

THE NATIONAL ARCHIVES
LITTERA SCRIPTA MANET
1934
OF THE UNITED STATES

FEDERAL REGISTER

VOLUME 27 NUMBER 138

Washington, Wednesday, July 18, 1962

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Telephone Worth 3-3261
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Presidential Documents

Title 3—THE PRESIDENT

Proclamation 3482

CAPTIVE NATIONS WEEK, 1962

By the President of the United States of America

A Proclamation

WHEREAS by a joint resolution approved July 17, 1959 (73 Stat. 212), the Congress authorized and requested the President of the United States of America to issue a proclamation designating the third week in July 1959 as "Captive Nations Week," and to issue a similar proclamation each year until such time as freedom and independence shall have been achieved for all the captive nations of the world; and

WHEREAS there exist many historical and cultural ties between the people of these captive nations and the American people; and

WHEREAS the principles of self-government and human freedom are universal ideals and the common heritage of mankind:

NOW, THEREFORE, I, JOHN F. KENNEDY, President of the United States of America, do hereby designate the week beginning July 15, 1962, as Captive Nations Week.

I invite the people of the United States of America to observe this week with appropriate ceremonies and activities, and I urge them to give renewed devotion to the just aspirations of all people for national independence and human liberty.

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 thirteenth day of July in the year of our Lord nineteen hundred and sixty-two, and of [SEAL] the Independence of the United States of America the one hundred and eighty-seventh.

JOHN F. KENNEDY

By the President:

DEAN RUSK,
Secretary of State.

[F.R. Doc 62-7076; Filed, July 17, 1962; 10:34 a.m.]

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Rules and Regulations

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

Agency for International Development

Effective upon publication in the FEