated Control Areas

Pursuant to the authority delegated to me by the Administrator (14 CFR 409.13), notice is hereby given that the Federal Aviation Agency is considering amendments to Parts 600 and 601 of the regulations of the Administrator, the substance of which is stated below.

Low altitude VOR Federal airway No. 479 extends from the intersection of the Milwaukee, Wis., VORTAC 161° and the Janesville, Wis., VOR 076° True radials (Wind Lake Intersection) to the Milwaukee VORTAC. The Federal Aviation Agency is considering the alteration of this airway by extending it southward from the Wind Lake Intersection to the Northbrook VORTAC. The addition of this segment would provide a more direct airway for aircraft operating between the Chicago, Ill., and the Milwaukee terminal areas.

In addition, to implement in part, Civil Air Regulations, Part 60, Air Traffic Rules, Amendment 60-21 (26 F.R. 570), it is proposed to designate the control areas associated with Victor 479 to extend upwards from at least 1,200 feet above the surface or if appropriate 500 feet below the minimum IFR en route altitude when established.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Management Field Division, Federal Aviation Agency, 4825 Troost Avenue, Kansas City 10, Mo. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrange-

ments for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Management Field 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 B-316, 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 Management Field 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 April 19, 1961.

J. R. BAILEY,  
*Assistant Chief,*  
*Airspace Utilization Division.*

[F.R. Doc. 61-3762; Filed, Apr. 25, 1961;  
8:46 a.m.]

[ 14 CFR Parts 600, 601 ]

[Airspace Docket No. 61-FW-30]

### FEDERAL AIRWAYS, CONTROLLED AIRSPACE AND REPORTING POINTS

#### Revocation of Federal Airway, Associated Control Areas and Reporting Points

Pursuant to the authority delegated to me by the Administrator (14 CFR 409.13), notice is hereby given that the Federal Aviation Agency is considering amendments to Parts 600 and 601 of the regulations of the Administrator, the substance of which is stated below.

Red Federal airway No. 16 extends from Florence, S.C., to Raleigh, N.C. The Federal Aviation Agency is considering the revocation of Red 16. It is the policy of this Agency to revoke L/MF airways whenever adequate VOR airways are available, and it appears that the route from Florence to Raleigh is adequately served by VOR Federal airway No. 3 east alternate. In addition, the Federal Aviation Agency IFR peak-day airway traffic survey for the period July 1, 1959, through June 30, 1960, shows one aircraft movement on Red 16. Therefore, it appears that the retention of this airway is unjustified as an assignment of airspace. Accordingly, the Federal Aviation Agency proposes to revoke Red 16 and its associated control areas. Adoption of this proposal would not necessarily result in discontinuance of the low frequency navigation aids associated with Red 16. Any proposals to discontinue one or more of these aids would be processed in accordance with current Agency procedures. These procedures afford interested persons an opportunity

to comment on such action. In addition, § 601.4216, relating to reporting points on Red 16, would be revoked.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Management Field Division, Federal Aviation 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 Management Field 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 B-316, 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 Management Field 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 April 19, 1961.

J. R. BAILEY,  
*Assistant Chief,*  
*Airspace Utilization Division.*

[F.R. Doc. 61-3763; Filed, Apr. 25, 1961;  
8:46 a.m.]

[ 14 CFR Parts 600, 601 ]

[Airspace Docket No. 61-NY-17]

### FEDERAL AIRWAYS AND CONTROLLED AIRSPACE

#### Alteration of Federal Airway and Associated Control Areas

Pursuant to the authority delegated to me by the Administrator (14 CFR 409.13), notice is hereby given that the Federal Aviation Agency is considering amendments to §§ 600.6149 and 601.6149 of the regulations of the Administrator, the substance of which is stated below.

Low altitude VOR Federal airway No. 149 extends in part as a common airway segment with low altitude VOR Federal airway No. 428 from Georgetown, N.Y., to Utica, N.Y. The Federal Aviation Agency is considering the alteration of this segment of Victor 149 by redesignating it from the Georgetown VOR via the intersection of the Georgetown VOR 029° and the Utica VOR 280° True radials to the Utica VOR. This proposed action would provide an additional low altitude route segment between Georgetown and Utica which would facilitate

the movement of air traffic between Utica, N.Y., Ithaca, N.Y., Elmira, N.Y., and Binghamton, N.Y.

In addition, to implement in part, Civil Air Regulations, Part 60, Air Traffic Rules, Amendment 60-21 (26 F.R. 570), the Federal Aviation Agency is considering redesignating the control areas associated with this segment of Victor 149 to extend upwards from 1200 feet above the surface or, if appropriate, 500 feet beneath the Instrument Flight Rules minimum enroute altitude when established.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Management 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 Management 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 B-316, 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 Management 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 April 19, 1961.

J. R. BAILEY,  
Assistant Chief,  
Airspace Utilization Division.

[F.R. Doc. 61-3764; Filed, Apr. 25, 1961; 8:46 a.m.]

[ 14 CFR Part 601 ]

[Airspace Docket No. 61-WA-50]

**CONTROLLED AIRSPACE**

**Alteration of Control Area**

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 § 601.6195 of the regulations of the Administrator, the substance of which is stated below.

Low altitude VOR Federal airway No. 195 extends in part from the Tomhead, Calif., Intersection (intersection of the Williams, Calif., VOR 335° and the Red Bluff, Calif., VOR 291° True radials) to the Yager, Calif., Intersection (intersec-

tion of the Fortuna, Calif., VOR 110° True radial and the Arcata, Calif., ILS localizer 330° True course). The control areas associated with this segment of Victor 195 extend upward from 700 feet above the surface to but not including the continental control area.

To implement, in part, Civil Air Regulations, Part 60, Air Traffic Rules, Amendment 60-21 (26 F.R. 570) it is proposed to designate the control areas associated with this segment of Victor 195 to extend upward from at least 1200 feet above the surface or if appropriate, 500 feet below the minimum IFR enroute altitude.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Management Field 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 Management Field 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 B-316, 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 Management Field 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 April 19, 1961.

J. R. BAILEY,  
Assistant Chief,  
Airspace Utilization Division.

[F.R. Doc. 61-3759; Filed, Apr. 25, 1961; 8:45 a.m.]

[ 14 CFR Part 601 ]

[Airspace Docket No. 61-NY-16]

**CONTROLLED AIRSPACE**

**Designation of Control Zone**

Pursuant to the authority delegated to me by the Administrator (14 CFR 409.13), notice is hereby given that the Federal Aviation Agency is considering an amendment to Part 601 of the regulations of the Administrator, the substance of which is stated below.

The Federal Aviation Agency has under consideration a proposal by the Air Transport Association of America for the designation of a control zone at Johnstown, Pa. It is proposed to designate the Johnstown control zone within a 5-mile radius of the Johnstown-Cambria County Airport and within 2 miles either side of the 215° True radial of the Johnstown VOR extending from the 5-mile radius zone to 12 miles southwest of the VOR. This control zone would be effective during the period from 0800 to 2200 hours daily e.s.t.

The proposed control zone would provide protection for aircraft executing prescribed instrument approach procedures at the Johnstown-Cambria Airport. The time of designation would coincide with the hours of operation of the aviation weather reporting service. The official weather reports for the Johnstown-Cambria County Airport would be disseminated through the Federal Aviation Agency, Altoona, Pa., Flight Service Station. Communications with aircraft operating within the proposed control zone would be accomplished by the Federal Aviation Agency, Pittsburgh, Pa., Air Route Traffic Control Center.

If this action is taken, the Johnstown, Pa., control zone would be designated during the period from 0800 hours to 2200 hours daily e.s.t., within a 5-mile radius of the Johnstown-Cambria County Airport (latitude 40°18'55" N., longitude 78°50'00" W.), and within 2 miles either side of the 215° True radial of the Johnstown VOR extending from the 5-mile radius zone to 12 miles southwest of the VOR.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Management 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 Management 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 B-316, 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 Management Division Chief.

This amendment is proposed under section 307(a) of the Federal Aviation

## PROPOSED RULE MAKING

Act of 1958 (72 Stat. 749; 49 U.S.C. 1348).

Issued in Washington, D.C., on April 19, 1961.

J. R. BAILEY,  
Assistant Chief,  
Airspace Utilization Division.

[F.R. Doc. 61-3760; Filed, Apr. 25, 1961;  
8:45 a.m.]

[ 14 CFR Part 601 ]

[Airspace Docket No. 60-WA-42]

**CONTROLLED AIRSPACE**

**Withdrawal of Proposal to Alter Control Areas Associated With Federal Airway**

In a notice of proposed rule making published in the FEDERAL REGISTER as

Airspace Docket No. 60-WA-42, on May 17, 1960 (25 F.R. 4086), it was stated that to implement, in part, Civil Air Regulations, Part 60, Air Traffic Rules, Amendment 60-14, the Federal Aviation Agency proposed to redesignate the control areas associated with the segment of VOR Federal airways No. 135 and No. 105 from the Hidden Hills, Calif., Intersection (intersection of the Las Vegas, Nev., VOR 266° and the Beatty, Nev., VOR 142° True radials) to the Beatty VOR to extend upward from 10,500 feet MSL to but not including 24,000 feet MSL.

Subsequent to publication of the notice, Amendment 60-14 was rescinded effective June 30, 1960 (25 F.R. 6015) and the Administrator adopted Civil Air Regulations, Part 60, Air Traffic Rules, Amendment 60-21 in lieu thereof. Amendment 60-21 was published in the

FEDERAL REGISTER on January 20, 1961 (26 F.R. 570). Accordingly the proposal as presented in Airspace Docket No. 60-WA-42 is no longer valid and a new proposal will be considered to implement, in part, Amendment 60-21.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator (25 F.R. 12582), notice is hereby given that the proposal contained in Airspace Docket No. 60-WA-42 is withdrawn.

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

Issued in Washington, D.C., on April 19, 1961.

J. R. BAILEY,  
Assistant Chief,  
Airspace Utilization Division.

[F.R. Doc. 61-3761; Filed, Apr. 25, 1961;  
8:45 a.m.]

# Notices

## DEPARTMENT OF AGRICULTURE

Office of the Secretary  
IOWA

### Designation of Area for Production Emergency Loans

For the purpose of making production emergency loans pursuant to section 2 (a) of Public Law 38, 81st Congress (12 U.S.C. 1148a-2(a)), as amended, it has been determined that in the following counties in the State of Iowa a production disaster has caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

#### Iowa

Adams.	Jones.
Allamakee.	Keokuk.
Appanoose.	Lee.
Benton.	Linn.
Black Hawk.	Louisa.
Bremer.	Lucas.
Buchanan.	Madison.
Butler.	Mahaska.
Cedar.	Marion.
Chickasaw.	Marshall.
Clarke.	Mitchell.
Clayton.	Monroe.
Clinton.	Muscatine.
Davis.	Polk.
Decatur.	Poweshiek.
Delaware.	Ringgold.
Des Moines.	Scott.
Dubuque.	Tama.
Fayette.	Taylor.
Floyd.	Union.
Henry.	Van Buren.
Howard.	Wapello.
Iowa.	Warren.
Jackson.	Washington.
Jasper.	Wayne.
Jefferson.	Winneshiek.
Johnson.	

Pursuant to the authority set forth above, production emergency loans will not be made in the above-named counties after December 31, 1961, except to applicants who previously received such assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 19th day of April 1961.

ORVILLE L. FREEMAN,  
Secretary.

[F.R. Doc. 61-3788; Filed, Apr. 25, 1961;  
8:51 a.m.]

## DEPARTMENT OF STATE

[Public Notice 188]

### CERTAIN FOREIGN PASSPORTS

#### Validity

Belgium, Cyprus, Laos, Luxembourg, and the Philippines are added to the list of countries which have entered into agreements with the Government of the United States whereby their passports are recognized as valid for the return of

the bearer to the country of the foreign issuing authority for a period of six months beyond the expiration date specified in the passport.

This notice amends Public Notice 176 of October 26, 1960 (25 F.R. 10500).

HARRIS H. HUSTON,  
Acting Administrator, Bureau of  
Security and Consular Affairs.

APRIL 17, 1961.

[F.R. Doc. 61-3771; Filed, Apr. 25, 1961;  
8:47 a.m.]

## DEPARTMENT OF JUSTICE

Immigration and Naturalization  
Service

### SOUTHWEST REGIONAL OFFICE, SAN PEDRO, CALIF.

#### Jurisdiction

Effective upon publication in the FEDERAL REGISTER, the following amendment to the Statement of Organization of the Immigration and Naturalization Service (19 F.R. 8071, December 8, 1954), as amended, is prescribed:

The last sentence of paragraph (a) *Regional Offices* of sec. 1.51 *Field Service* is amended to read as follows: "The Southwest Regional Office, located in San Pedro, California, has jurisdiction over districts 13, 14, 15, 16, 17, 18, 19, and 20."

Dated: April 20, 1961.

J. M. SWING,  
Commissioner of  
Immigration and Naturalization.

[F.R. Doc. 61-3780; Filed, Apr. 25, 1961;  
8:49 a.m.]

## DEPARTMENT OF THE INTERIOR

Office of the Secretary

[Order 2765, Amdt. 6]

### COMMISSIONER OF RECLAMATION

#### Delegation of Authority

Paragraph (f) of section 2 of Order No. 2765, as amended (23 F.R. 10570) is amended to read as follows:

#### SEC. 2. *Limitations.* \* \* \*

(f) Execute and issue Public Notices opening lands to homestead entry and Public Announcements offering lands for sale; however, this limitation shall not prohibit the amendment of such Public Notices or Public Announcements and their publication in the FEDERAL REGISTER by the Commissioner of Reclamation when, in his judgment adjustments in the provisions thereof are in the best interest of sound project development and such adjustments do not modify the basic re-

quirements for homestead entry on public lands of the United States.

STEWART L. UDALL,  
Secretary of the Interior.

APRIL 20, 1961.

[F.R. Doc. 61-3768; Filed, Apr. 25, 1961;  
8:46 a.m.]

## DEPARTMENT OF COMMERCE

Bureau of Foreign Commerce

[Case No. 292]

BIDDLE, SAWYER & CO., LTD.

Order Denying Export Privileges

In the matter of Biddle, Sawyer & Co., Ltd., Haddon House, Fitzroy Street, London, W. 1, England, Respondent, Case No. 292.

Biddle, Sawyer & Co., Ltd., of 4 Grafton Street, London, W. 1, England, was charged by the Director, Investigation Staff, Bureau of Foreign Commerce, U.S. Department of Commerce, with having violated the Export Control Act of 1949, as amended, in that, as alleged, it ordered and received through other European firms U.S.-origin pharmaceuticals which were ultimately transshipped by respondent to Communist China and the U.S.S.R. without the prior authorization of the Bureau of Foreign Commerce. The respondent has answered the charging letter and appeared herein by attorney admitting the substance of the charges but citing various factors in alleged mitigation.

From evidence submitted herein it appears that subsequent to the issuance of the charging letter the respondent was taken over by new ownership and management, changed its company name, and ceased to engage in the export-import business. Such business was taken over, however, by a newly registered company of the same name, at a different address, directed by substantially the same individuals who directed respondent at the time of the violations charged. Accordingly, although the term "respondent" will be used in this order to refer to both the old company and its newly registered trading successor, it must be understood that references to the "respondent" as of the time of the violations charged and found apply to the old company, while references to the "respondent" as of the time of the hearing and hereafter will be deemed to apply to the newly registered company, as the trading successor of the old company.

The Compliance Commissioner having heard and considered at oral hearing all the evidence submitted in support of the charges and the evidence and arguments submitted on behalf of the respondent in opposition thereto, has transmitted to the undersigned Director, Office of Ex-

port Supply, Bureau of Foreign Commerce, U.S. Department of Commerce, his written report which contains his findings of fact and a conclusion that the evidence in support of the allegations is sufficient for findings of violation with respect thereto. The Compliance Commissioner has recommended that the respondent be denied all export privileges so long as United States export controls are in effect.

After reviewing and considering the entire record of this case, I find that, while the Compliance Commissioner's findings are abundantly supported by substantial evidence, and his conclusion is not unjustifiable, the respondent in this case has, in my opinion, conducted itself in such an exemplary manner during the course of the compliance proceedings and provided such strong assurances against such future violations that some modification of the Compliance Commissioner's recommended remedial action is appropriate so that the respondent may have in the future an opportunity to exculpate itself from the full burden of the order as will be provided herein below. Accordingly, I hereby make the following findings of fact:

1. At all times mentioned in findings 2-6, below, respondent was engaged in the export-import business in London, England.

2. At all said times respondent knew or had reasonable grounds to know that United States law prohibited the export, reexport, transshipment or diversion of U.S.-origin commodities to Communist China and also knew that said commodities could not be exported, reexported, transshipped or diverted to Soviet bloc destinations without specific prior approval from U.S. Government authorities.

3. In February 1955, respondent ordered from S. A. Ejice, Brussels, Belgium, 10,000 bottles of U.S.-origin aureomycin to be exported from the U.S. to Ejice.

4. Upon arrival of the aureomycin in Belgium, respondent caused it to be reexported from Belgium to England and thereafter respondent knowingly transshipped the aureomycin to Communist China.

5. Between January and September 1957, respondent ordered, purchased and took delivery from Muller & Pick of Amsterdam, Holland, of the following U.S.-origin pharmaceuticals which were exported from the United States under general license GRO:

Jan. 24, 1957, 750 Ampoules Arfonad;  
Jan. 7, 1957, 200 bottles Arliden Tablets;  
Mar. 21, 1957, 300 vials Neodrol, 110 lbs Terramix;  
Jun. 21, 1957, 200 bottles Diamox Tablets;  
May 27, 1957, 400 bottles Diamox Tablets;  
Sept. 4, 1957, 200 bottles Viocin.

6. Thereafter, between February and November 1957, respondent knowingly caused the above-listed six quantities of pharmaceuticals to be transshipped and diverted to Communist China and the Soviet Union.

From the foregoing, I have concluded that (a) the respondent violated § 381.2 of the U.S. Export Regulations by causing and inducing other European firms

to purchase U.S.-origin pharmaceuticals for export to authorized Western Europe destinations knowing that said commodities would be, in fact, reexported to unauthorized destinations, which acts were prohibited by § 381.6; (b) in violation of § 381.4 of the U.S. Export Regulations the respondent bought, sold and disposed of exports from the United States with the knowledge that a violation of the U.S. Export Regulations was intended to occur, to wit, the diversion of said exports to an unauthorized destination contrary to § 381.6 of said Regulations; and (c) in violation of § 381.6 of the U.S. Export Regulations, the respondent transshipped and diverted said U.S.-origin pharmaceuticals to unauthorized destinations.

Now, after careful consideration of the entire record and being of the opinion that it is fair and just and necessary to achieve effective enforcement of the law that an order be issued as hereinbelow set forth: *It is hereby ordered:*

I. All outstanding validated export licenses in which respondent appears or participates as purchaser, intermediate, or ultimate consignee, or otherwise, are hereby revoked and shall be returned forthwith to the Bureau of Foreign Commerce for cancellation.

II. Henceforth and so long as export control shall be in effect, respondent is hereby denied all privileges of participating directly or indirectly in any manner or capacity in any exportation of any commodity or technical data from the United States to any foreign destination including Canada, whether such exportation has heretofore or hereafter been completed. Without limitation of the generality of the foregoing denial of export privileges, participation in an exportation is deemed to include and prohibit participation by respondent, directly or indirectly, (a) as a party or as a representative of a party to any validated export license application, (b) in the obtaining or using of any validated or general export license or other export control document, (c) in the receiving, ordering, buying, selling, using, or disposing in any foreign country of any commodities in whole or in part exported or to be exported from the United States, and (d) in storing, financing, forwarding, transporting, or other servicing of such exports from the United States.

III. Such denial of export privileges shall extend not only to respondent, but also to its officers and directors acting on its behalf, to all of its successors and assigns, and to all persons, firms and companies which respondent may now or hereafter own or control in the conduct of trade in which may be involved exports from the United States or services connected therewith.

IV. Eighteen months after the date hereof, without further order of the Bureau of Foreign Commerce, respondent shall have its export privileges restored conditionally, the condition for such restoration being that during the said eighteen months following the date hereof respondent shall comply in all respects of this order, and thereafter shall comply with all requirements of the Export Control Act of 1949 as amended

and all regulations, licenses, and orders issued thereunder.

V. The privileges so conditionally permitted to respondent under Part IV hereof may be revoked summarily and without notice upon finding by the Director of the Office of Export Supply, or such other official as may at that time be exercising the duties now exercised by him, that said company has knowingly failed to comply with the conditions applicable to it as set forth in Part IV hereof, in which event Part II hereof, insofar as it shall apply to said company, shall then be and become effective as to it without thereby precluding the Bureau of Foreign Commerce from taking such other and further action based on such violation or violations as it shall deem warranted. In the event that such supplemental order is issued, respondent shall have a right to review thereof, as provided in the Export Regulations.

VI. During any time when respondent is prohibited from engaging in any activity within the scope of Part II hereof, no person, firm, corporation, or other business organization, whether in the United States or elsewhere, on behalf of or in any association with said company, without prior disclosure to, and specific authorization from the Bureau of Foreign Commerce, shall directly or indirectly, in any manner or capacity, (a) apply for, obtain, or use any export license, or shipper's export declaration, bill of lading, or other export control document relating to any such prohibited activity, or (b) order, receive, buy, sell, deliver, use, dispose of, finance, transport, forward, or otherwise service or participate in such exportation from the United States. Nor shall any person, firm, corporation, or other business organization do any of the foregoing acts with respect to such exportation in which respondent may have any interest or obtain any benefit of any kind or nature, direct or indirect.

Dated: April 21, 1961.

FRANK W. SHEAFFER,  
Director,  
Office of Export Supply.

[F.R. Doc. 61-3772; Filed, Apr. 25, 1961; 8:47 a.m.]

[Case No. 282]

#### EJICE S. A. AND ROBERT CENTNER Order Denying Export Privileges

In the matter of Ejice S. A., Robert Centner, Manager, 122, Rue Jules Besme, Brussels, Belgium, respondents, Case No. 282.

Ejice S. A. and Robert Centner, its manager, both of Brussels, Belgium, were charged by the Director, Investigation Staff, Bureau of Foreign Commerce of the United States Department of Commerce, with having violated the Export Control Act of 1949, as amended, in that, as alleged, they ordered goods to be exported from the United States with knowledge that their customers intended to transship the same to Communist China. They appeared herein



pro se, admitted the purchase of the goods, denied that they knew their customer intended to transship the goods to Communist China and claimed that the information which the Investigation Staff claims they had received, but which they denied having received, was consistent with the belief that the goods might be transshipped to Formosa.

In accordance with the practice, the case was referred to the Compliance Commissioner, who has reported that the evidence supports findings of violation and as in the related case involving Biddle Sawyer & Co., Ltd., of London, England, has recommended that these respondents be denied all export privileges so long as export controls are in effect. While I find, after reviewing and considering the entire record in this case, that the Commissioner's findings are clearly supported by the record, I do believe that these respondents should be regarded in a somewhat more favorable circumstance. There is no record that respondents committed any further violations of the Export Regulations since the 1955 transaction. With this consideration in mind, and in view of the modification of the remedial action recommended in the related case, I have decided to issue the order to these respondents as modified hereinbelow. Accordingly, I hereby make the following findings of fact:

1. At all times hereinafter mentioned the respondents, Ejice, S. A. and its manager Robert Centner (hereinafter collectively referred to as Ejice), were engaged in the import and export business in Brussels, Belgium.

2. In February 1955, by its agent in Europe, Ejice ordered 10,000 bottles of aureomycin from an American supplier in New York and represented that its ultimate destination would be England.

3. Thereafter, the American supplier exported the aureomycin from the United States to Antwerp, Belgium, for the account of Ejice.

4. This exportation was accomplished under General Export License GRO which authorized exportation to England, but barred reexportation from Belgium or England to Communist China.

5. At the time Ejice placed the said order with the American supplier it knew from correspondence which it had had with its customers, that that customer intended to re-export the aureomycin to Communist China.

6. Upon the arrival of the aureomycin in Belgium, Ejice, notwithstanding its knowledge of United States export control restrictions against shipment of U.S. origin commodities to Communist China, caused the aureomycin to be reshipped to England with the knowledge that it would be re-exported to Communist China without authorization from the Bureau of Foreign Commerce.

7. During the course of the investigation of the facts surrounding said exportation, Ejice was requested to furnish to the Bureau of Foreign Commerce copies of all correspondence and other documents in its possession having to do with this shipment.

8. In response thereto, Ejice caused to be furnished to the Bureau of Foreign Commerce certain documents but knowingly failed to supply others which would have revealed that the ultimate destination of the aureomycin was to have been Communist China.

And, from the foregoing, I have concluded that (a) Ejice S. A. and Robert Centner bought, sold, and forwarded United States origin commodities with knowledge that violations of the United States export regulations had occurred, were about to occur, and were intended to occur; (b) knowingly disposed of such goods to a person and for a use in contravention of the terms of the regulation and General License pursuant to which they had been exported from the United States; (c) caused material facts to be both misrepresented to and concealed from the Bureau of Foreign Commerce; and (d) during the course of an investigation, concealed material facts from the Bureau of Foreign Commerce; all in contravention of §§ 381.2, 381.4, 381.5 and 381.6 of the Export Regulations.

Now, after careful consideration of the entire record and being of the opinion that it is fair and just and necessary to achieve effective enforcement of the law that an order be issued as hereinbelow set forth: *It is hereby ordered:*

I. All outstanding validated export licenses in which the respondents, Ejice S. A. and Robert Centner, or either of them, appear or participate as purchaser, intermediate or ultimate consignee, or otherwise, are hereby revoked and shall be returned forthwith to the Bureau of Foreign Commerce for cancellation.

II(a). Henceforth and so long as export controls shall be in effect, the respondents, Ejice S. A. and Robert Centner, their successors, or assigns, officers, partners, representatives, agents and employees, hereby are denied all privileges of participating, directly or indirectly, in any manner or capacity, in any exportation of any commodity or technical data from the United States to any foreign destination, including Canada, whether such exportation has heretofore or hereafter been completed.

II(b). Without limitation of the generality of the foregoing denials of export privileges, participation in an exportation is deemed to include and prohibit participation by them or any of them, directly or indirectly, in any manner or capacity, (a) as parties or as representatives of a party to any validated export license application, (b) in the obtaining or using of any validated or general export license or other export control document, (c) in the receiving, ordering, buying, selling, delivering, using, or disposing in any foreign country of any commodities or technical data in whole or in part exported or to be exported from the United States, and (d) in the storing, financing, forwarding, transporting, or other servicing of such exports from the United States.

III. The provisions of this order shall apply not only to the respondents, but also to any person, firm, corporation,

partnership or business organization with which any of them may be now or hereafter related by affiliation, ownership, control, position of responsibility, or other connection in the conduct of trade which may involve exports from the United States or services connected therewith.

IV. Twelve months after the date hereof, without further order of the Bureau of Foreign Commerce, Ejice S. A. and Robert Centner shall have their export privileges restored to them conditionally, the condition for such restoration being that, during the said twelve months following the date hereof, the said respondents shall comply in all respects with this order, and thereafter shall comply with all requirements of the Export Control Act of 1949, as amended, and all regulations, licenses and orders issued thereunder.

V. The privileges so conditionally permitted to the respondents, Ejice S. A. and Robert Centner, under Part IV hereof may be revoked summarily and without notice upon a finding by the Director of the Office of Export Supply, or such other official as may at that time be exercising the duties now exercised by him, that any respondent has knowingly failed to comply with the conditions applicable to him or it as set forth in Part IV hereof, in which event Part II hereof, insofar as it shall apply to such respondent, shall then be and become effective as to him or them without thereby precluding the Bureau of Foreign Commerce from taking such other and further action based on such violation or violations as it shall deem warranted. In the event that such supplemental order is issued, such respondents as are involved therein shall have a right to review thereof, as provided in the Export Regulations.

VI. During the time when any respondent or related party is prohibited from engaging in any activity within the scope of Part II hereof, no person, firm, corporation, partnership or other business organization, whether in the United States or elsewhere, without prior disclosure to, and specific authorization from the Bureau of Foreign Commerce, shall directly or indirectly, in any manner or capacity, on behalf of or in any association with any such respondent or related party, directly or indirectly: (a) apply for, obtain, or use any license, shipper's export declaration, bill of lading, or other export control document relating to any such prohibited activity, or (b) order, buy, receive, use, sell, deliver, dispose of, forward, transport, finance, or otherwise service or participate in, such exportation from the United States. Nor shall any person, firm, corporation, or other business organization do any of the foregoing acts with respect to such exportation in which the respondents herein may have any interest or obtain any benefit of any kind or nature, direct or indirect.

Dated: April 21, 1961.

FRANK W. SHEAFFER,  
Director,  
Office of Export Supply.

[F.R. Doc. 61-3773; Filed, Apr. 25, 1961; 8:47 a.m.]

## ATOMIC ENERGY COMMISSION

[Docket No. 50-188]

### KANSAS STATE UNIVERSITY OF AGRICULTURE AND APPLIED SCIENCE

#### Notice of Application for Construction Permit and Utilization Facility License

Please take notice that Kansas State University of Agriculture and Applied Science, under section 104 of the Atomic Energy Act of 1954, as amended, has submitted an application for license authorizing construction and operation at power levels up to 100 kilowatts (thermal) of a TRIGA Mark II reactor on its campus in Manhattan, Kansas. The reactor will be constructed for the University by General Atomic, Division of General Dynamics Corporation.

A copy of the application is available for public inspection in the AEC's Public Document Room, 1717 H Street NW., Washington, D.C.

Dated at Germantown, Md., this 19th day of April 1961.

For the Atomic Energy Commission.

R. L. KIRK,  
Deputy Director, Division of  
Licensing and Regulation.

[F.R. Doc. 61-3756; Filed, Apr. 25, 1961; 8:45 a.m.]

## CIVIL AERONAUTICS BOARD

[Docket 10946; Order No. E-16697]

### INTERNATIONAL AIR TRANSPORT ASSOCIATION

#### Specific Commodity Rates

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 21st day of April 1961.

In the matter of an agreement adopted by the Joint Conference 1-2-3 of the International Air Transport Association relating to specific commodity rates, Docket 10946; Agreement C.A.B. 12179.

In Order E-15104, dated April 14, 1960, the Board approved the above-designated agreement adopted by Joint Conference 1-2-3 of the International Air Transport Association (IATA), promulgated in IATA memorandum JT123/Rates 536, naming a specific commodity rate from Calcutta to New York for Item 2102, Cloth exclusively in Bales, Bolts or Pieces not further processed or manufactured. The Board limited its approval of the agreement to one year through March 31, 1961, subject to the right of the parties to the agreement to refile at that time for further approval by the Board.

By letter of April 14, 1961, the Secretary of Traffic Conference 1 of IATA, acting on behalf of the United States flag carriers, re-filed the above-described agreement under section 412(a) of the Federal Aviation Act of 1958 (the Act) for the purpose of obtaining approval by the Board of its continued effectiveness beyond March 31, 1961.

The Board, acting pursuant to sections 102, 204(a), 412 of the Act, does not find the continued effectiveness of the above-designated agreement to be adverse to the public interest or in violation of the Act.

Accordingly, it is ordered that:

1. Approval of agreement C.A.B. 12179, which incorporates IATA Memorandum JT123/Rates 536, is extended for the full period of the intended effectiveness of the agreement.

2. Any air carrier party to the agreement, or any interested person, may, within 15 days from the date of service, submit statements in writing, containing reasons deemed appropriate together with supporting data, in support of or in opposition to the Board's action herein. An original and nineteen copies of the statements should be filed with the Board's Docket Section. The Board may, upon consideration of any such statements filed, modify or rescind its action herein by subsequent order.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL]

JAMES L. DEEGAN,  
Acting Secretary.

[F.R. Doc. 61-3801; Filed, Apr. 25, 1961; 8:53 a.m.]

[Docket 11879; Order No. E-16695]

### INTERNATIONAL AIR TRANSPORT ASSOCIATION

#### Specific Commodity Rates

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 20th day of April, 1961.

In the matter of an agreement adopted by Traffic Conference 1 of the International Air Transport Association relating to specific commodity rates, Docket 11879; Agreement C.A.B. 14827, R-18.

There has been filed with the Board, pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's Economic Regulations, an agreement between various air carriers, foreign air carriers, and other carriers, embodied in the resolutions of Traffic Conference 1 of the International Air Transport Association (IATA), adopted pursuant to the provisions of Resolution 590—Commodity Rates Board.

The agreement names a specific commodity rate under a new description, grapes (Item 0445), from Lima to Panama City. Under the terms of the basic agreement, a rate to/from Panama City may be applied to/from Balboa.

The Board, acting pursuant to sections 102, 204(a), and 412 of the Act, does not find the subject agreement, which incorporates IATA Memorandum TC1/Rates 1181, to be adverse to the public interest or in violation of the Act.

Accordingly, it is ordered that:

1. Agreement C.A.B. 14827, R-18, is approved.

2. Any air carrier party to the agreement, or any interested person, may, within 15 days from the date of service,

submit statements in writing, containing reasons deemed appropriate together with supporting data, in support of or in opposition to the Board's action herein. An original and nineteen copies of the statements should be filed with the Board's Docket Section. The Board may, upon consideration of any such statements filed, modify or rescind its action by subsequent order.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL]

JAMES L. DEEGAN,  
Acting Secretary.

[F.R. Doc. 61-3802; Filed, Apr. 25, 1961; 8:53 a.m.]

## FEDERAL POWER COMMISSION

[Docket No. CP61-122]

### CENTRAL ILLINOIS ELECTRIC AND GAS CO.

#### Notice of Postponement of Hearing

APRIL 19, 1961.

Upon consideration of the motion filed April 14, 1961 by Counsel for Central Illinois Electric Co. for postponement of the hearing now scheduled to commence on May 8, 1961 in the above-designated matter;

The hearing now scheduled for May 8, 1961 is hereby postponed to June 12, 1961, at 10:00 a.m., e.d.s.t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D.C.

JOSEPH H. GUTRIDE,  
Secretary.

[F.R. Doc. 61-3765; Filed, Apr. 25, 1961; 8:46 a.m.]

[Docket No. CP61-230]

### TRANSCONTINENTAL GAS PIPE LINE CORP. AND TRUNKLINE GAS CO.

#### Notice of Application and Date of Hearing

APRIL 19, 1961.

Take notice that on March 3, 1961, Transcontinental Gas Pipe Line Corporation (Transco) and Trunkline Gas Company (Trunkline) filed a joint application in Docket No. CP61-230 for a certificate of public convenience and necessity authorizing the exchange and delivery of natural gas and the construction and operation of facilities necessary therefor subject to the jurisdiction of the Commission, all as more fully described in the application on file with the Commission and open to public inspection.

Transco and Trunkline have entered into an exchange arrangement whereunder Trunkline will cause to be delivered into Transco's system through existing facilities of Transco at the tailgate of the Acadia Corporation Plant in the Egan Field, Acadia Parish, Louisiana, quantities of gas of up to 30,000 Mcf per day which Trunkline will purchase from Richardson & Bass (Operator) and The California Company in the South Mer-

mentau Field, Acadia Parish, Louisiana, and the Riceville Field, Vermillion Parish, Louisiana, respectively. Transco will concurrently deliver equivalent quantities of gas to Trunkline at a proposed point of connection of Applicants' existing systems located in Beauregard Parish, Louisiana, approximately 12 miles south of Trunkline's Longville compressor station.

The proposed exchange is intended to effectuate an exchange arrangement contemplated favorably by the Commission in its Opinion No. 339 and accompanying order issued November 29, 1960 in the Matters of Trunkline Gas Company, et al., Docket Nos. CP60-22, et al.<sup>1</sup>

Trunkline proposes to construct and operate the necessary connecting and measurement facilities at the Beauregard Parish delivery point, estimated to cost \$14,000. Transco will construct and operate a 4-inch main line tap at that point, estimated to cost \$1,000. These facilities will be financed by Applicants from respective company funds.

The proposed exchange is expected to continue for approximately 2 years, during which time Trunkline will complete facilities connecting its own system with the tailgate of the Acadia Corporation Plant as proposed in Trunkline's Docket No. CP60-22 (Phase Two). Upon termination of the exchange, the proposed facilities will remain available for use in the event of conditions requiring emergency exchanges of gas between the two systems.

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

Take further notice that, 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 May 23, 1961, at 9:30 a.m., e.d.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 application: *Provided, however,* That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for 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 May 9, 1961. 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

<sup>1</sup>This opinion and order also certificated the subject producer sales to Trunkline by Richardson & Bass (Operator), Docket No. C160-209, and The California Company, Docket No. C160-215.

decision procedure in cases where a request therefor is made.

JOSEPH H. GUTRIDE,  
Secretary.

[F.R. Doc. 61-3766; Filed, Apr. 25, 1961; 8:46 a.m.]

## INTERSTATE COMMERCE COMMISSION

### FOURTH SECTION APPLICATIONS FOR RELIEF

APRIL 21, 1961.

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. 37077: *Soda ash—Louisiana and Texas to St. Louis, Mo., and Illinois Points.* Filed by Southwestern Freight Bureau, Agent (No. B-8003), for interested rail carriers. Rates on soda ash, other than modified soda ash, in bulk in cars, carloads, from Baton Rouge, Lake Charles, North Baton Rouge, La., Corpus Christi, Freeport and Houston, Tex., to Alton, East St. Louis, Federal, Hartford, Roxana, Wood River, Ill., and St. Louis, Mo.

Grounds for relief: Water and market competition.

Tariffs: Supplements 514 and 38 to Southwestern Freight Bureau tariffs I.C.C. 4087 and 4370, respectively, and supplement 196 to Southern Freight Association tariff I.C.C. 452 (Marque series).

FSA No. 37079: *Sand from Attica and LaFayette, Ind., to Gibson City, Ill.* Filed by Illinois Freight Association, Agent (No. 135), for interested rail carriers. Rates on sand, as described in the application, in carloads, from Attica and LaFayette, Ind., to Gibson City, Ill.

Grounds for relief: Motor-truck competition.

Tariffs: Supplement 66 to The New York, Chicago and St. Louis Railroad Company's tariff I.C.C. 6210 and supplement 114 to Wabash Railroad Company's tariff I.C.C. 7844.

#### AGGREGATE-OF-INTERMEDIATES

FSA No. 37078: *Soda ash—Louisiana and Texas to St. Louis, Mo., and Illinois Points.* Filed by Southwestern Freight Bureau, Agent (No. B-8004), for interested rail carriers. Rates on soda ash, other than modified soda ash, in bulk in cars, carloads, from Baton Rouge, Lake Charles, North Baton Rouge, La., Corpus Christi, Freeport, and Houston, Tex., to Alton, East St. Louis, Federal, Hartford, Roxana, Wood River, Ill., and St. Louis, Mo.

Grounds for relief: Maintenance of depressed rates established to meet water and market competition without having to use such rates as factors in constructing combination rates.

Tariffs: Supplements 514 and 38 to Southwestern Freight Bureau tariffs I.C.C. 4087 and 4370, respectively, and supplement 196 to Southern Freight Association tariff I.C.C. 452 (Marque series).

By the Commission.

[SEAL] HAROLD D. MCCOY,  
Secretary.

[F.R. Doc. 61-3790; Filed, Apr. 25, 1961; 8:51 a.m.]

[Notice 159]

### MOTOR CARRIER ALTERNATE ROUTE DEVIATION NOTICES

APRIL 21, 1961.

The following letter-notices of proposals to operate over deviation routes for operating convenience only with service at no intermediate points have been filed with the Interstate Commerce Commission, under the Commission's deviation rules revised, 1957 (49 CFR 211.1(c)(8)) and notice thereof to all interested persons is hereby given as provided in such rules (49 CFR 211.1(d)(4)).

Protests against the use of any proposed deviation route herein described may be filed with the Interstate Commerce Commission in the manner and form provided in such rules (49 CFR 211.1(e)) at any time but will not operate to stay commencement of the proposed operations unless filed within 30 days from the date of publication.

Successively filed letter-notices of the same carrier under the Commission's deviation rules revised, 1957, will be numbered consecutively for convenience in identification and protests if any should refer to such letter-notices by number.

#### MOTOR CARRIERS OF PROPERTY

No. MC-19 (Deviation No. 1), BINGAMAN MOTOR EXPRESS, CO., INC., 2800 Paxton Street, Harrisburg, Pa., filed April 3, 1961. Carrier proposes to operate as a *common carrier, of general commodities*, with certain exceptions, over a deviation route as follows: From Philadelphia, Pa., over the Palmyra Bridge, thence over New Jersey Highway 73 to Interchange 4 of the New Jersey Turnpike (or from Camden, N.J., over New Jersey Highway 38 to junction New Jersey Highway 41, thence over New Jersey Highway 41 to Interchange 4), thence over the New Jersey Turnpike to Interchange 17, thence connecting with New York Thruway over New Jersey Highway 3 to junction New Jersey Highway 17, thence over New Jersey Highway 17 to New York Thruway Interchange 15 (or via New Jersey Turnpike Interchange 18, U.S. Highway 46 and New Jersey Highway 17 to New York Thruway Interchange 15, or via New Jersey Turnpike Interchange 18, thence over the George Washington Bridge, thence over access highways to New York Thruway), thence over New York Thruway to Interchange 24, thence over Interstate Highway 87 to Clifton Park, N.Y. (14 miles north of Albany, N.Y.), and return over the same

route for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities over pertinent service routes as follows: From Reading, Pa., over U.S. Highway 422 to Philadelphia, Pa., and thence over U.S. Highway 1 to New York, N.Y.; and from Reading over U.S. Highway 222 to Allentown, Pa., thence over U.S. Highway 611 to Stroudsburg, Pa., thence over U.S. Highway 209 to Kingston, N.Y., thence over U.S. Highway 9-W to Albany, N.Y., and thence over U.S. Highway 9 through Glens Falls and Plattsburg, N.Y., to the International Boundary of the United States and Canada near Rouses Point, N.Y., and return over the same routes.

No. MC-1658 (Deviation No. 4), NORWALK TRUCK LINES, INC., OF DEL-AWARE, 1091 Manheim Pike, Lancaster, Pa., filed April 6, 1961. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From New York, N.Y., over the New York Thruway to junction New York Highway 17, and return over the same route, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From New York over U.S. Highway 9 to Albany, N.Y., thence over New York Highway 5 to Lima, N.Y., thence over New York Highway 15-A to junction New York Highway 15, thence over New York Highway 15 to Painted Post, N.Y., and thence over New York Highway 17 to junction New York Thruway, and return over the same route.

No. MC-48958 (Deviation No. 3), ILLINOIS-CALIFORNIA EXPRESS, INC., 510 East 51st Avenue, Denver 16, Colo., filed April 3, 1961. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From the junction of U.S. Highway 85 and Interstate Highway 25, north of Colorado Springs, Colo., over Interstate Highway 25 to its junction with U.S. Highway 85 south of Colorado Springs, Colo., and return over the same route for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities between the same points over U.S. Highway 85.

No. MC-59625 (Deviation No. 2) DEL-AWARE TRUCKING COMPANY, INC., 301 West Seymour Street, Muncie, Ind., filed April 3, 1961. Attorney Ferdinand Born, 1019 Chamber of Commerce Building, Indianapolis 4, Ind. Carrier proposes to operate as a *common carrier*, by motor vehicle of *general commodities*, with certain exceptions, over a deviation route as follows: From the junction of U.S. Highway 25 and Interstate Highway 75, near Detroit, Mich., over Interstate Highway 75 to Toledo, Ohio, and return over the same route, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to trans-

port the same commodities between Toledo and Detroit over U.S. Highways 24 and 25.

No. MC-59649 (Deviation No. 1), PEORIA CARTAGE COMPANY, 905-911 Southwest Washington Street, Peoria, Ill., filed April 5, 1961. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From the junction of Interstate Highway 74 and U.S. Highway 150 approximately 2 miles west of Danville, Ill., over Interstate Highway 74 to junction U.S. Highway 150 at Champaign, Ill., and return over the same route for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities between the same points over U.S. Highway 150.

By the Commission.

[SEAL]

HAROLD D. McCOY,  
Secretary.

[F.R. Doc. 61-3791; Filed, Apr. 25, 1961;  
8:51 a.m.]

[Notice 373]

#### MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

APRIL 21, 1961.

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

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

#### APPLICATIONS ASSIGNED FOR ORAL HEARING OR PRE-HEARING CONFERENCE

##### MOTOR CARRIERS OF PROPERTY

No. MC 2202 (Sub No. 205), filed March 1, 1961. Applicant: ROADWAY EXPRESS, INC., 147 Park Street, P.O. Box 471, Akron, Ohio. Applicant's attorney: William O. Turney, 2001 Massachusetts Avenue NW., Washington 6, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between junction U.S. Highway 70 and North Carolina Highway 208, east of Hot Springs, N.C., and Morristown, Tenn., from junction U.S. Highway 70 and North Carolina Highway 208 east to junction Tennessee Highway 70 at the Tennessee-North Carolina State line, thence over North Carolina Highway 70 to Greenville, Tenn., thence over U.S. Highway 11E to Morristown, and return over the same route, serving no inter-

mediate points, but serving the termini for joinder purposes only, as an alternate route for operating convenience only in connection with applicant's authorized regular route operations.

NOTE: Applicant states it has an alternate route under MC 2202 (Sub No. 134) between junction U.S. Highways 70 and 25E west of Newport, Tenn., and junction U.S. Highways 25W and 25E at or near Corbin, Ky. Applicant further states that the purpose of this application is to eliminate a dangerous segment of an operating route.

HEARING: June 20, 1961, at the Dinkler-Andrew Jackson Hotel, Nashville, Tenn., before Joint Board No. 8, or if the Joint Board waives its right to participate before Examiner Warren C. White.

No. MC 11220 (Sub No. 70), filed March 20, 1961. Applicant: GORDONS TRANSPORTS, INC., 185 West McLemore Avenue, Memphis, Tenn. Applicant's attorney: James W. Wrape, 2111 Sterick Building, Memphis, Tenn. Authority sought to operate as a *common carrier*, by motor vehicle, over a regular route, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), between Decatur, Ala., and Atlanta, Ga., from Decatur over U.S. Highway 31 to junction Alabama Highway 67, thence over Alabama Highway 67 to junction U.S. Highway 278, thence over U.S. Highway 278 to Atlanta, and return over the same route, serving the intermediate points of Cedartown and Rockmart, Ga., and the off-route point of Cartersville, Ga., restricted to delivery on eastbound movement, and pickup on westbound points within 25 miles of Decatur, Ala., and points within 15 miles of Atlanta, Ga.

NOTE: Applicant states that the purpose of the instant application is to convert its present irregular route operations into a regular route operation; that no new points would be served and no new service would result. Applicant further states that if the Commission feels such action is required, applicant is willing to have its irregular route authority between the points named in this application cancelled. Common control may be involved.

HEARING: June 5, 1961, at the Georgia Public Service Commission, 244 Washington Street SW., Atlanta, Ga., before Joint Board No. 157, or if the Joint Board waives its right to participate, before Examiner C. Evans Brooks.

No. MC 22195 (Sub No. 82), filed March 31, 1961. Applicant: DAN S. DUGAN, doing business as DUGAN OIL & TRANSPORT CO., 41st Street and Grange Avenue, Sioux Falls, S. Dak. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Liquefied petroleum gas*, in bulk, in tank vehicles, and (2) *rejected and returned shipments* of liquefied petroleum, between points in Nebraska, Iowa, Kansas, South Dakota, North Dakota, and Minnesota. RESTRICTION: The proposed operations will be restricted against movements of liquefied petroleum gas which originate at terminals of Mid-America Pipeline Company located at

or near Greenwood, Nebr.; Sanborn, Iowa; and St. Paul (Pine Bend), Minn.  
**HEARING:** May 15, 1961, at the Hotel Sheraton-Fontenelle, Omaha, Nebr., before Examiner John B. Mealy.

No. MC 25869 (Sub No. 14), filed April 5, 1961. Applicant: MYRON R. NOLTE AND MAURICE D. NOLTE, doing business as NOLTE BROS. Farnhamville, Iowa. Applicant's representative: Kenneth F. Dudley, 106 North Court Street, P.O. Box 557, Ottumwa, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building materials and gypsum products*, from the plant site of Bestwall Gypsum Company, at or near Fort Dodge, Iowa, to points in Nebraska, North Dakota, and South Dakota.

**HEARING:** May 17, 1961, in Room 926, Metropolitan Building, Second Avenue South and Third, Minneapolis, Minn., before Examiner Richard H. Roberts.

No. MC 25869 (Sub No. 15), filed April 17, 1961. Applicant: MYRON R. NOLTE AND MAURICE D. NOLTE, doing business as NOLTE BROS., Farnhamville, Iowa. Applicant's representative: William A. Landau, 1307 East Walnut Street, Des Moines 16, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer, and fertilizer ingredients*, other than liquid, in bulk, and in bags, from Omaha, Nebr., to points in Iowa.

**HEARING:** June 26, 1961, in Room 401 Old Federal Office Building, Fifth and Court Avenues, Des Moines, Iowa, before Joint Board 138, or, if the Joint Board waives its right to participate, before Examiner Raymond V. Sar.

No. MC 26739 (Sub No. 27), filed February 2, 1961. Applicant: CROUCH BROS., INC., Transport Building, St. Joseph, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Tractors* (not including tractors with vehicle beds, bed frames, or fifth wheels), and *attachments and parts thereof* when moving incidental to and in the same vehicle with said tractors; (a) between Charles City, Iowa, on the one hand, and, on the other, points in that part of Kansas on and east of U.S. Highway 75 and those in that part of Missouri on and west of U.S. Highway 65. (b) Between Charles City, Iowa, on the one hand, and, on the other, points in that part of Kansas west of U.S. Highway 75 and those in that part of Missouri east of U.S. Highway 65 and points in Nebraska. (c) From Charles City, Iowa to points in Oklahoma. (2) *Damaged, rejected or returned tractors* (not including tractors with vehicle beds, bed frames, or fifth wheels), and *attachments and parts thereof* when moving incidental to and in the same vehicle with said tractors; from points in Oklahoma to Charles City, Iowa. **RESTRICTIONS:** The authority requested in (1) (a) and (1) (b) above is restricted to traffic originating at or destined to Charles City, Iowa, and the authority requested in (1) (b) is also restricted to traffic moving through Maryville, Mo.; (1) (c) above is restricted to traffic originating at Charles City, Iowa, and fur-

ther restricted to traffic moving through a point in Kansas. The authority requested in (2) above is restricted to traffic destined to Charles City, Iowa, and further restricted to traffic moving through a point in Kansas.

**NOTE:** Applicant states that no tacking is proposed in connection with any of the above requested authority.

**HEARING:** June 21, 1961, at the Midland Hotel, Chicago, Ill., before Examiner Raymond V. Sar.

No. MC 42261 (Sub-No. 50), filed April 10, 1961. Applicant: LANGER TRANSPORT CORP., Route 1, Foot of Danforth Avenue, Jersey City, N.J. Applicant's attorney: S. S. Eisen, Milton P. Bauman Associates, 140 Cedar Street, New York 6, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Silica flour*, in bulk, in tank or hopper type vehicles, from Newport and Millville, N.J., to Baltimore and Havre de Grace, Md., and returned or *rejected shipments*, on return.

**HEARING INFORMATION:** By Order dated April 17, 1961, the subject application was assigned for hearing April 20, 1961, in Room 709, U.S. Appraisers' Stores Building, Gay and Lombard Streets, Baltimore, Md., before Examiner Gordon M. Callow, along with the application of M. I. O'Boyle & Son, Inc., doing business as O'Boyle Tank Lines, MC 106965 (Sub No. 155), which seeks identical authority. That application was published in the FEDERAL REGISTER, issue of March 1, 1961. The purpose of this late publication of the same issues in the instant application is to advise that any person or persons who might have been prejudiced by lack of sufficient notice prior to hearing, may, within 30 days from the date of this publication, file a petition for further hearing in the instant proceeding, to wit: No. MC 42261 (Sub No. 50).

No. MC 50544 (Sub No. 47), filed February 16, 1961. Applicant: THE TEXAS AND PACIFIC MOTOR TRANSPORT COMPANY, a corporation, Fidelity Union Tower, Dallas, Tex. Applicant's attorney: Gerry N. Wren, Eighth Floor, Fidelity Union Tower, Dallas 1, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, between El Paso, Tex., and Border Steel Industrial Area (north of El Paso); (1) from El Paso in a northerly direction over Interstate Highway 10, a distance of 7½ miles to the Border Steel Industrial Area, and return over the same route, using all access roads to said industrial area; (2) also from El Paso in a northerly direction over U.S. Highway 80, a distance of approximately 9 miles, thence eastward over an unnumbered road, a distance of approximately 1 mile to the Border Steel Industrial Area, and return over the same route, using all access roads to said industrial area; serving all intermediate points, but no off-route points in connection with (1) and (2) above.

**NOTE:** Applicant states it is a wholly owned subsidiary of the Texas and Pacific Railway Company.

**HEARING:** June 6, 1961, at the Hotel Paso Del Norte, El Paso, Tex., before Joint Board No. 77, or, if the Joint Board waives its right to participate, before Examiner James A. McKiel.

No. MC 52869 (Sub No. 62), filed April 3, 1961. Applicant: NORTHERN TANK LINE, 511 Pleasant Street, Miles City, Mont. Applicant's attorney: Robert W. Burchmore, 2106 Field Building, Chicago 3, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, in bags, and in bulk, from Rapid City, S. Dak., to points in Montana and North Dakota, and *refused shipments* of the above-specified commodity, on return.

**HEARING:** June 23, 1961, at the Yellowstone County Court House, Billings, Mont., before Examiner Maurice S. Bush.

No. MC 59185 (Sub No. 26), filed April 3, 1961. Applicant: HIGHWAY EXPRESS, INC., 2416 West Superior Avenue, Cleveland 13, Ohio. Applicant's representative: J. C. Schriener, 3350 Superior Avenue, Cleveland 14, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, and except Classes A and B explosives, household goods as defined by the Interstate Commerce Commission in 17 M.C.C. 467, commodities in bulk, and those requiring special equipment); serving the new plant site of the W. S. Tyler Co., located near Mentor, Ohio, as an off-route point in connection with applicant's presently authorized regular-route operations between Cleveland, Ohio and Detroit, Mich.

**HEARING:** May 12, 1961, at the New Post Office Building, Columbus, Ohio, before Joint Board No. 117, or, if the Joint Board waives its right to participate, before Examiner Lyle C. Farmer.

No. MC 59680 (Sub No. 131), filed March 31, 1961. Applicant: STRICKLAND TRANSPORTATION CO., INC., P.O. Box 5689, Dallas 2, Tex. Applicant's attorney: W. T. Brunson, 419 Northwest Sixth Street, Oklahoma City 3, Okla. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Memphis, Tenn., and San Antonio, Tex.; from Memphis over U.S. Highway 79 to McNeil, Ark., thence over Arkansas Highway 98 to junction with U.S. Highway 82 near Waldo, Ark., thence over U.S. Highway 82 to junction with Arkansas Highway 29 at Lewisville, Ark., thence over Arkansas Highway 29 and Louisiana Highway 3 to Shreveport, La., thence over U.S. Highway 79 to Round Rock, Tex., thence over U.S. Highway 81 to San Antonio, and return over the same route, serving no intermediate points, as an alternate route for operating convenience only in connection with applicant's authorized regular route operations.

**HEARING:** May 31, 1961, at the Federal Office Building, Franklin and Fannin Streets, Houston, Tex., before Examiner James A. McKiel.

No. MC 59894 (Sub No. 19), filed January 19, 1961. Applicant: TEXAS-

ARIZONA MOTOR FREIGHT, INC., 1700 East Second Avenue, P.O. Box 1034, El Paso, Tex. Applicant's attorney: David Axelrod, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment), to and from all points in El Paso County, Tex.

NOTE: Applicant states it is controlled through ownership of 75 percent of its outstanding capital stock by Rogers Cartage Company of Indiana, Inc., of Chicago, Ill., therefore common control may be involved.

HEARING: June 5, 1961, at the Hotel Paso Del Norte, El Paso, Tex., before Joint Board No. 77, or, if the Joint Board waives its right to participate, before Examiner James A. McKiel.

No. MC 60465 (Sub No. 6), filed February 27, 1961. Applicant: SPERRY TRANSPORTATION COMPANY, a corporation, 907 F Street, Charles City, Iowa. Applicant's attorney: Gene P. Johnson, First National Bank Building, Fargo, N. Dak. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Tractors* (not including tractors with vehicle beds, bed frames, or fifth wheels), *attachments therefor* when moving incidental to and in the same vehicle with said tractors, and *parts*; between Charles City, Iowa, on the one hand, and, on the other, points in that part of Illinois on and north of a line beginning at the Illinois-Missouri State line near Alton, Ill., and extending along Illinois Highway 140 to junction U.S. Highway 40, thence along U.S. Highway 40 to the Illinois-Indiana State line. RESTRICTION: The above requested authority is restricted to traffic originating at or destined to Charles City, Iowa.

HEARING: June 21, 1961, at the Midland Hotel, Chicago, Ill., before Joint Board No. 54, or, if the Joint Board waives its right to participate before Examiner Raymond V. Sar.

No. MC 61592 (Sub No. 10), filed February 27, 1961. Applicant: K & A TRUCK LINES, INC., 3708 Elm Street, Bettendorf, Iowa. Applicant's attorney: Charles W. Singer, 33 North La Salle Street, Chicago 2, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tractors* (not including tractors with vehicle beds, bed frames, or fifth wheels), *attachments therefor* when moving incidental to and in the same vehicle with said tractors, and *parts*; between Charles City, Iowa, on the one hand, and, on the other, Moline, Ill., and points within 10 miles thereof. RESTRICTION: The above requested authority is restricted to traffic originating at or destined to Charles City, Iowa.

HEARING: June 21, 1961, at the Midland Hotel, Chicago, Ill., before Joint Board No. 54, or, if the Joint Board waives its right to participate, before Examiner Raymond V. Sar.

No. MC 66562 (Sub No. 1761) (AMENDMENT), filed December 9,

1960, published in the FEDERAL REGISTER issue of December 21, 1960. Applicant: RAILWAY EXPRESS AGENCY, INCORPORATED, 219 East 42d Street, New York 17, N.Y. Applicant's attorney: Robert C. Boozer, 1220 Citizens and Southern National Bank Building, Atlanta 3, Ga. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, moving in express service; (1) from Mobile, Ala., over U.S. Highway 45 to Citronelle, Ala., thence over Alabama Highway 96 to Mt. Vernon, Ala., and return over the same route, serving the intermediate points of Citronelle, Ala.; and (2) from Wagarville, Ala. over U.S. Highway 84 to Chatom, Ala., and return over the same route. RESTRICTIONS: (1) The service to be performed by applicant shall be limited to service which is auxiliary or supplemental to air or rail express service of applicant. (2) Shipments transported by applicant shall be limited to those moving on a through bill of lading or express receipt, covering in addition to a motor carrier movement by applicant, an immediately prior or an immediately subsequent movement by air or rail. (3) Such further specific conditions as the Commission in the future may find necessary to impose in order to restrict applicant's operations to service which is auxiliary to or supplemental to air or rail express service of applicant.

HEARING: June 16, 1961, at the U.S. Court Rooms, Montgomery, Ala., before Joint Board No. 100, or, if the Joint Board waives its right to participate, before Examiner C. Evans Brooks.

No. MC 70451 (Sub No. 228), filed March 6, 1961. Applicant: WATSON BROS. TRANSPORTATION CO., INC., 1910 Harney Street, Omaha, Nebr. Applicant's attorney: David Axelrod, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Classes A and B explosives*; between Fort Huachuca, Ariz., on the one hand, and, on the other, all points presently authorized to be served by applicant on its regular routes.

HEARING: June 12, 1961, at the Arizona Corporation Commission, Phoenix, Ariz., before Examiner F. Roy Linn.

No. MC 84528 (Sub No. 14), filed March 20, 1961. Applicant: AUTOMOBILE TRANSPORT COMPANY OF CALIFORNIA, a corporation, 1650 West 139th Street, P.O. Box 1117, Alondra Station, Gardena, Calif. Applicant's attorney: R. Y. Shureman, 639 South Spring Street, Los Angeles 14, Calif. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used motor vehicles*, which have been repossessed, embezzled, stolen, or damaged, by tow-away or drive-away method under the vehicle's own power, (1) between points in Arizona, on the one hand, and, on the other, points in the United States, except points in Alaska and Hawaii; and (2) between points in Nevada, on the one hand, and, on the other, points in the United States, except points in Alaska and Hawaii.

HEARING: June 13, 1961, at the Arizona Corporation Commission, Phoenix, Ariz., before Examiner F. Roy Linn.

No. MC 92983 (Sub-No. 391), filed April 10, 1961. Applicant: ELDON MILLER, INC., 330 East Washington, Iowa City, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fats and oils*, in bulk, in tank vehicles, from Cedar Rapids, Iowa, to points in Illinois, Indiana, and Michigan.

HEARING: June 29, 1961, in Room 401 Old Federal Office Building, Fifth and Court Avenues, Des Moines, Iowa, before Examiner Raymond V. Sar.

No. MC 93003 (Sub No. 35), filed March 24, 1961. Applicant: CARROLL TRUCKING COMPANY, a corporation, 4901 U.S. Route 60, Huntington, W. Va. Applicant's attorney: James E. Wilson, Perpetual Building, 1111 E Street NW, Washington 4, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities which, because of size or weight require the use of special equipment or special handling*; between points in West Virginia, those in Ohio on and south of U.S. Highway 40, and those in Kentucky on and east of U.S. Highways 25 and 25W.

NOTE: Applicant states that if the authority sought herein is granted it will surrender its present Certificate authorizing the transportation of "Heavy machinery," as defined in *Classification of Motor Carriers of Property*, 2 M.C.C. 703 between points in the above-described area.

HEARING: June 6, 1961, at the U.S. Court House, Charleston, W. Va., before Joint Board No. 62 or, if the Joint Board waives its right to participate, before Examiner David Waters.

No. MC 95084 (Sub No. 35), filed April 3, 1961. Applicant: HOVE TRUCK LINE, a corporation, Stanhope, Iowa. Applicant's representative: Kenneth F. Dudley, 106 North Court Street, P. O. Box 557, Ottumwa, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Agricultural machinery and implements, including portable elevators, and agricultural machinery and implement parts, including portable elevator parts*, as defined in parts 1(b) and 1(c) of Appendix XII to report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, (1) from Manhattan, Kans., to points in Colorado, Delaware, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Maryland, Michigan, Minnesota, Missouri, Nebraska, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, South Dakota, Tennessee, Texas, Virginia, West Virginia, and Wisconsin; and (2) from Fort Dodge, Iowa, to points in Delaware, Maryland, New Jersey, New York, Oklahoma, Texas, and West Virginia.

HEARING: June 27, 1961, in Room 401 Old Federal Office Building, Fifth and Court Avenues, Des Moines, Iowa, before Examiner Raymond V. Sar.

No. MC 98255 (Sub No. 2), filed March 6, 1961. Applicant: THOMAS B. RIPPY AND ERNEST W. RIPPY, JR., a partner-

ship, doing business as LAWRENCE-BURG TRANSFER CO., Lawrenceburg, Ky. Applicant's attorney: Robert M. Pearce, 221½ St. Clair Street, Frankfort, Ky. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: (1) *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Louisville, Ky., and a point five miles south of Stanford, Ky., on U.S. Highway 150; from Louisville over U.S. Highway 60 to junction with Kentucky Highway 151, thence over Kentucky Highway 151 to junction with U.S. Highway 127 at Alton, Ky., thence over U.S. Highway 127 to Danville, Ky., thence over U.S. Highway 150 to a point five miles south of Stanford, Ky., on U.S. Highway 150, thence return over U.S. Highway 150 to Stanford, thence over U.S. Highway 27 to Lancaster, Ky., thence over Kentucky Highway 52 to Danville, and return to Louisville over the same route, serving all intermediate points and off-route points within three miles of that part of the route between the junction of U.S. Highway 60 with Kentucky Highway 151 near Graefenburg, Ky., and a point five miles south of Stanford, Ky., on U.S. Highway 150 and the off-route points of Hoffman Distillery, J. T. S. Brown Distillery, Old Joe Distillery, Bonds Mill Distillery, Glensboro and Burgin, Ky. (2) *Used whiskey barrels*; from Lawrenceburg, Ky., to Cincinnati, Ohio.

**HEARING:** June 7, 1961, at the Department of Motor Transportation, State Office Building, Frankfort, Ky., before Joint Board No. 208, or, if the Joint Board waives its right to participate before Examiner Warren C. White.

No. MC 101075 (Sub No. 65), filed April 10, 1961. Applicant: TRANSPORT, INC., P.O. Box 396, Moorhead, Minn. Applicant's attorney: Val M. Higgins, 1000 First National Bank Building, Minneapolis 2, Minn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Liquefied petroleum gas*, in bulk, in tank vehicles, and (2) *rejected shipments*, between points in Minnesota, North Dakota, South Dakota, Wisconsin, and Iowa.

**HEARING:** May 15, 1961, at the Hotel Sheraton-Fontenelle, Omaha, Nebr., before Examiner John B. Mealy.

No. MC 103378 (Sub No. 203), filed April 17, 1961. Applicant: PETROLEUM CARRIER CORPORATION, 369 Margaret Street, Jacksonville, Fla. Applicant's attorney: Martin Sack, Atlantic National Bank Building, Jacksonville 2, Fla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sulphuric acid*, in bulk, in tank vehicles, from points in Decatur County, Ga., to points in Florida and Alabama.

**HEARING:** May 3, 1961, at the Mayflower Hotel, Jacksonville, Fla., before Joint Board No. 99, or, if the Joint Board waives its right to participate, before Examiner Allen W. Hagerty.

No. MC 103654 (Sub No. 58), filed April 10, 1961. Applicant: SCHIRMER

TRANSPORTATION COMPANY, INCORPORATED, 1145 Homer Street, St. Paul 16, Minn. Applicant's attorney: Val M. Higgins, 1000 First National Bank Building, Minneapolis 2, Minn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Liquefied petroleum gas*, in bulk, in tank vehicles, and (2) *rejected shipments*, between points in Iowa, Minnesota, Wisconsin, North Dakota, and South Dakota.

**HEARING:** May 15, 1961, at the Hotel Sheraton-Fontenelle, Omaha, Nebr., before Examiner John B. Mealy.

No. MC 103880 (Sub No. 220), filed March 30, 1961. Applicant: PRODUCERS TRANSPORT, INC., 224 Buffalo Street, New Buffalo, Mich. Applicant's attorney: David Axelrod, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Hydrogen gas*, in shipper-owned cylinder trailers, from Findlay and Cleveland, Ohio to Hemlock, Mich.

**NOTE:** Applicant states that it is the owner of 50 percent of the outstanding shares of stock of Tank Truck Transport, Ltd., therefore common control may be involved.

**HEARING:** June 13, 1961, in Room 214, Federal Building, Lansing, Mich., before Joint Board No. 57, or, if the Joint Board waives its right to participate, before Examiner Raymond V. Sar.

No. MC 103880 (Sub No. 221), filed March 30, 1961. Applicant: PRODUCERS TRANSPORT, INC., 224 Buffalo Street, New Buffalo, Mich. Applicant's attorney: David Axelrod, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, in tank vehicles, from Detroit, Mich., to the ports of entry on the International Boundary line between the United States and Canada, at or near Detroit and Port Huron, Mich.

**NOTE:** Applicant states that it is the owner of 50 percent of the outstanding shares of stock of Tank Truck Transport, Ltd., therefore common control may be involved.

**HEARING:** June 13, 1961, in Room 213, Federal Building, Lansing, Mich., before Joint Board 163, or, if the Joint Board waives its right to participate, before Examiner Raymond V. Sar.

No. MC 103880 (Sub No. 222), filed April 3, 1961. Applicant: PRODUCERS TRANSPORT, INC., 224 Buffalo Street, New Buffalo, Mich. Applicant's attorney: Carl L. Steiner, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Acids and chemicals*, in bulk, in tank vehicles; from Villa Park, Ill., and points within five miles thereof (except those within the Chicago Commercial Zone), to points in Indiana, Kentucky, Michigan, Minnesota, Ohio, and Wisconsin.

**NOTE:** Common control may be involved.

**HEARING:** May 3, 1961, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner A. Lane Cricher.

No. MC 107107 (Sub No. 111), (RE-PUBLICATION), filed December 8, 1958, published in the FEDERAL REGISTER, issue of February 20, 1959, and republished this issue. Applicant: ALTERMAN TRANSPORT LINES, INC., 2424 Northwest 46th Street, P.O. Box 65 Altapah Station, Miami 42, Fla. Applicant's attorney: Frank B. Hand, Jr., Transportation Building, Washington, D.C. By application filed December 8, 1958, under the "grandfather" provisions of section 7(c) of the Transportation Act of 1958, applicant sought to continue an operation transporting: Frozen fruits, frozen vegetables, frozen berries, tea, and bananas, over irregular routes, between points in North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Texas, Wisconsin, Illinois, Minnesota, Iowa, Missouri, Arkansas, Louisiana, Michigan, Indiana, Kentucky, Tennessee, Mississippi, Alabama, Florida, Georgia, South Carolina, North Carolina, Virginia, West Virginia, Pennsylvania, New York, New Jersey, Rhode Island, Delaware, Connecticut, Massachusetts, District of Columbia, Maine, Maryland, New Hampshire, Ohio, and Vermont. The scope of the authority sought was incorrectly published in the FEDERAL REGISTER of February 20, 1959. A Report and Order of the Commission, division 1, dated March 29, 1961, and served April 6, 1961, finds that applicant was, on May 1, 1958, in bona fide operation, in interstate or foreign commerce, as a *common carrier* by motor vehicle, over irregular routes, (1) of *tea* from New York, N.Y., to points in Florida, (2) of *frozen fruits*, from Sodus, Mich., to Atlanta, Ga., and Tampa, Fla., (3) of *frozen vegetables*, (a) from Columbus, Ga., to Miami and Tampa, Fla., Little Rock, Ark., Chicago, Ill., and Indianapolis, Ind., (b) from Fort Smith and Searcy, Ark., to points in Dade County, Fla., (c) from Lancaster, Pa., to points in Dade County, Fla., and to Jacksonville and Tampa, Fla., and (d) from Green Bay, Wis., to points in Dade County, Fla., and to Jacksonville, Fla., (4) of *frozen fruits and frozen vegetables*, from Montezuma, Ga., to points in Dade County, Fla., and to Orlando and Lakeland, Fla., (5) of *frozen fruits, frozen vegetables, and frozen berries*, from Salisbury, Md., to Miami and Fort Lauderdale, Fla., and (6) of *frozen fruits and frozen berries*, from Sodus, Mich., to Miami and Jacksonville, Fla., and provides for the issuance of a Certificate authorizing the continuance of such operations. The purpose of this republication is to advise that any person or persons who may have been prejudiced by the failure of the publication of the notice of filing in the FEDERAL REGISTER of February 20, 1959, to correctly set forth the issues, may, within 30 days from the date of this republication, file an appropriate pleading.

No. MC 107134 (Sub No. 14), filed March 24, 1961. Applicant: HIGHWAY TRANSPORTATION CORPORATION, Box 144, Woodville, Ohio. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Lime, limestone, and limestone products*, from points in Ottawa and Sandusky Counties, Ohio, to points

in Illinois (except Chicago and points in the Chicago commercial zone), points in Pennsylvania west of U.S. Highway 219 (except the Counties of Erie, Crawford, Mercer, Lawrence, Beaver, Washington, Greene, Venango, Butler, and Allegheny). Including Port Allegany. Points in New York west of U.S. Highway 19 and points in West Virginia west of U.S. Highway 219 (except the Counties of Hancock, Brooke, Ohio, Marshall, Wood, Mason, Cabell, Putnam, and Kanawha).

**NOTE:** A proceeding has been instituted under section 212(c) of the Interstate Commerce Act to determine whether applicant's status is that of a common or contract carrier in No. MC 107134 (Sub No. 9).

**HEARING:** June 22, 1961, at the New Post Office Building, Columbus, Ohio, before Examiner A. Lane Cricher.

No. MC 107134 (Sub No. 15), filed March 27, 1961. Applicant: HIGHWAY TRANSPORTATION CORPORATION, Box 144, Woodville, Ohio. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Lime, limestone, and limestone products*, from Carey and Broken Sword, Ohio, to points in Illinois, and Indiana, points in Pennsylvania west of U.S. Highway 219, including Port Allegany, points in New York west of U.S. Highway 19, points in West Virginia west of U.S. Highway 219, and points in the Southern Peninsula of Michigan.

**NOTE:** A proceeding has been instituted under section 212(c) of the Interstate Commerce Act to determine whether applicant's status is that of a common or contract carrier in No. MC 107134 (Sub No. 9).

**HEARING:** June 22, 1961, at the New Post Office Building, Columbus, Ohio, before Examiner A. Lane Cricher.

No. MC 107323 (Sub No. 35), filed April 6, 1961. Applicant: GILLILAND TRANSFER COMPANY, 21 West Sheridan, Fremont, Mich. Applicant's attorneys: Leonard D. Verdier, Jr., Warner, Norcross & Judd, 300 Michigan Trust Building, Grand Rapids 2, Mich. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Feed and fertilizer*, from Chicago, Ill., and points in the Chicago Commercial Zone to points in the lower peninsula of Michigan, on and west of a line running from the Michigan-Ohio State line over U.S. Highway 127 to Lansing, and over U.S. Highway 27 from Lansing to Mackinaw City.

**NOTE:** To the extent that this duplicates authority currently held by applicant, applicant agrees that any duplications would be merged in any certificate to be issued. (2) *Feed*, from Mentone, Ind., to points in the lower peninsula of Michigan on and west of a line running from the Michigan-Ohio State line over U.S. Highway 127 to Lansing, and over U.S. Highway 27 from Lansing to Mackinaw City. (3) *Labels*, from Lockport, Ill., to Fremont, Mich. And (4) *Vinegar and cider*, in bulk, between Fremont, Mich., and points in Indiana, Illinois, Ohio, and Wisconsin.

**HEARING:** June 16, 1961, in Room 214, Federal Building, Lansing, Mich., before Examiner Raymond V. Sar.

No. MC 107496 (Sub No. 186), filed March 20, 1961. Applicant: RUAN TRANSPORT CORPORATION, 408 SE. 30th Street, P.O. Box 855, Des Moines, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquefied petroleum gas*, in bulk, in tank vehicles, between points in Nebraska, Iowa, Kansas, Missouri, South Dakota, North Dakota, Illinois, Wisconsin, and Minnesota.

**NOTE:** Applicant has pending applications in MC 119136 and Subs thereunder; therefore, dual operations may be involved. Applicant states operations from origins on the Mid-America Pipe Line sought in MC 107496 Sub 156 not involved.

**HEARING:** May 15, 1961, at the Hotel Sheraton-Fontenelle, Omaha, Nebr., before Examiner John B. Mealy.

No. MC 108446 (Sub-No. 26) (CLARIFICATION), filed March 24, 1961, published FEDERAL REGISTER, issue of April 12, 1961, republished as clarified, this issue. Applicant: FISCHBACH TRUCKING CO., a corporation, 921 Sherman Street, Akron, Ohio. Applicant's attorney: John P. McMahon, 44 East Broad Street, Columbus 15, Ohio. Authority sought to operate as a *common or contract carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities, or merchandise as is manufactured, processed, or dealt in by rubber or rubber products manufacturers, and equipment, materials and supplies* used in connection therewith, between the site of the B. F. Goodrich Company plant located in Green Camp Township on Green Camp Pike Road, Marion County, Ohio, on the one hand, and, on the other, Chicago Heights, Ill., and points in the Chicago, Ill., Commercial Zone, as defined by the Commission, Clarksville, Tenn., West Helena, Ark., points in Massachusetts, Connecticut, New Jersey, Rhode Island, and points in that portion of New York, on and east of a line extending in a southerly direction along the St. Lawrence River to Alexandria Bay, N.Y., thence along New York Highway 12 to Binghamton, N.Y., and thence along U.S. Highway 11 to the New York-Pennsylvania State line, and points in Pennsylvania on and east of a line running along U.S. Highway 111, from the Maryland-Pennsylvania State line to Harrisburg, Pa., thence along U.S. Highway 11 to the New York-Pennsylvania State line.

**NOTE:** The purpose of this republication is to advise that since the conversion proceeding No. MC 108446 (Sub No. 17) has not been finally determined, the subject application is filed in the alternative, seeking authority as a common carrier or as a contract carrier.

**HEARING:** Remains as assigned May 22, 1961, at the New Post Office Building, Columbus, Ohio, before Examiner David Waters.

No. MC 108449 (Sub No. 121), filed April 14, 1961. Applicant: INDIAN-HEAD TRUCK LINE, INC., 1947 West County Road C, St. Paul 13, Minn. Applicant's attorney: Glenn W. Stephens, 121 West Doty Street, Madison 3, Wis. Authority sought to operate as a *com-*

*mon carrier*, by motor vehicle, over irregular routes, transporting: *Liquefied petroleum gas*, in bulk, in tank vehicles, and *rejected and returned shipments*, between points in Nebraska, Iowa, Kansas, Missouri, South Dakota, North Dakota, Illinois, Minnesota, and Wisconsin.

**HEARING:** May 15, 1961, at the Hotel Sheraton-Fontenelle, Omaha, Nebr., before Examiner John B. Mealy.

No. MC 109265 (Sub No. 12), filed April 17, 1961. Applicant: W. L. MEAD, INC., P.O. Box 31, Norwalk, Ohio. Applicant's attorney: Paul F. Beery, 44 East Broad Street, Columbus 15, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, livestock, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk, and those requiring special equipment, serving Medina, Ohio, as an intermediate point, in connection with applicant's presently authorized regular-route operation between Akron, Ohio, and Norwalk, Ohio.

**HEARING:** May 22, 1961, at the Hotel Cleveland, Cleveland, Ohio, before Joint Board No. 117, or, if the Joint Board waives its right to participate, before Examiner David Waters.

No. MC 109584 (Sub No. 91), filed April 10, 1961. Applicant: ARIZONA PACIFIC TANK LINES, 717 North 21st Avenue, Phoenix, Ariz. Applicant's attorney: Arthur H. Glanz, 639 South Spring Street, Los Angeles 14, Calif. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sugar*, in bulk, in tank and in hopper vehicles, from Brawley, Calif. and points within ten (10) miles thereof, to points in Arizona, New Mexico and El Paso County, Tex., and *returned, rejected, and contaminated shipments* of the above-specified commodity, on return. Applicant states it is a wholly owned subsidiary of Ringsby Truck Lines, Inc., therefore, common control may be involved.

**HEARING:** June 14, 1961, at the Arizona Corporation Commission, Phoenix, Ariz., before Examiner F. Roy Linn.

No. MC 109637 (Sub No. 177), filed February 6, 1961. Applicant: SOUTHERN TANK LINES INC., 4107 Bells Lane, Louisville 11, Ky. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sodium Lauryl Sulphate Solutions*, in bulk, in tank vehicles, from St. Paul, Minn., to Louisville, Ky., and *rejected shipments* of the above-specified commodities, on return.

**HEARING:** June 12, 1961, at the U.S. Court Rooms, Louisville, Ky., before Examiner Warren C. White.

No. MC 109637 (Sub No. 180), filed February 23, 1961. Applicant: SOUTHERN TANK LINES INC., 4107 Bells Lane, Louisville 11, Ky. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Ferric sulphate*, in bulk, in tank, hopper, and dump vehicles, from Copperhill, Tenn., to points in



Boone and McCracken Counties, Ky., and Hamilton and Henry Counties, Ohio.

NOTE: Applicant states it will traverse several miles of highway in Georgia, for operating convenience only.

HEARING: June 12, 1961, at the U.S. Court Rooms, Louisville, Ky., before Examiner Warren C. White.

No. MC 110393 (Sub No. 5), filed March 31, 1961. Applicant: FRIGID FOOD EXPRESS, INC., 2754 Seventh Street Road, Louisville, Ky. Applicant's attorney: Rudy Yessin, Sixth Floor, McClure Building, Frankfort, Ky. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Dairy products, (1) between points in Monroe, Luxemburg, Mishicot, Plymouth, Elkhart Lake, Marshfield, Marathon City, Mt. Horeb, Marinette, Green Bay, Mayville, Wisconsin Rapids, and New Glarus, Wis.; (2) between Independence, and Plainfield, Iowa, on the one hand, and on the other, New York City, N.Y., Philadelphia, Pa., and Baltimore, Md.; (3) between Quincy, Ill., on the one hand, and on the other, New York City, N.Y., Philadelphia, Pa., and Baltimore, Md.; (4) between Wapakoneta, Lima, and Bellefontaine, Ohio, on the one hand, and on the other, New York City, N.Y., Philadelphia, Pa., and Baltimore, Md.; and (5) between Ft. Wayne, Ind., on the one hand, and on the other, New York City, N.Y., Philadelphia, Pa., and Baltimore, Md.

HEARING: June 13, 1961, at the U.S. Court Rooms, Louisville, Ky., before Examiner Warren C. White.

No. MC 110698 (Sub No. 148), filed March 17, 1961. Applicant: RYDER TANK LINE, INC., P.O. Box 457, Winston Road, Greensboro, N.C. Applicant's attorneys: Frank B. Hand, Jr., and Daniel B. Johnson, Transportation Building, Washington 6, D.C. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) Chocolate, in bulk, in tank vehicles, from Charlotte, N.C., to points in New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Tennessee, Mississippi, Louisiana, Kentucky, Ohio, West Virginia, Texas, Missouri, Illinois, Indiana, Arkansas, and the District of Columbia; and (2) Edible oils, in bulk, in tank vehicles, from Boonton, N.J., Cincinnati, Ohio, Chicago, Ill., Macon, Ga., Chattanooga and Memphis, Tenn., and New Orleans, La., to Charlotte, N.C.

HEARING: June 19, 1961, at the U.S. Court Rooms, Charlotte, N.C., before Examiner C. Evans Brooks.

No. MC 111383 (Sub No. 10), filed April 17, 1961. Applicant: BRASWELL MOTOR FREIGHT LINES, INC., 301 Reynolds Street, El Paso, Tex. Applicant's attorney: T. S. Christopher, 807 Continental Life Building, Fort Worth, Tex. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: General commodities (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring

special equipment), between Houston, Tex., and the site of the Monsanto Chemical Co., located near Chocolate Bayou, Tex.; from Houston over Texas Highway 35 to intersection Texas Highway 35 (between Alvin and Angleton, Tex.) with County Road 191, thence over County Road 191 and 194 to the plant site of Monsanto Chemical Co., and return over the same route, serving no intermediate points.

NOTE: Common control may be involved.

HEARING: May 12, 1961, at the Federal Office Building, Franklin and Fannin Streets, Houston, Tex., before Joint Board No. 77, or, if the Joint Board waives its right to participate before Examiner Armin G. Clement.

No. MC 111812 (Sub-No. 126), (CORRECTION), filed April 3, 1961, published in the FEDERAL REGISTER, issue of April 19, 1961. Applicant: MIDWEST COAST TRANSPORT, INC., P.O. Box 747, Wilson Terminal Building, Sioux Falls, S. Dak. Applicant's attorney: Donald L. Stern, 924 City National Bank Building, Omaha 2, Nebr.

NOTE: Previous publication gave applicant's docket number as MC 11812 (Sub No. 126), in error. The correct docket number is: No. MC 111812 (Sub No. 126).

No. MC 112020 (Sub No. 110), filed April 6, 1961. Applicant: COMMERCIAL OIL TRANSPORT, INC., 1030 Stayton Street, Fort Worth, Tex. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) Starch, in bulk, from Corpus Christi, Tex., to points in Louisiana, Oklahoma, and Arkansas, and (2) Starch, sugar, caramel coloring syrup, and molasses, in bulk, from Corpus Christi, Tex., to points in New Mexico.

HEARING: May 29, 1961, at the Federal Office Building, Franklin and Fannin Streets, Houston, Tex., before Examiner James A. McKiel.

No. MC 113336 (Sub No. 43), filed April 11, 1961. Applicant: PETROLEUM TRANSIT COMPANY, INC., P.O. Box 29, Lumberton, N.C. Applicant's attorney: James E. Wilson, Perpetual Building, 1111 E Street NW., Washington 4, D.C. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Liquefied petroleum gas, in bulk, in tank vehicles, (1) From terminals on the Dixie Pipe Line Company pipe line in Mississippi to points in Mississippi, Alabama and Florida, (2) from terminals on the Dixie Pipe Line Company pipe line in Alabama to points in Mississippi, Alabama, Florida, Georgia, and Tennessee, (3) from terminals on the Dixie Pipe Line Company pipe line in Georgia to points in Alabama, Georgia, Florida, South Carolina, and Tennessee, (4) from terminals on the Dixie Pipe Line Company pipe line in South Carolina to points in Georgia, South Carolina, Tennessee, and North Carolina, and (5) from terminals on the Dixie Pipe Line Company pipe line in North Carolina to points in South Carolina, North Carolina, Tennessee, and Virginia.

HEARING: June 9, 1961, at the Georgia Public Service Commission, 244

Washington Street SW., Atlanta, Ga., before Examiner C. Evans Brooks.

No. MC 113410 (Sub No. 29), filed March 27, 1961. Applicant: DAHLEN TRANSPORT, INC., 875 North Prior Avenue, St. Paul 4, Mich. Applicant's attorney: Leonard A. Jaskiewicz, Munsey Building, Washington 4, D.C. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Liquefied petroleum gas, in bulk, in tank vehicles, between points in Nebraska, Iowa, Kansas, Missouri, South Dakota, North Dakota, Illinois, Minnesota, and Wisconsin, restricted against movements of liquefied petroleum gas originating at terminals of Mid-America Pipeline Company, located at or near Greenwood, Nebr., Sanborn and Iowa City, Iowa, Kearney and Moberly, Mo., St. Paul, Minn., and Janesville, Wis. No duplicating authorization is sought.

HEARING: May 15, 1961, at the Hotel Sheraton-Fontenelle, Omaha, Nebr., before Examiner John B. Mealy.

No. MC 113779 (Sub No. 146), filed April 10, 1961. Applicant: YORK INTERSTATE TRUCKING, INC., 9020 LaPorte Expressway, P.O. Box 26035, Houston 32, Tex. Applicant's attorney: Dale Woodall (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Vinyl chloride, in bulk, in tank vehicles, from Baton Rouge, La. to Pace, Fla.

HEARING: May 31, 1961, at the Federal Office Building, Franklin and Fannin Streets, Houston, Tex., before Examiner James A. McKiel.

No. MC 113779 (Sub No. 147), filed April 12, 1961. Applicant: YORK INTERSTATE TRUCKING, INC., 9020 LaPorte Expressway, P.O. Box 26035, Houston 32, Tex. Applicant's attorney: Dale Woodall (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Petroleum treating compound, in bulk, in tank vehicles, from Webster Grove, Mo., to points in Wyoming, Nebraska, Montana, Colorado, Utah, Arizona, and New Mexico.

HEARING: May 23, 1961, at the Mark Twain Hotel, St. Louis, Mo., before Examiner Lacy W. Hinely.

No. MC 114087 (Sub No. 2), filed April 3, 1961. Applicant: DECATUR PETROLEUM HAULERS, INC., 161 First Avenue NE., Decatur, Ala. Applicant's attorney: D. H. Markstein, Jr., 818-821 Massey Building, Birmingham 3, Ala. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Petroleum products, in bulk, in tank vehicles; from Decatur and Sheffield, Ala., to points in Georgia, and empty containers or other such incidental facilities, used in transporting the above-described commodities, on return.

HEARING: June 5, 1961, at the Georgia Public Service Commission, 244 Washington Street SW., Atlanta, Ga., before Joint Board No. 157, or, if the Joint Board waives its right to participate, before Examiner C. Evans Brooks.

No. MC 114091 (Sub No. 37), filed February 6, 1961. Applicant: FLEET

TRANSPORT CO., OF KY., INC., 3601 South Seventh Street, Louisville, Ky. Applicant's attorney: Walter Harwood, Nashville Trust Building, Nashville 3, Tenn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, in tank vehicles, between Cincinnati, Ohio, and points in Hamilton County, Ohio, on the one hand, and, on the other, points in Tennessee, except Kingsport, Tenn.

**HEARING:** June 20, 1961, at the Dinkler-Andrew Jackson Hotel, Nashville, Tenn., before Joint Board No. 209, or if the Joint Board waives its right to participate before Examiner Warren C. White.

No. MC 114091 (Sub No. 39), filed February 23, 1961. Applicant: FLEET TRANSPORT CO. OF KY., INC., 3601 South Seventh Street, Louisville, Ky. Applicant's attorney: Walter Harwood, Nashville Trust Building, Nashville 3, Tenn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, in tank vehicles; from points in Davidson County, Tenn., to points in Kentucky.

**HEARING:** June 21, 1961, at the Dinkler-Andrew Jackson Hotel, Nashville, Tenn., before Joint Board No. 25, or, if the Joint Board waives its right to participate, before Examiner Warren C. White.

No. MC 114091 (Sub No. 40), filed April 5, 1961. Applicant: FLEET TRANSPORT COMPANY OF KENTUCKY, INC., 3601 South Seventh Street, Louisville, Ky. Applicant's attorney: Walter Harwood, Nashville Trust Building, Nashville 3, Tenn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquefied petroleum gases*, in bulk, in tank vehicles, from points in Lawrence County, Ill., to points in Kentucky and Tennessee.

**HEARING:** June 15, 1961, at the U.S. Court Rooms, Louisville, Ky., before Examiner Warren C. White.

No. MC 114091 (Sub No. 41), filed April 5, 1961. Applicant: FLEET TRANSPORT CO. OF KY., INC., 3601 South Seventh Street, Louisville, Ky. Applicant's attorney: Walter Harwood, 515 Nashville Trust Building, Nashville, Tenn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquefied petroleum gases*, in bulk, in tank vehicles; from points in Pike and Gibson Counties, Ind., to points in Indiana, Kentucky, and Tennessee.

**NOTE:** Applicant states that no duplicating authority is sought.

**HEARING:** June 15, 1961, at the U.S. Court Rooms, Louisville, Ky., before Joint Board No. 264, or, if the Joint Board waives its right to participate, before Examiner Warren C. White.

No. MC 114091 (Sub No. 42), filed April 10, 1961. Applicant: FLEET TRANSPORT COMPANY OF KENTUCKY, INC., 3601 South Seventh Street, Louisville, Ky., Applicant's attorney: Walter Harwood, Nashville Trust Building, Nashville 3, Tenn. Authority sought to

operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, as defined in Appendix XIII to the Report in *Description in Motor Carrier Certificates*, 61 M.C.C. 209, in bulk, in tank vehicles, between Catlettsburg, Ky., and points within ten miles thereof, on the one hand, and, on the other, all states east of the Mississippi River, namely Alabama, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Kentucky, Louisiana, Maryland, Maine, Massachusetts, Michigan, Minnesota, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia.

**HEARING:** June 26, 1961, at the Dinkler-Andrew Jackson Hotel, Nashville, Tenn., before Examiner Warren C. White.

No. MC 114107 (Sub No. 5), filed February 13, 1961. Applicant: CEMENT TRANSPORT, INC., Kosmosdale, Ky. Applicant's attorney: Ollie L. Merchant, Suite 202, 140 South Fifth Street, Louisville 2, Ky. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, in bulk, in tank vehicles, and in bags, from Kosmosdale, Ky. to points in Illinois, within 180 miles of Kosmosdale, and *empty containers, rejected or damaged shipments or other such incidental facilities* (not specified) used in transporting cement, on return.

**HEARING:** June 14, 1961, at the U.S. Court Rooms, Louisville, Ky., before Joint Board No. 1, or, if the Joint Board waives its right to participate, before Examiner Warren C. White.

No. MC 114211 (Sub No. 26), filed February 13, 1961. Applicant: DONALDSON TRANSFER COMPANY, a corporation, P.O. Box 215, Waterloo, Blackhawk County, Iowa. Applicant's attorney: Charles W. Singer, 33 North La Salle Street, Chicago 2, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Tractors (not including tractors with vehicle beds, bed frames, or fifth wheels), and attachments and parts thereof when moving incidental to and in the same vehicle with said tractors*, (a) between Charles City, Iowa, on the one hand, and, on the other, points in Illinois, Iowa, Minnesota, South Dakota, Nebraska, Kansas, and Colorado. **RESTRICTION:** The above requested authority is restricted to traffic originating at or destined to Charles City, Iowa, (b) from Charles City, Iowa, to points in Indiana, Missouri, North Dakota, and Wisconsin. **RESTRICTION:** The authority requested herewith is restricted to traffic originating at Charles City, Iowa and further restricted to traffic moving through Fort Dodge, Iowa. (2) *Damaged, defective and returned tractors (not including tractors with vehicle beds, bed frames, or fifth wheels), and attachments and parts thereof when moving incidental to and in the same vehicle with said tractors*, from points in Indiana, Missouri, North Dakota, and Wisconsin to Charles City, Iowa. **RESTRICTION:** The authority requested herewith is restricted to traffic destined

to Charles City, Iowa, and further restricted to traffic moving through Fort Dodge, Iowa.

**HEARING:** June 21, 1961, at the Midland Hotel, Chicago, Ill., before Examiner Raymond V. Sar.

No. MC 115524 (Sub No. 6), filed April 11, 1961. Applicant: WILLIAM P. BURSCH, 4130 Edith Boulevard NE, Albuquerque, N. Mex. Applicant's attorney: William J. Torrington, 1003 Maryland Trust Building, Baltimore 2, Md. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Lumber, and empty containers or other such incidental facilities*, used in transporting the above-described commodity; between points in New Mexico, Colorado, Arizona, Utah, Idaho, California, Kansas, Oklahoma, and Texas.

**NOTE:** Applicant states the above-described operations to be performed by applicant under contract with the Thunderbird Lumber Corporation.

**HEARING:** May 26, 1961, at the New Mexico State Corporation Commission, Santa Fe, N. Mex., before Examiner James H. Gaffney.

No. MC 115732 (Sub No. 7), filed April 5, 1961. Applicant: FRANK C. MARTIN, doing business as MARTIN PROPANE TRANSPORT, Chancery Street, McMinnville, Tenn. Applicant's attorney: Walter Harwood, Nashville Trust Building, Nashville 3, Tenn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquefied petroleum gases*, in bulk, in tank vehicles, from points in Lawrence County, Ill., to points in Kentucky and Tennessee.

**HEARING:** June 15, 1961, at the U.S. Court Rooms, Louisville, Ky., before Examiner Warren C. White.

No. MC 115732 (Sub No. 8), filed April 5, 1961. Applicant: FRANK C. MARTIN, doing business as MARTIN PROPANE TRANSPORT, Chancery Street, McMinnville, Tenn. Applicant's attorney: Walter Harwood, Nashville Trust Building, Nashville 3, Tenn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquefied petroleum gases*, in bulk, in tank vehicles, from points in Pike and Gibson Counties, Ind., to points in Indiana, Kentucky, and Tennessee.

**HEARING:** June 15, 1961, at the U.S. Court Rooms, Louisville, Ky., before Joint Board No. 264, or, if the Joint Board waives its right to participate, before Examiner Warren C. White.

No. MC 115841 (Sub No. 82), filed March 27, 1961. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., 1215 Bankhead Highway, P.O. Box 2169, Birmingham, Ala. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foods and Foodstuffs*, requiring refrigeration, in vehicles equipped with mechanical refrigeration, from Chicago, Ill., to points in Tennessee east of the Tennessee River.

**HEARING:** June 27, 1961, at the Dinkler-Andrew Jackson Hotel, Nashville, Tenn., before Examiner Warren C. White.

No. MC 116077 (Sub No. 100), filed March 21, 1961. Applicant: ROBERTSON TANK LINES, INC., P.O. Box 9218, 5700 Polk Avenue, Houston, Tex. Applicant's attorney: Thomas E. James, 1535 Esperson Building, Houston 2, Tex. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Starches and sugars*, liquid and dry, in bulk, and (2) *Carmel coloring syrups*, in bulk, from Corpus Christi, Tex., to points in Arkansas, Louisiana, Oklahoma, and New Mexico; and (3) *Molasses*, in bulk, from Corpus Christi, Tex., to points in Arkansas, Louisiana, and Oklahoma.

HEARING: May 29, 1961, at the Federal Office Building, Franklin and Fannin Streets, Houston, Tex., before Examiner James A. McKiel.

No. MC 116205 (Sub No. 11), filed February 28, 1961. Applicant: JENKINS TRUCK LINE, INC., P.O. Box 430, Charles City, Iowa. Applicant's attorney: Charles W. Singer, 33 North LaSalle Street, Chicago 2, Ill. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Tractors (not including tractors with vehicle beds, bed frames, or fifth wheels)*, and attachments and parts thereof when moving incidental to and in the same vehicle with said tractors, from Charles City, Iowa, to points in Alabama, Georgia, Louisiana and Texas. RESTRICTION:

The above requested authority is restricted to traffic originating at Charles City, Iowa, (2) *damaged, defective and returned tractors (not including tractors with vehicle beds, bed frames, or fifth wheels)*, and attachments and parts thereof when moving incidental to and in the same vehicle with said tractors, from points in Alabama, Georgia, Louisiana, and Texas, to Charles City, Iowa. RESTRICTION: The above requested authority is restricted to traffic destined to Charles City, Iowa.

HEARING: June 21, 1961, at the Midland Hotel, Chicago, Ill., before Examiner Raymond V. Sar.

No. MC 116801 (Sub No. 1), filed March 6, 1961. Applicant: S. H. GILBERT, doing business as S. H. GILBERT TRUCK LINE, 725 Caldwell Street, Corbin, Ky. Applicant's attorney: Ollie L. Merchant, 140 South Fifth Street, Suite 202, Louisville 2, Ky. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Lumber*, (1) from points in Clay, Laurel, and Whitley Counties, Ky., to points in Illinois, Indiana, Michigan, North Carolina, Ohio, Tennessee, and Virginia; (2) from points in Bell, Harlan, and Knox Counties, Ky., to points in Michigan; and (3) from points in Harlan County, Ky., to points in Illinois, Indiana, and that part of Ohio east of U.S. Highway 23.

HEARING: June 9, 1961, at the U.S. Court Rooms, Louisville, Ky., before Examiner Warren C. White.

No. MC 118831 (Sub-No. 16), filed April 11, 1961. Applicant: CENTRAL TRANSPORT, INC., P. O. Box 5044, High Point, N. C. Applicant's attorney: Francis W. McInerney, Commonwealth Build-

ing, 1639 K Street NW., Washington 6, D.C. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Chocolate*, in bulk, in tank vehicles, from Charlotte, N.C., to points in Alabama, Arkansas, Delaware, Florida, Georgia, Illinois, Indiana, Kentucky, Louisiana, Maryland, Mississippi, Missouri, New Jersey, New York, Ohio, Pennsylvania, South Carolina, Tennessee, Texas, Virginia, West Virginia, and the District of Columbia, and (2) *Edible oils*, in bulk, in tank vehicles, from Booneton, N.J.; Cincinnati, Ohio; Chicago, Ill.; Macon, Ga.; Chattanooga and Memphis, Tenn.; and New Orleans, La., to Charlotte, N.C.

HEARING: June 19, 1961, at the U.S. Court Rooms, Charlotte, N.C., before Examiner C. Evans Brooks.

No. MC 118535 (Sub No. 4), filed March 27, 1961. Applicant: JIM TIONA, JR., 603 Lee Street, Butler, Mo. Applicant's attorney: Tom B. Kretsinger, 1014-18 Temple Building, Kansas City 6, Mo. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Animal feed ingredients and supplements thereof (excluding salt)*, other than in tank vehicles; from Wales, Tenn., and Tupelo, Miss., to points in Arkansas, Iowa, Kansas, Minnesota, Mississippi, Missouri, Nebraska, Oklahoma, and Texas, and refused and rejected shipments, on return.

HEARING: May 31, 1961, at the Park East Hotel, Kansas City, Mo., before Examiner Lacy W. Hinely.

No. MC 119519 (Sub No. 11), filed February 24, 1961. Applicant: ALLEN RUSSELL, doing business as ALLEN RUSSELL TRUCKING COMPANY, Franklin, Ky. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Fertilizer*, from East St. Louis, Ill., to points in Kentucky and exempt commodities, on return.

HEARING: June 8, 1961, at the Department of Motor Transportation, State Office Building, Frankfort, Ky., before Joint Board No. 298, or, if the Joint Board waives its right to participate, before Examiner Warren C. White.

No. MC 119519 (Sub No. 12), filed February 24, 1961. Applicant: ALLEN RUSSELL, doing business as ALLEN RUSSELL TRUCKING COMPANY, Franklin, Ky. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Fertilizer*, (except anhydrous ammonia), when shipped in bulk, in tank vehicles, from the site of the Virginia-Carolina Chemical Corporation plant, at Memphis, Tenn., to points east of U.S. Highway 31-W in Kentucky; (2) *Fertilizer*, when shipped in bulk, in tank vehicles, from the site of the Virginia-Carolina Chemical Corporation plant, at Cincinnati, Ohio, to points in Kentucky, except those within 15 miles of Cincinnati, Ohio, and (3) *exempt commodities* of (1) and (2) above, on return.

HEARING: June 22, 1961, at the Dinkler-Andrew Jackson Hotel, Nashville, Tenn., before Examiner Warren C. White.

No. MC 119641 (Sub No. 24), filed February 3, 1961. Applicant: RINGLE EXPRESS, INC., 405 South Grant Avenue, Fowler, Ind. Applicant's attorney: Robert C. Smith, 512 Illinois Building, Indianapolis 4, Ind. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Tractors (not including tractors with vehicle beds, bed frames or fifth wheels)* with or without attachments, and parts when moving incidental to and in the same vehicle; from Detroit, Mich., to points in Wisconsin, Iowa, Illinois, Kentucky, Tennessee, Mississippi, Arkansas, Minnesota, Missouri, Kansas, and Nebraska, and damaged or rejected shipments, on return.

HEARING: June 21, 1961, at the Midland Hotel, Chicago, Ill., before Examiner Raymond V. Sar.

No. MC 119641 (Sub No. 26), filed February 27, 1961. Applicant: RINGLE EXPRESS, INC., 405 South Grant Avenue, Fowler, Ind. Applicant's attorney: Robert C. Smith, 512 Illinois Building, Indianapolis 4, Ind. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Tractors (not including tractors with vehicle beds, bed frames, or fifth wheels)*, attachments therefor when moving incidental to and in the same vehicle with said tractors, and parts; (a) from Charles City, Iowa, to points in Christian, Coles, Effingham, Macon, Montgomery, Peoria, Sangamon, and Shelby Counties, Ill.; (b) from Charles City, Iowa, to points in Illinois (except points in Illinois within 50 miles of Shelbyville), Indiana, Kentucky, Michigan, Minnesota (except points in Minnesota north of U.S. Highway 2), Mississippi, Ohio, Tennessee, and Wisconsin. (2) *Damaged, defective and returned tractors (not including tractors with vehicle beds, bed frames or fifth wheels)*, attachments therefor when moving incidental to and in the same vehicle with said tractor, and parts; (a) from points in Christian, Coles, Effingham, Macon, Montgomery, Peoria, Sangamon and Shelby Counties, Ill., to Charles City, Iowa; and (b) from points in Illinois (except points in Illinois within 50 miles of Shelbyville), Indiana, Kentucky, Michigan, Minnesota (except points in Minnesota north of U.S. Highway 2), Mississippi, Ohio, Tennessee, and Wisconsin, to Charles City, Iowa. RESTRICTIONS: The authority sought in (1) (a) above is restricted to traffic originating at Charles City, Iowa. The authority sought in (1) (b) above is restricted to traffic originating at Charles City, Iowa, and further restricted to traffic moving through Shelbyville, Ill. The authority sought in (2) (a) above is restricted to traffic destined to Charles City, Iowa, and the authority sought in (2) (b) above is restricted to traffic destined to Charles City, Iowa, and further restricted to traffic moving through Shelbyville, Ill.

HEARING: June 21, 1961, at the Midland Hotel, Chicago, Ill., before Examiner Raymond V. Sar.

No. MC 119692 (Sub No. 2), filed April 3, 1961. Applicant: DONALD FITZPATRICK, R.F.D. No. 1, Ithaca,

Mich. Applicant's attorney: Quentin A. Ewert, Union Savings, 117 West Allegan Street, Lansing 23, Mich. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Twine and cordage*, from Philadelphia, Pa., and Elwell, Mich., to points in Michigan, Ohio, Indiana, Illinois, Wisconsin, and Missouri, and *damaged, refused, and rejected commodities, and empty containers*, used in transporting the commodities specified above, on return.

NOTE: Under continuing contract with Economy Mills of Elwell, Inc., Elwell, Mich.

HEARING: June 14, 1961, in Room 214, Federal Building, Lansing, Mich., before Examiner Raymond V. Sar.

No. MC 123048 (Sub No. 19), filed January 30, 1961. Applicant: DIAMOND TRANSPORTATION SYSTEM, INC., 1919 Hamilton Avenue, Racine, Wis. Applicant's attorney: Glen W. Stephens, 121 West Doty Street, Madison 3, Wis. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Tractors (not including tractors with vehicle beds, bed frames, or fifth wheels), attachments thereof when moving incidental to and in the same vehicle with said tractors, and parts*, between Charles City, Iowa, on the one hand, and, on the other, South Bend, Ind., and points in Iowa, Illinois, Minnesota, Missouri, and Nebraska. RESTRICTION: The above requested authority is restricted to traffic originating at, or destined to Charles City, Iowa; (2) *tractors (not including tractors with vehicle beds, bed frames, or fifth wheels) and attachments and parts thereof when moving incidental to and in the same vehicle with said tractors*, from Charles City, Iowa, to points in Colorado, Indiana (except South Bend), Michigan, North Dakota, South Dakota, Wisconsin, and Wyoming. RESTRICTION: The above requested authority is restricted to traffic originating at Charles City, Iowa, and (3) *Damaged, defective and returned tractors (not including tractors with vehicle beds, bed frames, or fifth wheels) and attachments and parts thereof*, from points in Colorado, Indiana, (except South Bend), Michigan, North Dakota, South Dakota, Wisconsin, and Wyoming to Charles City, Iowa. RESTRICTION: The above requested authority is restricted to traffic destined to Charles City, Iowa.

HEARING: June 21, 1961, at the Midland Hotel, Chicago, Ill., before Examiner Raymond V. Sar.

No. MC 123067 (Sub No. 2), filed March 27, 1961. Applicant: M & M TANK LINES, INC., P.O. Box 4174, North Station, Winston-Salem, N.C. Applicant's attorney: James E. Wilson, 1111 E Street NW., Washington 4, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Chocolate*, in bulk, in tank vehicles, from Charlotte, N.C., to points in Maryland, Virginia, North Carolina, South Carolina, Georgia, Tennessee, and West Virginia; and (2) *Edible oils*, in bulk, in tank vehicles, from Cincinnati, Ohio,

Macon, Ga., and Chattanooga and Memphis, Tenn., to Charlotte, N.C.

HEARING: June 19, 1961, at the U.S. Court Rooms, Charlotte, N.C., before Examiner C. Evans Brooks.

No. MC 123434, filed February 13, 1961. Applicant: KENTUCKY FLOORING, INC., RFD 2, Scottsville, Ky. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Wire fencing and nails*; from Peoria, Ill., to Scottsville, Ky., (2) *Roofing and siding materials and supplies*; from Joliet, Ill., to Bowling Green, Franklin, and Lewisburg, Ky., and Lafayette, Tenn., and (3) *Building stone*; from Bedford, Ind., to Lafayette, Tenn.

NOTE: Applicant states that on return trips it will transport own product as private carrier.

HEARING: June 23, 1961, at the Dinkler-Andrew Jackson Hotel, Nashville, Tenn., before Examiner Warren C. White.

No. MC 123516, filed March 20, 1961. Applicant: TANK TRUCK SERVICE LIMITED, 5396 Lougheed Highway, North Burnaby, British Columbia, Canada. Authority sought to operate as a *contract carrier*, by motor vehicle, over a regular route, transporting: (A) *Benzol, gasoline, naphtha, oil, lubricating oil, petroleum (other than medicinal), refined oil, illuminating or burning, such as kerosene solvent*, in bulk, in tank vehicles; and (B) *oil, petroleum distillate fuel, not suitable for illuminating purposes, cresosote, petroleum, insecticides, petroleum base, oil, such as creosote, petroleum (crude), petroleum distillate fuel, not suitable for illuminating purposes, and petroleum residual fuel, and tar (road, petroleum)*, liquid, in bulk, in tank vehicles, from Richmond Beach, Wash., over U.S. Highway 99 to port of entry on the International Boundary line between the United States and Canada at or near Blaine, Wash., serving no intermediate points, with no transportation for compensation on return.

NOTE: Applicant indicates the above-specified commodities will be destined to points in Canada.

HEARING: June 9, 1961, at the Federal Office Building, Seattle, Washington, before Joint Board No. 237, or if the Joint Board waives its right to participate, before Examiner James O'D Moran.

No. MC 123520, filed March 23, 1961. Applicant: WILLIAM L. MANN, doing business as MANN TRUCKING, 1151 W. Barner, Frankfort, Ind. Applicant's attorney: Walter F. Jones, Jr., 1017-19 Chamber of Commerce Building, Indianapolis 4, Ind. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Board or sheets* (consisting of sawdust or ground wood, wood paper pulp) from Laurel and Greenville, Miss., Rock Hill, S.C., and Duluth, Minn., to Frankfort, Ind.

HEARING: June 19, 1961, at the U.S. Court Rooms, Indianapolis, Ind., before Examiner A. Lane Cricher.

No. MC 123528, filed March 27, 1961. Applicant: DAVID J. GREGORY, doing

business as GREGORY'S TRAILER TOWING, 621 East Ramsey Street, Banning, Calif. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes; transporting: *Used house trailers*; between points in California and Arizona.

HEARING: June 15, 1961, at the Arizona Corporation Commission, Phoenix, Arizona, before Joint Board No. 47, or, if the Joint Board waives its right to participate, before Examiner F. Roy Linn.

No. MC 123540, filed March 29, 1961. Applicant: ELGIN CHURCH, Bethel, Ky. Applicant's attorney: James S. Wilson, Jr., Wilson Building, Paris, Ky. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Dry fertilizer*, in bulk, and in bags, from St. Bernard, Ohio to points in Fleming, Bath, Lewis, Mason, Wolfe, Nicholas, Bourbon, Montgomery, Clark, Madison, Fayette, Garrard, Menifee, Rowan, Morgan, and Elliott Counties, Ky.

HEARING: June 8, 1961, at the Department of Motor Transportation, State Office Building, Frankfort, Kentucky, before Joint Board No. 37, or, if the Joint Board waives its right to participate, before Examiner Warren C. White.

No. MC 123584, filed April 17, 1961. Applicant: JET TRANSPORT COMPANY, 618 14th Avenue NW., Cedar Rapids, Iowa. Applicant's representative: William A. Landau, 1307 East Walnut Street, Des Moines 16, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer, fertilizer solutions and ingredients thereof*, liquid, including but not limited to *anhydrous ammonia*, in bulk, in tank vehicles, from Cahokia, Ill., to points in Iowa, Missouri, Wisconsin, and Minnesota.

HEARING: May 25, 1961, at the Mark Twain Hotel, St. Louis, Mo., before Examiner Lacy W. Hinely.

#### MOTOR CARRIERS OF PASSENGERS

No. MC 3647 (Sub No. 310), filed April 12, 1961. Applicant: PUBLIC SERVICE COORDINATED TRANSPORT, a Corporation, 180 Boyden Avenue, Maplewood, N.J. Applicant's attorney: Richard Fryling (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage, and express and newspapers* in the same vehicle with passengers, between Matawan, N.J. and Middletown Township, N.J.; from Matawan over New Jersey Highway 34 to junction Red Bank-Holmdel Road (Highway 520) thence over Red Bank-Holmdel Road (Highway 520) to junction Newman Springs Road (Highway 520) thence over Newman Springs Road (Highway 520) to junction access roads to Interchange #109 of Garden State Parkway, thence over access roads to the Garden State Parkway, and return over the same route, serving all intermediate points.

HEARING: June 12, 1961, in Room 212, State Office Building, 1100 Raymond

Boulevard, Newark 2, N.J., before Joint Board No. 119.

No. MC 29890 (Sub No. 23), filed March 30, 1961. Applicant: ROCKLAND COACHES, INC., 126 North Washington Avenue, Bergenfield, N.J. Applicant's attorney: S. S. Eisen, 140 Cedar Street, New York 6, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage*, in the same vehicle with passengers, (1) Between Town of Clarkstown, Rockland County, N.Y., and New York, N.Y.: From junction New York Highway 59 with New York State Thruway (Spring Valley Interchange No. 14) in Town of Clarkstown, over New York State Thruway and New York State Thruway Garden State Parkway Connection to the New Jersey State line, thence over the Garden State Parkway to junction New Jersey Highway 17 in Paramus, N.J., thence over New Jersey Highway 17 to junction U.S. Highway 46 in Hasbrouck Heights, N.J., thence over U.S. Highway 46 to junction New Jersey Turnpike in Ridgefield Park, N.J., thence over New Jersey Turnpike, New Jersey Highway 3, and Lincoln Tunnel to New York, and return over the same route, serving all intermediate points, except those between junction Cradell Avenue with Garden State Parkway in Paramus, N.J., and New York, N.Y.;

NOTE: Applicant now holds operating authority with closed doors from junction U.S. Highway 46 with New Jersey Turnpike, to and from New York N.Y.

(2) Within Montvale, N.J.: From junction Chestnut Ridge Road with Grand Avenue, over Grand Avenue to junction Garden State Parkway, and return over the same route, serving all intermediate points; (3) Within Paramus, N.J.: From junction Forest Avenue with Cradell Avenue, over Cradell Avenue to junction Garden State Parkway, and return over the same route, serving all intermediate points; (4) Between Washington Township, N.J., and Paramus, N.J.: From junction Pascack Road with Ridgewood Road in Washington Township, over Pascack Road to junction Ridgewood Avenue in Paramus, N.J., and return over the same route, serving all intermediate points; and (5) Between Paramus, N.J., and Cradell, N.J.: From junction Forest Avenue with Ridgewood Avenue in Paramus and Cradell, N.J., over Ridgewood Avenue to junction Kinderkamack Road in Cradell, N.J., and return over the same route, serving all intermediate points.

HEARING: June 6, 1961, in Room 212, State Office Building, 1100 Raymond Boulevard, Newark 2, N.J., before Joint Board No. 3.

No. MC 55312 (Sub No. 9), filed April 7, 1961. Applicant: CONTINENTAL TENNESSEE LINES, INC., 418 Fifth Avenue South, Nashville, Tenn. Applicant's attorney: Warren A. Goff, 315 Continental Avenue, Dallas 7, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage*, and *express and newspapers* in the same vehicle with passengers, between Cairo, Ill., and Nash-

ville, Tenn.; from Cairo over U.S. Highway 51 to Wickliffe, Ky., thence over Kentucky Highway 440 to junction Kentucky Highways 440 and 121, thence over Kentucky Highway 121 to the Kentucky-Tennessee State line, thence over Tennessee Highway 119 to junction Tennessee Highway 119 and U.S. Highway 79, thence over U.S. Highway 79 to Clarksville, Tenn., thence over Tennessee Highway 12 to Nashville, Tenn., and return over the same route, serving all intermediate points.

HEARING: June 5, 1961, at the Dinkler-Andrew Jackson Hotel, Nashville, Tenn., before Joint Board No. 281.

No. MC 123551, filed April 3, 1961. Applicant: C. & C. TRANSPORTATION COMPANY LIMITED, doing business as C. & C. TAXI SERVICE LIMITED, 902 Government Street, Victoria, British Columbia, Canada. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in round trip charter operations, beginning and ending at Ports of Entry on the International Boundary Line between the United States and Canada in Washington, and extending to points in Washington, Oregon, and California.

NOTE: Applicant states the proposed service will be restricted to round trip tours beginning and ending at points on Vancouver Island, British Columbia, Canada.

HEARING: June 9, 1961, at the Federal Office Building, Seattle, Wash., before Joint Board No. 5, or if the Joint Board waives its right to participate, before Examiner James O'D Moran.

No. MC 123563, filed April 3, 1961. Applicant: JOHN VAN DER KOLK, doing business as HOLLAND AND INTER-CITY BUS LINE, 392 East Eighth Street, Holland, Mich. Applicant's attorney: John M. Neath, Jr., Michigan Trust Building, Grand Rapids 2, Mich. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers, and their baggage*, in the same vehicle with passengers, in special or charter operations, between points in Ottawa, and Allegan Counties, Mich., on the one hand, and, on the other, points in Michigan, Indiana, Illinois, Wisconsin.

HEARING: June 15, 1961, in Room 214, Federal Building, Lansing, Mich., before Examiner Raymond V. Sar.

No. MC 123577, filed April 11, 1961. Applicant: WARWICK-GREENWOOD LAKE AND NEW YORK TRANSIT, INC., 730 Madison Avenue, Paterson, N.J. Applicant's attorney: Edward F. Bowes, 1060 Broad Street, Newark 2, N.J. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage and express and newspapers* in the same vehicle with passengers, between points in Wayne Township, N.J., (1) beginning at the junction of Paterson and Hamburg Turnpike and over Terhune Drive (also known as U.S. Highway 202), thence over Terhune Drive to junction Indian Road, thence over Indian Road to junction County Road 502 (Berdan Avenue), thence over County Road 502 to private road leading to American Cyanamid Co. buildings,

thence over such private road to County Road 502, thence over County Road 502 to junction Paterson and Hamburg Turnpike, and return over the same routes, serving all intermediate points, and (2) beginning at the junction of Paterson and Hamburg Turnpike and County Road 502 (also known as Berdan Avenue), thence over County Road 502 to private road leading to American Cyanamid Co. buildings, returning over private road to County Road 502, thence over County Road 502 to Paterson and Hamburg Turnpike, serving all intermediate points.

HEARING: June 9, 1961, in Room 212, State Office Building, 1100 Raymond Blvd., Newark 2, N.J., before Joint Board No. 119.

APPLICATIONS IN WHICH HANDLING WITHOUT ORAL HEARING IS REQUESTED

MOTOR CARRIERS OF PROPERTY

No. MC 7746 (Sub No. 109), filed December 30, 1960. Applicant: UNITED TRUCK LINES, INC., East 915 Springfield Avenue, Spokane 2, Wash. Applicant's attorney: George LaBissoniere, 333 Central Building, Seattle 4, Wash. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, (except those of unusual value, dangerous explosives, household goods as defined by the Commission), between junction of U.S. Highway 93 and Montana Highway 35 near Polson, Mont. and junction of Montana Highway 35 and U.S. Highway 2 approximately 7 miles east of Kalispell, Mont.; from junction of U.S. Highway 93 and Montana Highway 35 approximately 1 mile east of Polson, Mont. over Montana Highway 35 to its junction with U.S. Highway 2, and return over the same route, serving no intermediate points, as an alternate route for operating convenience only in connection with presently authorized operations.

No. MC 77064 (Sub No. 2), filed April 13, 1961. Applicant: LEICHTMAN BROS., INC., 176 East 119th Street, New York, N.Y. Applicant's attorney: Frank A. Rossini, 39-15 Main Street, Flushing 54, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tone cabinets, amplifiers, accessories and component parts*, used with or as an accessory to a piano or organ, between New York, N.Y., and points in Fairfield County, Conn., and points in Bergen, Essex, Ocean, Passaic, Somerset, Sussex, Union, and Warren Counties, N.J.

NOTE: Applicant states the authority requested herein shall be tacked to its present authority as shown in MC 77064.

No. MC 78786 (Sub-No. 231), filed April 12, 1961. Applicant: PACIFIC MOTOR TRUCKING COMPANY, a Corporation, 65 Market Street, San Francisco 5, Calif. Applicant's attorney: John MacDonald Smith, 65 Market Street, San Francisco 5, Calif. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Baggage, express, newspapers, milk and cream*, between Sacramento, Calif., and Modesto, Calif.,

from Sacramento over U.S. Highway 99 to Modesto, and return over same route serving all intermediate and off-route points within four miles of U.S. Highway 99, which are rail stations on the line of Southern Pacific between said termini. **RESTRICTIONS:** (1) The service performed by carrier shall be limited to that which is auxiliary to, or supplemental of, rail or railway express service, of applicant; (2) Shipments transported by applicant shall be limited to those moving on a through bill of lading, baggage check, or express receipt covering in addition to a motor carrier movement by applicant, a prior or subsequent movement by rail; (3) Such further specific conditions as the Commission in the future may find necessary to impose in order to restrict applicant's operations to service which is auxiliary or supplemental to, rail or railway express service of applicant, and, (4) All contractual arrangements between applicant and any railroad or railway express of applicant to whose services its service is auxiliary or supplemental shall be reported to the Commission and shall be subject to revision if and as the Commission may find necessary in order that such arrangements shall be fair and equitable to the parties. It is noted that applicant shall not serve any point not a station on Southern Pacific Company's rail lines.

**NOTE:** Applicant advises it is a wholly-owned and controlled subsidiary of Southern Pacific Company, a carrier by railroad. Common control may be involved.

No. MC 101075 (Sub No. 66), filed April 12, 1961. Applicant: TRANSPORT, INC., P.O. Box 396, Moorhead, Minn. Applicant's attorney: Val M. Higgins, 1000 First National Bank Building, Minneapolis 2, Minn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lime*, in bulk, from Moorhead, East Grand Forks, and Crookston, Minn., to points in North Dakota and South Dakota, and *rejected shipments* of the above-specified commodity, on return.

**NOTE:** Applicant states that R. O. Pitsenburger, President, also controls Interstate Transport, Inc.

No. MC 110525 (Sub No. 445), filed April 14, 1961. Applicant: CHEMICAL TANK LINES, INC., 520 East Lancaster Avenue, Downingtown, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tetrohydrofuran*, in bulk, in tank vehicles; from Fredericksburg, Va., to East Rutherford, N.J., and *rejected shipments*, on return.

**NOTE:** Applicant holds contract authority in MC-117507, dual operations may be involved.

No. MC 117504 (Sub-No. 2), filed April 14, 1961. Applicant: W. J. LANDES, 115 South Augusta Street, Staunton, Va. Applicant's attorney: Mosby J. Williams, Peoples Federal Building, Roanoke, Va. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Wooden billets*, under refrigeration, from the Port of Entry between the United States

and Canada, near North Troy, Vt., to Greenville, S.C., and *produce*, on return.

#### MOTOR CARRIERS OF PASSENGERS

No. MC 1501 (Sub No. 224), filed April 7, 1961. Applicant: THE GREYHOUND CORPORATION, 140 South Dearborn Street, Chicago 3, Ill. Applicant's attorney: Earl A. Bagby, 371 Market Street, San Francisco 5, Calif. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage*, and *express and newspapers* in the same vehicle with passengers, between the points and in both directions over the routes hereinafter set forth serving all intermediate points. The changes in operating authority hereinafter shown are proposed to be incorporated in the designated revised sheets to said Certificate No. MC-1501 (Sub No. 138), 1—*Revision of California Route No. 1, Certificate Sheet No. 5:* U.S. Highway 101 has been relocated in the areas of Trinidad and of Healdsburg; the revisions herein proposed are designed to utilize these relocated segments of highway. 1.2—*Requested Authorizations:* (1) Authorize a new regular route between North Trinidad Junction and Moonstone Junction over U.S. Highway 101 (as relocated). (2) Abandon a segment of present regular Route No. 1 between North Trinidad Junction and Moonstone Junction over former U.S. Highway 101. (3) Authorize a new regular route over U.S. Highway (as relocated) between Lytton Junction and North Healdsburg Junction; over unnumbered highway between North Healdsburg Junction and Chiquita Junction; reauthorize former U.S. Highway 101 between Chiquita Junction and South Healdsburg Junction; and authorize a new regular route over U.S. Highway 101 (as relocated) between South Healdsburg Junction and River Junction. (4) Abandon segments of present regular Route No. 1 over former U.S. Highway 101 between Lytton Junction and Chiquita Junction and between South Healdsburg Junction and River Junction. (5) In adoption of the relief requested in subparagraphs 1.2(1), (2), (3) and (4), revise and redescribe regular Route No. 1 on a revised certificate Sheet No. 5, to read as follows: "1. Between the Oregon-California State line north of Smith River and San Francisco: From the point where U.S. Highway 101 intersects the Oregon-California State line, over U.S. Highway 101 to junction unnumbered highway (North Healdsburg Junction), thence over unnumbered highway via Healdsburg to junction U.S. Highway 101 (South Healdsburg Junction), thence over U.S. Highway 101 to junction Business Route, U.S. Highway 101 (North Santa Rosa Junction), thence over Business Route, U.S. Highway 101 through Santa Rosa to junction U.S. Highway 101 (South Santa Rosa Junction), thence over U.S. Highway 101 to junction unnumbered highway north of Cotati (North Cotati Junction), thence over unnumbered highway through Cotati and Petaluma to junction U.S. Highway 101 (Petaluma Junction), thence over U.S. Highway 101 to San Francisco.

(Connects with Oregon route 8.)" 2. *Revision of Route No. 232, Certificate Sheet No. 43.* U.S. Highway 101 has been relocated between North Doheny Park Junction and San Clemente; the revisions herein proposed utilize this relocated highway. 2.2—Authorize a new regular route between North Doheny Park Junction and San Clemente to be included as a segment of regular Route No. 232, to be revised and redescribed on a revised certificate Sheet No. 43, as follows: "232. Between Los Angeles and San Clemente: From Los Angeles over unnumbered Highway via Pico, Fullerton, and Anaheim to junction U.S. Highway 101 (Miraflores), thence over U.S. Highway 101 to junction Santa Clara Avenue (North Santa Ana), thence over unnumbered highways via Santa Ana and Tustin to junction U.S. Highway 101 southeast of Tustin (Red Hill Junction), thence over U.S. Highway 101 to junction Alternate U.S. Highway 101 (San Clemente)." (2) Reauthorize the segment of present regular Route No. 232 between North Doheny Park Junction and Doheny Park Wye, as a separate regular Route No. 232-A, to be described on a revised Certificate Sheet No. 43, to read as follows: "232-A. Between North Park Junction and Doheny Park Wye: From junction U.S. Highway 101 and unnumbered highway (North Doheny Park Junction), over unnumbered highway to junction Alternate U.S. Highway 101 (Doheny Park Wye)."

No. MC 1501 (Sub No. 225), filed April 12, 1961. Applicant: THE GREYHOUND CORPORATION, Room 1500, 140 South Dearborn Street, Chicago 3, Ill. Applicant's attorney: Peter K. Nevitt (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage*, and *express, mail and newspapers* in the same vehicle with passengers, between St. Louis, Mo. and the junction of Interstate Highway 70 and U.S. Alternate Highway 40, west of St. Charles, Mo.; from St. Louis over Interstate Highway 70 to its junction with U.S. Alternate Highway 40 (west of St. Charles, Mo.), and return over the same route, serving all intermediate points including Lambert-St. Louis Municipal Airport.

No. MC 1501 (Sub-No. 226), filed April 12, 1961. Applicant: THE GREYHOUND CORPORATION, Room 1500, 140 South Dearborn Street, Chicago 3, Ill. Applicant's attorney: Peter K. Nevitt, The Greyhound Corporation (same address as shown above). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage*, and *express, mail and newspapers*, in the same vehicle with passengers, between the junction of U.S. Highway 40 and Interstate Highway 70 west of Columbia, Mo. and the junction of Interstate Highway 70 and U.S. Highway 40 southwest of Boonville, Mo.; from the junction of U.S. Highway 40 and Interstate Highway 70 west of Columbia, over Interstate Highway 70 to its junction with U.S. Highway 40 southwest of Boonville, and return over the same route, serving the off-route point of Boonville, over unnum-

bered access road, and return, and all intermediate points.

#### NOTICE OF FILING OF PETITIONS

No. MC 33807 (PETITION FOR WAIVER OF § 1.101(e) OF THE GENERAL RULES OF PRACTICE, AND FOR REOPENING, AND RECONSIDERATION OF "GRANDFATHER" APPLICATION), dated April 11, 1961. Petitioner: NASHUA MOTOR EXPRESS, INC., 72 Palm Street, Nashua, N.H. Petitioner's attorney: Mary E. Kelley, 10 Tremont Street, Boston, Mass. By Certificate dated October 5, 1953, petitioner is authorized to transport general commodities, with the usual exceptions, between Manchester, N.H., and Boston, Mass., serving named intermediate and off-route points, in a regular-route service, over specified highways. By petition dated April 11, 1961, petitioner seeks reopening of the subject proceeding, and the reissuance of a Certificate authorizing the transportation of general commodities, with the usual exceptions, between Manchester, N.H., and Laconia, N.H., as follows: (1) from Manchester over U.S. Highway 3 to Laconia, and return over the same route, serving all intermediate points. (2) From Manchester over National Interstate Highway 93 to its junction with New Hampshire Highway 3(b), thence over U.S. Highway 3 to Laconia, and return over the same route, serving all intermediate points. (3) From Manchester over U.S. Highway 3 to its junction with New Hampshire Highway 106, thence over New Hampshire Highway 106 to Laconia, and return over the same route, serving all intermediate points.

Note: Petitioner has also filed a Form BMC 78 application, assigned Docket No. MC 33807 (Sub No. 1) for the purpose of providing an alternative method of determining the issue involved in this petition. The purpose of this publication of the notice of filing of the petition is to advise that any person or persons desiring to oppose the relief sought, may, within 30 days from the date of this publication in the FEDERAL REGISTER, file an appropriate pleading.

PETITION, dated April 7, 1961, in No. MC 89723 (Sub No. 4), Extension—Texas, No. MC 89723 (Sub No. 14), Removal of Key Points, and No. MC 89723 (Sub No. 15). Petitioner: MISSOURI PACIFIC FREIGHT TRANSPORT, 2003 Missouri Pacific Building, St. Louis 3, Mo. Petitioner's representative: George W. Holmes (same address as applicant). The subject Petition seeks modification of the Reports and Orders in the above-identified dockets. The elimination or the modification of the following named towns as key-point restrictions against applicant's operating authority as contained in the proceedings set forth above: Cairo, Ill.; Poplar Bluff and Jefferson City, Mo.; Gurdon, Texarkana, El Dorado, McGehee, and Newport, Ark.; Laredo, Palestine, Valley Junction-Hearne, Waco, Austin, and Fort Worth, Texas. Petitioner further seeks modification of other restrictions specifically set forth in the petition. Petitioner seeks the relief sought for the reasons set forth with particularity in the

petition. Any person or persons desiring to participate in this proceeding and oppose the relief sought, may, within 30 days from the date of this publication in the FEDERAL REGISTER, file a reply to this petition, or other appropriate pleading.

APPLICATIONS FOR CERTIFICATES OR PERMITS WHICH ARE TO BE PROCESSED CONCURRENTLY WITH APPLICATIONS UNDER SECTION 5, GOVERNED BY SPECIAL § 1.240 TO THE EXTENT APPLICABLE

No. MC 119829 (Sub-No. 2) (AMENDMENT), filed January 3, 1961, published FEDERAL REGISTER, issue of January 11, 1961, republished this issue. Applicant: F. J. EGNER & SON, INC., 812 Charles Street, Galion, Ohio. Applicant's attorney: Homer S. Carpenter, Suite 618, Perpetual Building, 1111 E Street NW., Washington 4, D.C. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Heavy residual fuel oil*, in tank trucks, (1) from Wellsville, Ohio, to Youngstown and Lorain, Ohio; (2) from East Liverpool, Ohio, to Youngstown, Ohio; (3) from East Liverpool, Ohio, to McDonald, Ohio, and (4) from McDonald, Ohio, to Youngstown, Ohio.

NOTE: To be handled concurrently with MC-F-7760.

#### APPLICATIONS UNDER SECTIONS 5 AND 210a(b)

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

#### MOTOR CARRIERS OF PROPERTY

No. MC-F 7089 (ROCKET TRANSPORT, INC.—PURCHASE—BUSH TRANSFER, INC.), published in the February 4, 1959 and February 18, 1959, issues of the FEDERAL REGISTER on pages 839 and 1267, respectively. Application filed April 17, 1961, for temporary authority under section 210a(b), for which authority is sought by JACK C. ROBINSON, doing business as ROBINSON TRUCK LINES, 309 Humes St., Knoxville, Tenn., to temporarily lease the operating rights and property of BUSH TRANSFER, INC. Application of ROCKET TRANSPORT, INC., in No. MC-F-7089 for authority to purchase the operating rights and property was denied by the Commission, Division 3 by the Report and order decided April 3, 1961.

MC-F 7807 (Correction) (BARBER TRANSPORTATION CO.—PURCHASE—HARRY F. CONNER), published in the March 9, 1961, issue of the FEDERAL REGISTER on page 2075. The vendor's name should have been shown as HARRY F. CONNER, doing business as CONNER TRANSFER.

No. MC-F-7829 (CLAY HYDER TRUCKING LINES, INC.—PURCHASE—RONALD CHAPMAN), published in the April 5, 1961, issue of the FEDERAL REGISTER on page 2842. Supplement filed April 13, 1961, to show joinder of LEON D. HYDER, Chimney

Rock Highway, P.O. Box 551, Hendersonville, N.C., as the person in control of vendee.

No. MC-F 7843. Authority sought for control by CHARLES J. LONG, INC., Lake Drive and Robinson Road, Grand Rapids, Mich., of GRAND RAPIDS STORAGE COMPANY, Lake Drive and Robinson Road, Grand Rapids, Mich., and for acquisition by FREDERICK W. WIERSUM, 1062 Plymouth Road SE., Grand Rapids, Mich., ROBERT K. WIERSUM, 2632 32d Street SE., Grand Rapids, Mich., GERTRUDE N. WIERSUM, Old Kent Bank & Trust Co., 72 Monroe Street NW., Grand Rapids, Mich., CHARLES J. LONG, Lake Drive and Robinson Road, Grand Rapids, Mich., and WALTER K. SCHMIDT, 400 Michigan Trust Building, Grand Rapids, Mich., of control of GRAND RAPIDS STORAGE COMPANY, through the acquisition by CHARLES J. LONG, INC., Applicants' attorney: Kenneth T. Johnson, Johnson, Peterson, Tener & Anderson, Bank of Jamestown Bldg., Jamestown, N.Y. Operating rights sought to be controlled: *Church furniture, school desks, theatre seats, and folding chairs*, as a common carrier over irregular routes from Grand Rapids, Mich., Atlanta, Ga., and Dallas, Tex., to points in Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Delaware, Maryland, Virginia, West Virginia, North Carolina, Kentucky, South Carolina, Georgia, Florida, Texas, Oklahoma, Tennessee, and Iowa, and certain states for operating convenience only, *bus seats, and boat and airplane seats*, from Atlanta, Ga., and Dallas, Tex., to points in Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Delaware, Maryland, Virginia, West Virginia, Kentucky, North Carolina, South Carolina, Georgia, Florida, Texas, Oklahoma, Tennessee, and Iowa, and certain states for operating convenience only, *vehicle, boat, and airplane seats, and parts thereof and accessories therefor*, uncrated, from Grand Rapids, Mich., to points in Missouri, Minnesota, Wisconsin, Illinois, Indiana, Ohio, Pennsylvania, New York, New Jersey, Connecticut, Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Delaware, Maryland, Virginia, West Virginia, Kentucky, North Carolina, South Carolina, Georgia, Florida, Texas, Oklahoma, Tennessee, Iowa, and the District of Columbia, and certain states for operating convenience only, *rejected shipments of vehicle, boat, and airplane seats, and parts thereof, and accessories therefor*, from the above specified destination points to Grand Rapids, Mich., *pianos*, from Cincinnati, Ohio, Chicago, Ill., and Fort Wayne and Richmond, Ind., to Muskegon, Battle Creek, Belding, Ionia, Big Rapids, and Greenville, Mich., *damaged or rejected pianos*, from the above-specified destination points to the above-specified origin points, *new furniture*, between Grand Rapids, Mich., on the one hand, and, on the other, points in Missouri, Minnesota, Wisconsin, Illinois, Indiana, Ohio, Pennsylvania, New York, New Jersey, Connecticut, and the District of Columbia, *new furniture*, uncrated, from certain points in Michigan

to points in California, Colorado, Oklahoma, Texas, New Mexico, Utah, Arizona, Arkansas, Louisiana, Mississippi, Tennessee, Alabama, Georgia, Florida, Nevada, North Carolina, South Carolina, Virginia, Iowa, and Kansas, from Sparta, Mich., to points in Colorado, California, and Nevada, and from Charlotte, Mich., to Oklahoma, Texas, Arkansas, Louisiana, Mississippi, Alabama, Georgia and Tennessee, *new store fixtures*, uncrated, from Grand Rapids, Mich., to points in California, Colorado, Oklahoma, Texas, New Mexico, Utah, Arizona, Arkansas, Louisiana, Mississippi, Tennessee, Alabama, Georgia, Florida, Nevada, North Carolina, South Carolina, Virginia, Iowa, and Kansas; the above-specified *commodities*, when shopworn, damaged or defective, uncrated, from the above-specified destination territories to the respective origin points indicated, *shuffboards*, uncrated, and *parts thereof*, from Grand Rapids and Ionia, Mich., to all points in the United States. CHARLES J. LONG, INC., holds no authority from this Commission. However, FREDERICK W. WIERSUM and ROBERT K. WIERSUM are affiliated with BLODGETT UNCRATED FURNITURE SERVICE, INC., 845 Chestnut Street SW., Grand Rapids, Mich., which is authorized to operate as a *common carrier* in Michigan, Missouri, Illinois, Indiana, Ohio, Pennsylvania, New York, Maryland, Iowa, Minnesota, New Jersey, Connecticut, Massachusetts, Rhode Island, Wisconsin, Virginia, West Virginia, Delaware, Kentucky, and the District of Columbia. Application has not been filed for temporary authority under section 210a(b).

No. MC-F 7844. Authority sought for purchase by C & H TRANSPORTATION CO., INC., 1935 West Commerce, P.O. Box 5976, Dallas, Tex., of the operating rights of McCORD TRANSFER COMPANY, 190 Polk Avenue, P.O. Box 8796, Nashville, Tenn., and for acquisition by W. O. HARRINGTON, Coppell, Tex., of control of such rights through the purchase. Applicants' attorney and representative respectively: W. T. Brunson, 419 Northwest Sixth Street, Oklahoma City 3, Okla., and Buford McCord, P.O. Box 8796, Nashville, Tenn. Operating rights sought to be transferred: *Commodities*, the transportation of which because of their size or weight requires the use of special equipment, and *parts thereof*, when their transportation is incidental to the transportation by carrier of commodities which by reason of size or weight require special equipment, as a *common carrier* over irregular routes between Nashville, Tenn., and points in Tennessee within 50 miles of Nashville, on the one hand, and, on the other, points in Alabama, Arkansas, Georgia, Kentucky, Missouri, Mississippi, North Carolina, South Carolina, Virginia, and West Virginia. Vendee is authorized to operate as a *common carrier* in Kansas, New Mexico, Texas, Oklahoma, Louisiana, Illinois, Indiana, Kentucky, Mississippi, Arkansas, Wisconsin, North Dakota, South Dakota, Missouri, Nebraska, Colorado, Nevada, Pennsylvania, Montana, Wyoming, Ohio, Oregon, Washington, Minnesota, Michigan, Iowa, New

Jersey, New York, Utah, West Virginia, Arizona, Tennessee, Alabama, Georgia, and Florida. Application has not been filed for temporary authority under section 210a(b).

No. MC-F 7845. Authority sought for purchase by MINNESOTA-WISCONSIN TRUCK LINES, INCORPORATED, 2280 Hampden Avenue, St. Paul 14, Minn., of the operating rights and property of CHARLES E. JENSEN, an individual doing business as JENSEN TRANSFER, Osceola, Wis., and for acquisition by A. A. McCUE, 2280 Hampden Avenue, St. Paul, Minn., of control of such rights and property through the purchase. Applicants' attorneys: John R. Turney and Anthony C. Vance, 2001 Massachusetts Avenue NW., Washington, D.C. Operating rights sought to be transferred: *General commodities*, excepting, among others, household goods and commodities in bulk, as a *common carrier* over irregular routes, between points in certain towns in Wisconsin, on the one hand, and, on the other, South St. Paul, St. Paul, Minneapolis, and Stillwater, Minn.; *general commodities*, between points in the Town of Eureka, Polk County, Wis., on the one hand, and, on the other, Minneapolis, St. Paul, South St. Paul, Stillwater, and Newport, Minn.; *livestock*, *agricultural commodities*, *cheese factory products and supplies*, and *empty containers*, from certain points in Wisconsin, to Minneapolis, St. Paul, South St. Paul, and Newport, Minn.; *general commodities*, with the above exceptions, from Minneapolis, St. Paul, South St. Paul, and Newport, Minn., to certain points in Wisconsin. Vendee is authorized to operate as a *common carrier* in Wisconsin and Minnesota. Application has not been filed for temporary authority under section 210a(b).

No. MC-F 7846. Authority sought for purchase by FOLLMER TRUCKING COMPANY, P.O. Box 237, Danville, Pa., of the operating rights and property of ARTHUR J. ZEARFOSS, an individual doing business as ZEARFOSS TRANSFER COMPANY, 634 Penn Lane, West Hazleton, Pa., and for acquisition by ARTHUR ROSEN, 3901 North Front Street, Harrisburg, Pa., of control of such rights and property through the purchase. Applicants' attorney: Robert H. Griswold, Commerce Building, P.O. Box 432, Harrisburg, Pa. Operating rights sought to be transferred: *General commodities*, excepting, among others, household goods and commodities in bulk, as a *common carrier* over a regular route between Hazleton, Pa., and Forty Fort, Pa., serving all intermediate points. Vendee is authorized to operate as a *common carrier* in Pennsylvania, Maryland, New York and New Jersey. Application has not been filed for temporary authority under section 210a(b).

No. MC-F 7847. Authority sought for control by EASTERN FREIGHT WAYS, INC., Eastern and Moonachie Avenues, Carlstadt, N.J., of VICTOR LYNN LINES, INC., Marvel Road and Shipley Drive, Salisbury, Md., and for acquisition by LOUIS KLETTER, and JACK TEICHER, both of Eastern and Moonachie Aves., Carlstadt, N.J., and GEORGE KLETTER, 74 Dana Road,

Buffalo, N.Y., of control of VICTOR LYNN LINES, INC., through the acquisition by EASTERN FREIGHT WAYS, INC. Applicants' attorney: S. Harrison Kahn, 1110-14 Investment Building, Washington 5, D.C. Operating rights sought to be controlled: *General commodities*, excepting, among others, household goods in use, loose bulk commodities, livestock, dangerous explosives (except small arms ammunition), currency, bullion, articles of virtue, but not excepting commodities in bulk, as a *common carrier* over regular routes between New York, N.Y., and Chincoteague Island, Va., between Laurel, Del., and Milford, Del., between Greenwood, Del., and Dover, Del., between Hares Corner, Del., and Trenton, N.J., and New York N.Y., between Chester, Pa., and New York, N.Y., between Philadelphia, Pa., and Trenton, N.J., and New York, N.Y., between New York, N.Y., and Baltimore, Md., between Philadelphia, Pa., and Baltimore, Md., between Bel Air, Md., and Aberdeen, Md., between Baltimore, and Cambridge, Md., and Milford, Del., and between Baltimore, Md., and Washington, D.C., serving all intermediate points on the above specified routes and certain specified off-route points, and between Oak Hill, Va., and Exmore, Va., and all intermediate points; *general commodities*, excepting, among others, household goods and commodities in bulk, serving certain off-route points in connection with said carrier's presently authorized regular-route operations; *general commodities*, with the above exceptions, over irregular routes, between Baltimore, Md., on the one hand, and, on the other, points in the WASHINGTON, D.C., COMMERCIAL ZONE, as defined in 3 M.C.C. 243, and those in Maryland within 15 miles of the District of Columbia, and between Cambridge and Mount Vernon, Md., on the one hand, and, on the other, points in Northampton and Accomac Counties, Va.; *piece goods*, from Dover, N.J., to Chincoteague Island, Va., *shirts*, from Chincoteague Island, Va., to Dover, N.J., and *frozen fruits and frozen vegetables*, from Exmore, Va., to Vineland, N.J., and Doylestown, Pa. EASTERN FREIGHT WAYS, INC., is authorized to operate as a *common carrier* in Vermont, New York, New Jersey, Pennsylvania, Connecticut and Massachusetts. Application has been filed for temporary authority under section 210a(b).

No. MC-F 7848. Authority sought for control by SITES SILVER WHEEL FREIGHTLINES, INC., 1321 Southeast Water Avenue, Portland, Oreg., of WRIGHT TRUCK LINE CO., 115 Second Street, Stayton, Oreg., and for acquisition by HERMAN O. SITES, 1321 Southeast Water Avenue, Portland, Oreg., of control of WRIGHT TRUCK LINE CO., through acquisition by SITES SILVER WHEEL FREIGHTLINES, INC. Applicants' attorney: William B. Adams, 624 Pacific Building, Portland 4, Oreg. Operating rights sought to be controlled: *General commodities*, excepting, among others, household goods and commodities in bulk, as a *common carrier* over regular routes between Portland, Oreg.



and Dallas, Oreg., between Salem, Oreg., and Scio, Oreg., serving all intermediate points and certain off-route points, and between Stayton, Oreg., and West Stayton, Oreg., serving no intermediate points, *general commodities*, between Salem, Oreg., and Idanha, Oreg., serving all intermediate points, without restriction; and the off-route point of Turner, Oreg., restricted against the pick-up and delivery of commodities of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, *general commodities*, except petroleum products, in bulk, between Portland, Oreg., and Salem, Oreg., serving all intermediate points. SITES SILVER WHEEL FREIGHTLINES, INC., is authorized to operate as a common carrier in Oregon and Washington. Application has been filed for temporary authority under section 210a(b).

No. MC-F 7849. Authority sought for purchase by NORTH AMERICAN VAN LINES, INC., P.O. Box 988, Fort Wayne, Ind., of a portion of the operating rights of HAGERSTOWN MOTOR EXPRESS CO., INC., Middleburg Pike, P.O. Box 1121, Hagerstown, Md. Applicants' attorney: G. Zan Golden, Assistant General Counsel, North American Van Lines, Inc., P.O. Box 988, Fort Wayne, Ind. Operating rights sought to be transferred: *New, uncrated, furniture, fixtures, and equipment*, ordinarily used in stores, bars, restaurants, and hotels, as a common carrier over irregular routes from Baltimore, Md., and points within 50 miles thereof, to points in Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Delaware, Pennsylvania, Maryland, West Virginia, Virginia, North Carolina, South Carolina, Georgia, Florida, and the District of Columbia, *except* that no service shall be performed to or from points within 35 miles of Hagerstown, Md., not including Hagerstown. Vendee is authorized to operate as a common carrier in all states and the District of Columbia. Application has been filed for temporary authority under section 210a(b).

By the Commission.

[SEAL] HAROLD D. MCCOY,  
Secretary.

[F.R. Doc. 61-3792; Filed, Apr. 25, 1961;  
8:51 a.m.]

[Notice 374]

**MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS**

APRIL 21, 1961.

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

All hearings and pre-hearing conferences will be called at 9:30 o'clock a.m.,

United States standard time (or 9:30 o'clock a.m., local daylight saving time, if that time is observed), unless otherwise specified.

**MOTOR CARRIERS OF PROPERTY**

The applications MC-4888 (Sub No. 22) through MC 119928 (Sub No. 1), immediately following are assigned for hearing at the time and place designated in the notice of filing as here published in each proceeding. All of the proceedings are subject to the Special Rules of Procedure for Hearing outlined below:

**SPECIAL RULES OF PROCEDURE FOR HEARING**

(1) All of the testimony to be adduced by applicants' company witnesses shall be in the form of written statements which shall be submitted at the hearing at the time and place indicated.

(2) All of the written statements by applicants' company witnesses shall be offered in evidence at the hearing in the same manner as any other type of evidence. The witnesses submitting the written statements shall be made available at the hearing for cross-examination, if such becomes necessary.

(3) The written statements by applicants' company witnesses, if received in evidence, will be accepted as exhibits. To the extent the written statements refer to attached documents such as copies of operating authority, etc., they should be referred to in the written statement as numbered appendices thereto.

(4) The admissibility of the evidence contained in the written statements and the appendices thereto, will at the time of offer, be subject to the same rules as if the evidence was produced in the usual manner.

(5) Implementing oral evidence to correct errors or to supply inadvertent omissions in the written statements is permissible.

No. MC 5888 (Sub No. 22), filed March 20, 1961. Applicant: MID-AMERICAN TRUCK LINES, INC., 1700 West Ninth Street, Kansas City, Mo. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meats, packing-house products, and commodities used by packing houses*, as defined in Appendix I to the report in *Description in Motor Carrier Certificates*, 61 M.C.C. 209 as modified in 61 M.C.C. 766, between Rochelle, Ill., on the one hand, and, on the other, Chicago, Ill., Kansas City, Mo., Kansas City, Kans., and St. Joseph, Mo.

HEARING: June 5, 1961, at the Midland Hotel, Chicago, Ill., before Examiner James C. Cheseldine.

No. MC 10761 (Sub No. 105), filed March 20, 1961. Applicant: TRANS-AMERICAN FREIGHT LINES, INC., 1700 North Waterman Avenue, Detroit 9, Mich. Applicant's attorney: Howell Ellis, Fidelity Building, Room 1210-12, 111 Monument Circle, Indianapolis 4, Ind. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, livestock, commodities in bulk, commodities requiring special equipment, and

those injurious or contaminating to other lading), serving Rochelle, Ill., as an intermediate point in connection with carrier's presently authorized route operations between Chicago, Ill., and Jefferson, Iowa.

HEARING: June 5, 1961, at the Midland Hotel, Chicago, Ill., before Joint Board No. 149, or, if the Joint Board waives its right to participate, before Examiner James C. Cheseldine.

No. MC 11592 (Sub No. 4), filed March 17, 1961. Applicant: E. E. HAUGARTH, P.O. Box 272, Omaha 1, Nebr. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Fresh meat, packinghouse products, dairy products, canned goods, and supplies incidental to, or used in, the operation and maintenance of meat packing plants*, between Rochelle, Ill., on the one hand, and, on the other, Omaha, Nebr.

HEARING: June 5, 1961, at the Midland Hotel, Chicago, Ill., before Joint Board No. 136, or, if the Joint Board waives its right to participate, before Examiner James C. Cheseldine.

No. MC 18121 (Sub No. 8), filed March 17, 1961. Applicant: ADVANCE TRANSPORTATION COMPANY, 2115 South First Street, Milwaukee 7, Wis. Applicant's attorney: Eugene L. Cohn, One North La Salle Street, Chicago 2, Ill. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meats, packinghouse products, and commodities used by packing-houses* as specified in Appendix I to *Report in Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, 272-3; between Rochelle, Ill., on the one hand, and, on the other, points in Illinois, Indiana, and Wisconsin.

NOTE: Applicant indicates the proposed operations will be conducted in conjunction with regular route operations as set forth in Certificate No. MC-18121, between Milwaukee, Wis. and Chicago, Ill.

HEARING: June 5, 1961, at the Midland Hotel, Chicago, Ill., before Joint Board No. 17, or, if the Joint Board waives its right to participate, before Examiner James C. Cheseldine.

No. MC 27970 (Sub No. 37), filed March 20, 1961. Applicant: CHICAGO EXPRESS, INC., 3d and Adams Streets, Kearny, N.J. Applicant's attorney: Carl L. Steiner, 39 South LaSalle Street, Chicago 3, Ill. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value and dangerous explosives, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk, and those requiring special equipment), serving the site of the Swift & Company plant at or near Rochelle, Ill., as an off-route point in connection with applicant's regular route operations to and from Chicago, Ill.

HEARING: June 5, 1961, at the Midland Hotel, Chicago, Ill., before Joint Board No. 149, or, if the Joint Board waives its right to participate, before Examiner James C. Cheseldine.

No. MC 39073 (Sub No. 6, filed March 17, 1961. Applicant: BUDRECK

TRUCK LINES, INC., 3435 South Racine Avenue, Chicago, Ill. Applicant's attorney: Joseph M. Scanlan, 111 West Washington Street, Chicago 2, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat by-products, dairy products and articles distributed by meat packinghouses*, as described in 61 M.C.C. 209 and 766, between Rochelle, Ill., on the one hand, and, on the other, Louisville, Ky., and points in Indiana and Ohio.

**HEARING:** June 5, 1961, at the Midland Hotel, Chicago, Ill., before Examiner James C. Cheseldine.

No. MC 41404 (Sub No. 24), filed March 15, 1961. Applicant: ARGOCOLLIER TRUCK LINES CORPORATION, Martin, Tenn. Applicant's attorney: Joseph M. Scanlan, 111 West Washington Street, Chicago 2, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat by-products, dairy products and articles distributed by meat packing houses* as described in 61 M.C.C. 209 and 766; from Rochelle, Ill., to Paducah and Fulton, Ky., and points in Alabama, Louisiana, Mississippi, Georgia, and Tennessee.

**HEARING:** June 5, 1961, at the Midland Hotel, Chicago, Ill., before Examiner James C. Cheseldine.

No. MC 43475 (Sub No. 47), filed March 15, 1961. Applicant: GLENDENNING MOTORWAYS, INC., 1665 West County Road C, St. Paul, Minn. Applicant's attorney: Carl L. Steiner, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value and dangerous explosives, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk, and those requiring special equipment), serving the site of the plant of Swift & Company at or near Rochelle, Ill., as an off-route point in connection with applicant's regular routes to and from Chicago, Ill.

**HEARING:** June 5, 1961, at the Midland Hotel, Chicago, Ill., before Joint Board No. 149, or, if the Joint Board waives its right to participate, before Examiner James C. Cheseldine.

No. MC 44761 (Sub No. 5), filed March 15, 1961. Applicant: LEE BROS., INC., 601 West 51st Street, Chicago, Ill. Applicant's attorney: Joseph M. Scanlan, 111 West Washington Street, Chicago 2, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat by-products, dairy products, and articles distributed by meat packing houses* as described in 61 M.C.C. 209 and 766, (a) from Rochelle, Ill., to points in that part of Indiana on and north of U.S. Highway 20. (b) Between Rochelle, Ill., on the one hand, and, on the other, Cincinnati, Dayton, and Hamilton, Ohio, and points in that part of Ohio on and north of a line extending along U.S. Highway 20 from the Ohio-Indiana State line to junction Ohio Highway 120, thence along Ohio

Highway 120 to Toledo, Ohio, and Midland, Mich., and points in that part of Michigan on and south of a line beginning at Benton Harbor and extending along U.S. Highway 12 to Marshall, thence on and east of U.S. Highway 27 to St. Louis, thence on and south of Michigan Highway 46 to Saginaw, thence on and east of Michigan Highway 47 to Bay City, thence on and south of Michigan Highway 25 to junction U.S. Highway 25, and thence on and south of U.S. Highway 25 to Detroit, and points in that part of Pennsylvania on and west of U.S. Highway 119 on and south of U.S. Highway 442.

**HEARING:** June 5, 1961, at the Midland Hotel, Chicago, Ill., before Examiner James C. Cheseldine.

No. MC 55236 (Sub No. 50), filed March 22, 1961. Applicant: OLSON TRANSPORTATION COMPANY, a Corporation, 1970 South Broadway, Green Bay, Wis. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except Classes A and B explosives and household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467), serving Rochelle, Ill., as an off-route point in connection with applicant's authorized regular-route operations.

**HEARING:** June 5, 1961, at the Midland Hotel, Chicago, Ill., before Joint Board No. 149, or, if the Joint Board waives its right to participate, before Examiner James C. Cheseldine.

No. MC 61401 (Sub No. 2), filed March 20, 1961. Applicant: ROBERT L. MARX, WALLACE A. MARX AND DON T. MARX, a Partnership, doing business as MARX TRUCK LINE, 2400 South Royce Street, Sioux City, Iowa. Applicant's attorney: Wallace W. Huff, 314 Security Building, Sioux City 1, Iowa. Authority sought to operate as a *contract carrier*, by motor vehicle, over regular routes, transporting: *Packing house products, and other commodities dealt in by packing houses, and packing house equipment, material, and supplies, and empty containers or other such incidental facilities*, used in transporting the above-described commodities; serving Rochelle, Ill. as an intermediate point in connection with applicant's authorized regular-route operations, between Sioux City, Iowa, and Chicago, Ill., and between Omaha, Nebr., and Chicago, Ill.

**NOTE:** Applicant holds common carrier authority in MC 118537, dual operations may be involved.

**HEARING:** June 5, 1961, at the Midland Hotel, Chicago, Ill., before Joint Board No. 149, or, if the Joint Board waives its right to participate, before Examiner James C. Cheseldine.

No. MC 80388 (Sub No. 7), filed March 26, 1961. Applicant: CHICAGO-INDIANA FREIGHT LINES, INC., 3808 South Western Avenue, Chicago, Ill. Applicant's attorney: Eugene L. Cohn, One North LaSalle Street, Chicago 2, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, packing-house products, and commodities used by packinghouses* as specified in Appendix

I to Report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, 272-3, between Rochelle, Ill., on the one hand, and, on the other, Louisville, Ky. and points in Indiana.

**HEARING:** June 5, 1961, at the Midland Hotel, Chicago, Ill., before Joint Board No. 1, or, if the Joint Board waives its right to participate, before Examiner James C. Cheseldine.

No. MC 80430 (Sub-No. 100), filed April 18, 1961. Applicant: GATEWAY TRANSPORTATION CO., a Corporation, 2130 South Avenue, LaCrosse, Wis. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk, and those requiring special equipment), serving the site of Swift & Company plant, Rochelle, Ill., as an off-route point in connection with applicant's authorized regular route operations between points in Minnesota, Wisconsin, Iowa, Missouri, Illinois, Michigan, Indiana, Ohio, Pennsylvania, and New York.

**HEARING:** June 5, 1961, at the Midland Hotel, Chicago, Ill., before Joint Board No. 149, or, if the Joint Board waives its right to participate, before Examiner James C. Cheseldine.

No. MC 93393 (Sub No. 2), filed March 13, 1961. Applicant: EDWIN H. NELSON AND ALFRED S. NELSON, a Partnership doing business as NIGHTWAY TRANSPORTATION CO., 4106 South Emerald Avenue, Chicago, Ill. Applicant's attorney: Joseph M. Scanlan, 111 West Washington Street, Chicago 2, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat by-products, dairy products and articles distributed by meat packinghouses*, as described in 61 M.C.C. 209 and 766, between Rochelle, Ill., on the one hand, and, on the other, points in that part of Indiana bounded by a line beginning at the junction of U.S. Highway 41 and U.S. Highway 41 and extending in a southerly direction along U.S. Highway 41 to junction U.S. Highway 52, thence in a southeasterly direction along U.S. Highway 52 to Indianapolis, Ind., thence in a northeasterly direction along U.S. Highway 36 to junction Indiana Highway 9, thence in a northerly direction along Indiana Highway 9 to junction Indiana Highway 32, thence in an easterly direction along Indiana Highway 32 to Winchester, Ind., thence in a northerly direction along U.S. Highway 27 to Fort Wayne, Ind., thence in a westerly direction along U.S. Highway 30 to Valparaiso, Ind., thence in a northwesterly direction along Indiana Highway 13 to junction U.S. Highway 6, and thence in a westerly direction along U.S. Highway 6 to point of beginning, including points on the indicated portions of the highways specified.

**HEARING:** June 5, 1961, at the Midland Hotel, Chicago, Ill., before Joint Board No. 21, or, if the Joint Board waives its right to participate, before Examiner James C. Cheseldine.

No. MC 94265 (Sub No. 76), filed March 13, 1961. Applicant: **BONNEY MOTOR EXPRESS, INC.**, P.O. Box 12388, Thomas Corner Station, Norfolk, Va. Applicant's attorney: Harry C. Ames, Transportation Building, Washington 6, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat by-products, and articles distributed by meat-packing houses*, as described in Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, from Rochelle, Ill., to points in Virginia and the following military installations all located in the State of Maryland: Aberdeen Proving Grounds, the Army Chemical Center, and the Edgewood Arsenal, Edgewood, Fort George G. Meade, The U.S. Naval Air Station, Patuxent River, and the U.S. Naval Training Center, Bainbridge, Md.

**HEARING:** June 5, 1961, at the Midland Hotel, Chicago, Ill., before Examiner James C. Cheseldine.

No. MC 95540 (Sub No. 353), filed March 13, 1961. Applicant: **WATKINS MOTOR LINES, INC.**, Cassidy Road, Thomasville, Ga. Applicant's attorney: Joseph H. Blackshear, Gainesville, Ga. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat by-products, dairy products, and articles distributed by meat packing houses* as defined by the Commission, from Rochelle, Ill., to points in Florida.

**HEARING:** June 5, 1961, at the Midland Hotel, Chicago, Ill., before Examiner James C. Cheseldine.

No. MC 103017 (Sub No. 17), filed March 15, 1961. Applicant: **MERCURY MOTOR FREIGHT LINES, INC.**, 954 Hersey Street, St. Paul, Minn. Applicant's attorney: Carl L. Steiner, 39 South LaSalle Street, Chicago 3, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value and dangerous explosives, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk, and those requiring special equipment); serving the site of the plant of Swift & Company at or near Rochelle, Ill., as an off-route point in connection with applicant's regular routes to and from Chicago, Ill.

**HEARING:** June 5, 1961, at the Midland Hotel, Chicago, Illinois, before Joint Board No. 149, or, if the Joint Board waives its right to participate, before Examiner James C. Cheseldine.

No. MC 105813 (Sub No. 44), filed March 13, 1961. Applicant: **BELFORD TRUCKING CO., INC.**, 1299 Northwest 23d Street, Miami, Fla. Applicant's attorney: Sol H. Proctor, 1730 Lynch Building, Jacksonville 2, Fla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products and meat by-products, dairy products and articles distributed by meat packing-houses*, as defined by the Commission in Appendix I to *Ex Parte MC-45 Descriptions in Motor Carriers Certificates*, 61

M.C.C. 209, from Rochelle, Ill., to points in Florida.

**HEARING:** June 5, 1961, at the Midland Hotel, Chicago, Ill., before Examiner James C. Cheseldine.

No. MC 107107 (Sub No. 169), filed March 16, 1961. Applicant: **ALTERMAN TRANSPORT LINES, INC.**, P.O. Box 65, Allapattah Station, 2424 Northwest 46th Street, Miami 42, Fla. Applicant's attorney: Frank B. Hand, Jr., 522 Transportation Building, Washington 6, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat by-products*, from Rochelle, Ill., to Savannah, Ga., and points in Florida.

**HEARING:** June 5, 1961, at the Midland Hotel, Chicago, Ill., before Examiner James C. Cheseldine.

No. MC 107515 (Sub No. 363), filed March 15, 1961. Applicant: **REFRIGERATED TRANSPORT CO., INC.**, 290 University Avenue SW., Atlanta 10, Ga. Applicant's attorney: Allan Watkins, Suite 214-217, Grant Building, Atlanta 3, Ga. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, packinghouse products* as defined by the Commission in *Ex Parte MC-45*; from Rochelle, Ill., to points in Louisiana, Mississippi, Alabama, North Carolina, South Carolina, Tennessee, Georgia, and Florida. Common control may be involved.

**HEARING:** June 5, 1961, at the Midland Hotel, Chicago, Ill., before Examiner James C. Cheseldine.

No. MC 107605 (Sub No. 10), filed March 16, 1961. Applicant: **UNITED SHIPPING CO.**, a Corporation, 2601 Broadway Road, Minneapolis, Minn. Applicant's attorney: Carl L. Steiner, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value and dangerous explosives, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk, and those requiring special equipment); serving the plant site of Swift & Company at or near Rochelle, Ill., as an off-route point in connection with applicant's regular route operations to and from Chicago, Ill.

**HEARING:** June 5, 1961, at the Midland Hotel, Chicago, Ill., before Joint Board No. 149, or, if the Joint Board waives its right to participate, before Examiner James C. Cheseldine.

No. MC 110193 (Sub No. 40), filed March 24, 1961. Applicant: **SAFEWAY TRUCK LINES, INC.**, 4625 West 55th Street, Chicago, Ill. Applicant's attorney: Howell Ellis, Suite 1210-12 Fidelity Building, Monument Circle, Indianapolis 4, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats and packing house products*, between the site of the Swift & Co. plant at Rochelle, Ill., on the one hand, and, on the other, Chicago, Ill.

**HEARING:** June 5, 1961, at the Midland Hotel, Chicago, Ill., before Joint

Board No. 21, or, if the Joint Board waives its right to participate, before Examiner James C. Cheseldine.

No. MC 113267 (Sub No. 39), filed March 13, 1961. Applicant: **CENTRAL & SOUTHERN TRUCK LINES, INC.**, 312 West Morris Street, Caseyville, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat by-products, dairy products, articles distributed by meat packing houses and such commodities used by meat packers in the conduct of their business when destined to and for use by meat packers*, from Rochelle, Ill., to points in Alabama, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, and Tennessee.

**HEARING:** June 5, 1961, at the Midland Hotel, Chicago, Ill., before Examiner James C. Cheseldine.

No. MC 113843 (Sub No. 39), filed March 16, 1961. Applicant: **REFRIGERATED FOOD EXPRESS, INC.**, 316 Summer Street, Boston 10, Mass. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (A) *Meats, packinghouse products, and commodities used by packinghouses*, as specified in Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766; (1) from Rochelle, Ill., to points in Maine, New Hampshire, and Vermont, and (2) from Rochelle, Ill., to Worcester and Springfield, Mass., New Haven, Conn., and Richmond and Norfolk, Va. (B) *Oleomargarine and shortening*; from Rochelle, Ill., to Altoona and Chambersburg, Pa., Hagerstown, Frederick, and Elkton, Md., and Roanoke, Va. (C) *Frozen foods*; from Rochelle, Ill., to Harrisburg, Pa., Camden, N.J., Woodstock, Newport News, Petersburg, Danville, Roanoke, Christiansburg, and Rocky Mount, Va., and Annapolis, Hagerstown, and Salisbury, Md. (D) *Dairy products*; from Rochelle, Ill., to Harrisburg, Allentown, and Wilkes-Barre, Pa. (E) *Frozen foods*; from Rochelle, Ill., to points in New York, within 75 miles of and including Rochester, N.Y.

**HEARING:** June 5, 1961, at the Midland Hotel, Chicago, Ill., before Examiner James C. Cheseldine.

No. MC 115180 (Sub No. 2), filed March 15, 1961. Applicant: **ONLEY REFRIGERATED TRANSPORTATION, INC.**, 345 West 14th Street, New York, N.Y. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat by-products, dairy products and articles distributed by meat packing houses*, as defined by the Commission, from Rochelle, Ill., to points in Pennsylvania.

**HEARING:** June 5, 1961, at the Midland Hotel, Chicago, Ill., before Examiner James C. Cheseldine.

No. MC 115841 (Sub No. 81), filed March 27, 1961. Applicant: **COLONIAL REFRIGERATED TRANSPORTATION, INC.**, 1215 Bankhead Highway, West, P.O. Box 2169, Birmingham, Ala. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular

routes, transporting: *Meat, meat products, meat by-products, dairy products, and articles distributed by meat packing houses*, from Rochelle, Ill., to Bristol, Va., and points in Alabama, Kentucky, Louisiana, Mississippi, Georgia and Tennessee.

**HEARING:** June 5, 1961, at the Midland Hotel, Chicago, Ill., before Examiner James C. Cheseldine.

No. MC 118272 (Sub No. 4), filed March 21, 1961. Applicant: ZUZICH TRUCK LINE, INC., 120 Kansas Avenue, Kansas City, Kans. Applicant's attorney: Charles W. Singer, 33 North La Salle Street, Chicago 2, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, packinghouse products and commodities used by packing-houses* as defined by the Commission; between Rochelle, Ill., on the one hand, and, on the other, Kansas City, Mo., and Kansas City, Kans., St. Joseph and St. Louis, Mo.

**HEARING:** June 5, 1961, at the Midland Hotel, Chicago, Ill., before Joint Board No. 195, or, if the Joint Board waives its right to participate, before Examiner James C. Cheseldine.

No. MC 119170 (Sub No. 2), filed March 13, 1961. Applicant: REEFER TRANSIT LINES, INC., 1413 West Pershing Road, Chicago, Ill. Applicant's attorney: Joseph M. Scanlon, 111 West Washington Street, Chicago 2, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat by-products, dairy products and articles distributed by meat-packing houses*, as described in 61 M.C.C. 209 and 766, (a) between Rochelle, Ill., on the one hand, and, on the other, Kansas City, Kans., St. Louis and Kansas City, Mo., East St. Louis, Ill., Omaha, Nebr., and points in Iowa; and (b) from Rochelle, Ill., to Jamestown, Buffalo, and New York, N.Y., Newark, N.J., Wheeling, W. Va., and points in West Virginia within 25 miles of Wheeling, points in that part of Ohio on and east of a line beginning at Lake Erie and extending along Ohio Highway 4 to Bucyrus, Ohio, thence along Ohio Highway 98 to Waldo, Ohio, and thence along U.S. Highway 23 to the Ohio-Kentucky State line, and that part of Pennsylvania on and west of U.S. Highway 219.

**HEARING:** June 5, 1961, at the Midland Hotel, Chicago, Ill., before Examiner James C. Cheseldine.

No. MC 119697 (Sub No. 2), filed March 13, 1961. Applicant: CHRISTPENS TRUCK LINE, INC., 4551 South Racine Avenue, Chicago, Ill. Applicant's attorney: Joseph M. Scanlon, 111 West Washington Street, Chicago 2, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat by-products, dairy products, and articles distributed by meat-packing houses*, as described in 61 M.C.C. 209 and 766, between Rochelle, Ill., on the one hand, and, on the other, Fort Wayne, Ind., Hillsboro, Ohio, and points in Ohio on and north of a line beginning at the West Virginia-Ohio State line and extending along U.S.

Highway 22 to Cincinnati, Ohio, and thence along the Ohio River to the Ohio-Indiana State line.

**HEARING:** June 5, 1961, at the Midland Hotel, Chicago, Ill., before Examiner James C. Cheseldine.

No. MC 119765 (Sub No. 1), filed March 16, 1961. Applicant: HENRY G. NELSEN, 5402 South 27th Street, Omaha 7, Nebr. Applicant's attorney: Joseph M. Scanlan, 111 West Washington Street, Chicago 2, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat by-products, dairy products and articles distributed by meat packing houses* as described in 61 M.C.C. 209 and 766, (a) Between Omaha, Nebr., on the one hand, and, on the other, Rochelle, Ill., and (b) between Sioux City, Iowa, Rochelle, Ill., and East Chicago, Ind.

**HEARING:** June 5, 1961, at the Midland Hotel, Chicago, Ill., before Examiner James C. Cheseldine.

No. MC 119792 (Sub No. 1), filed March 16, 1961. Applicant: CHICAGO SOUTHERN TRANSPORTATION COMPANY, An Illinois Corporation, 4000 Packers Avenue, Chicago, Ill. Applicant's attorney: Joseph M. Scanlan, 111 West Washington Street, Chicago 2, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat by-products, dairy products and articles distributed by meat packing houses* as described in 61 M.C.C. 209 and 766, (a) Between Rochelle, Ill., and St. Louis, Mo., East St. Louis and National City, Ill., and (b) between Rochelle, Ill., on the one hand, and, on the other, points in Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Chattanooga, Memphis, Nashville, Murfreesboro, and Tullahoma, Tenn.

**HEARING:** June 5, 1961, at the Midland Hotel, Chicago, Ill., before Examiner James C. Cheseldine.

No. MC 119816 (Sub No. 1), filed March 15, 1961. Applicant: FLEETLINE, INC., 1984 Oakdale Avenue, St. Paul, Minn. Applicant's attorney: Joseph M. Scanlan, 111 West Washington Street, Chicago 2, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat by-products, dairy products and articles distributed by meat packing houses* as described in 61 M.C.C. 209 and 766, (a) between Rochelle, Ill., on the one hand, and, on the other, Minneapolis, Minn., and (b) between Newport, South St. Paul, St. Paul, Minneapolis, and Minnesota Transfer, Minn., on the one hand, and, on the other, Rochelle, Ill.

**HEARING:** June 5, 1961, at the Midland Hotel, Chicago, Ill., before Joint Board No. 141, or, if the Joint Board waives its right to participate, before Examiner James C. Cheseldine.

No. MC 119928 (Sub No. 1), filed March 22, 1961. Applicant: C & E TRUCKING CORPORATION, 1311 South Olive Street, South Bend 19, Ind. Applicant's attorney: Eugene L. Cohn, One North La Salle Street, Chicago 2, Ill.

Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, packing-house products, and commodities used by packing-houses*, as specified in Appendix I to Report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, 272-3, between Rochelle, Ill., on the one hand, and, on the other, points in Illinois, Indiana, and Michigan.

**HEARING:** June 5, 1961, at the Midland Hotel, Chicago, Illinois, before Joint Board No. 73, or, if the Joint Board waives its right to participate, before Examiner James C. Cheseldine.

By the Commission.

[SEAL]

HAROLD D. MCCOY,  
Secretary.

[F.R. Doc. 61-3793; Filed, Apr. 25, 1961; 8:51 a.m.]

[Notice 484]

### MOTOR CARRIER TRANSFER PROCEEDINGS

APRIL 21, 1961.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC 63495. By order of April 20, 1961, the Transfer Board approved the transfer to Bonanza Trucking Company, Inc., Salt Lake City, Utah, of a portion of the operating rights in Certificate No. MC 9787, issued November 21, 1955, to Stanton Transportation Co., a corporation, Craig, Colo., authorizing the transportation of: Household goods, and general commodities, except those of unusual value, Class A and B explosives, commodities injurious or contaminating to other lading, and those commodities as defined by the Commission in Mercer et al., 74 M.C.C. 459. Marion F. Jones, 526 Denham Building, Denver 2, Colo., attorney for applicants.

No. MC-FC 63958. By order of April 19, 1961, the Transfer Board approved the transfer to Best Truck Lines, Inc., Ottawa, Kans., of Certificates Nos. MC 62852 and MC 62852 Sub 5, issued December 23, 1954 and December 22, 1950, respectively, to Glenn Medearis and Naomi Medearis, a partnership, doing business as Mid-Kansas Truck Lines, Gardner, Kans., authorizing the transportation of general commodities, excluding household goods, over regular routes, from Kansas City, Mo., to Gardner, Kans., serving all intermediate points on said route, all intermediate and off-route points in the Kansas City, Mo.-Kansas City, Kans., Commercial

Zone, and the off-route point of U.S. Naval Air Base, approximately 2.5 miles northeast of Gardner; general commodities, excluding household goods and commodities in bulk, between Ottawa, Kans., and Kansas City, Mo., serving the intermediate point of Kansas City, Kans., and the off-route point of North Kansas City, Mo.; livestock, from Gardner, Kans., to Kansas City, Mo.; live-stock between specified area of Kansas on the one hand, and, on the other, Kansas City, Kans., and Kansas City and North Kansas City, Mo.; and between Emporia, Kans., on the one hand, and, on the other, Kansas City, Kans., and Kansas City; and North Kansas City, Mo.; and various specified commodities, from and to and between points in Kansas, and from and to and between points in Kansas and Missouri. Richard C. Byrd, First National Bank Building, Ottawa, Kans., attorney for applicants.

[SEAL] HAROLD D. McCoy,  
Secretary.

[F.R. Doc. 61-3794; Filed, Apr. 25, 1961;  
8:52 a.m.]

## SECURITIES AND EXCHANGE COMMISSION

[File No. 70-3953]

### MICHIGAN CONSOLIDATED GAS CO.

#### Notice of Filing of Application Regarding Issuance and Sale of New Bonds

APRIL 19, 1961.

Notice is hereby given that Michigan Consolidated Gas Company ("Michigan Consolidated"), Detroit, Mich., a public-utility subsidiary company of American Natural Gas Company, a registered holding company, has filed an application with this Commission pursuant to the provisions of the Public Utility Holding Company Act of 1935 ("Act") and the rules and regulations promulgated thereunder. Michigan Consolidated has designated section 6(b) of the Act and Rule 50 as applicable to the proposed transactions.

All interested persons are referred to the application on file at the office of the Commission for a statement of the transactions therein proposed, which are summarized as follows:

Michigan Consolidated proposes to issue and sell, pursuant to the competitive bidding requirements of Rule 50 under the Act, \$30,000,000 principal amount of First Mortgage Bonds, ---- percent Series due 1986 ("New Bonds"), to be dated as of June 1, 1961, and to mature June 1, 1986. The New Bonds will be issued under an Indenture and Deed of Trust dated as of March 1, 1944, as heretofore supplemented by ten supplemental indentures and as to be further supplemented by an Eleventh Supplemental Indenture, between Michigan Consolidated and the First National City Trust Company (formerly City Bank Farmers Trust Company) and Francis M. Pitt (successor to Ralph E. Morton), as trustees. The interest rate

on the New Bonds (which shall be a multiple of  $\frac{1}{8}$  of 1 percent) and the price, exclusive of accrued interest, to be paid to Michigan Consolidated for the New Bonds (which price shall not be less than 100 percent nor more than 102.75 percent of the principal amount thereof) will be determined by the competitive bidding.

The application states that the New Bonds will be issued in the first instance against a deposit of \$30,000,000 with the Trustee, that approximately \$27,000,000 will thereupon be withdrawn from the Trustee by certification of unbonded net property additions then available and that the balance of approximately \$3,000,000 will be similarly withdrawn from time to time as additional unbonded net property additions become available.

It is further stated that Michigan Consolidated, under a line of credit with three banks, borrowed \$15,000,000 on notes maturing August 31, 1961, in order to finance part of its 1960 construction program. It is anticipated that these notes will be substantially retired prior to sale of the New Bonds from cash temporarily available from operations. The proceeds of the New Bonds will be used to retire any notes which may be outstanding under the line of credit and to pay construction costs and reimburse the treasury in part for expenditures made for construction.

An application requesting authority to issue and sell the New Bonds has been filed with the Michigan Public Service Commission, the State commission of the State in which Michigan Consolidated is organized and doing business. It is stated that no other State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

It is estimated that the fees and expenses in connection with the above transaction will not exceed in the aggregate \$145,000 including Federal original issue tax of \$33,000; Michigan Public Service Commission fee of \$30,000; counsel fee of Sidley, Austin, Burgess & Smith of \$15,500; counsel fees of Dyer, Meek, Ruegsegger & Bullard of \$6,000; counsel fees of Dutchess, Mika, Meyers, Merdzinski & Snow of \$2,500; accounting fees of Arthur Andersen & Co. of \$6,000; Trustees' fees and expenses of \$12,500; and printing costs (including preparation of bonds) of \$26,000. Fees of Brown, Wood, Fuller, Caldwell & Ivey, counsel for the underwriter, which are estimated to be \$11,000, will be paid by the successful bidders.

Notice is further given that any interested person may, not later than May 11, 1961, request the Commission in writing that a hearing be held with respect to such matters stating the nature of his interest, the reasons for such request, and the issues of fact or law which he desires to controvert; or he may request that he be notified should the Commission order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D.C. At any time after said date the application as it may be amended, may be granted as provided by Rule 23 of the rules and

regulations promulgated under the Act; or the Commission may grant exemption as provided by Rules 20(a) and 100 thereof, or take such other action as it may deem appropriate.

By the Commission.

[SEAL] ORVAL L. DuBois,  
Secretary.

[F.R. Doc. 61-3769; Filed, Apr. 25, 1961;  
8:46 a.m.]

[File No. 812-1399]

### SHARES IN AMERICAN INDUSTRY, INC.

#### Notice of Filing of Application Exempting Transaction Between Affiliates and Purchase of Securities During an Underwriting

APRIL 19, 1961.

Notice is hereby given that Shares in American Industry, Inc., Washington, D.C. ("Applicant"), a registered, open-end, diversified investment company has filed an application pursuant to sections 10(f) and 17(b) of the Investment Company Act of 1940 ("Act") for an order of the Commission exempting from the provisions of section 10(f) and 17(a) of the Act the proposed purchase by the Applicant of up to 600 shares of common stock of Central Mutual Telephone Co., Inc. These 600 shares are part of a proposed public offering of 20,000 shares to the stockholders of Central Mutual Telephone Co., Inc. pursuant to subscription rights issued April 5, 1961. Said rights were issued at the rate of 24 rights per share outstanding as of that date. In order to obtain shares of the new issue at \$14 per share, 100 rights must be exercised for each share purchased. These rights expire at 3:30 p.m., April 21, 1961. Any residue of unsold shares are then to be issued to the public on a firm commitment basis at an estimated price of \$15 per share. Applicant proposes to purchase shares which will be available as part of this residue. The current price of Central Mutual Telephone Co., Inc. is 15½ bid, none offered.

Folger, Nolan, Fleming—W. B. Hibbs & Co., Inc. is the underwriter of the issue. An officer of the latter firm is Robert W. Fleming who is a director of the Applicant.

Applicant contends that the exemption provided by Rule 10f-3 of the Act is unavailable due to the fact that it proposes to purchase the stock from an affiliated person and because there is no assurance at present that the sales commission will not exceed 7 percent. The price to be paid will be equal to the public offering price in effect on the first full day of the offering.

Section 10(f) of the Act provides, among other things, that no registered investment company shall knowingly purchase or otherwise acquire, during the existence of any underwriting or selling syndicate, any security (except a security of which such company is the issuer) a principal underwriter of which is a person of which a director of such registered investment company is an affiliated person. The Commission may

exempt a transaction from this prohibition if and to the extent that such exemption is consistent with the protection of investors. Since one of the Applicant's directors is an affiliated person of the underwriter offering the stock, the purchase thereof by Applicant is subject to provisions of section 10(f) of the Act.

Section 17(a) of the Act prohibits an affiliated person of a registered investment company, or an affiliated person of such a person, from selling to or purchasing from such registered investment company any security or other property, subject to certain exceptions, unless the Commission upon application pursuant to section 17(b) grants an exemption from the provisions of section 17(a), after finding that the terms of the proposed transaction, including the consideration to be paid, are reasonable and fair and do not involve overreaching on

the part of any person concerned, that the proposed transaction is consistent with the policy of each registered investment company concerned as recited in its registration statement and reports filed under the Act, and is consistent with the general purposes of the Act. Since the Applicant proposes to purchase stock from an affiliated person of Robert W. Fleming, a director of the Applicant, the proposed transaction is subject to the provisions of section 17(a) of the Act.

Notice is further given that any interested person may, not later than May 1, 1961, at 5:30 p.m., submit to the Commission in writing any facts bearing upon the desirability of a hearing on the matter and may request that a hearing be held, such request stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law proposed to be controverted, or he

may request that he be notified if the Commission should order a hearing thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D.C. At any time after said date, the application may be granted as provided in Rule O-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the showing contained in said application unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion.

By the Commission.

[SEAL]

ORVAL L. DuBois,  
Secretary.

[F.R. Doc. 61-3770; Filed, Apr. 25, 1961;  
8:47 a.m.]

CUMULATIVE CODIFICATION GUIDE—APRIL

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 April.

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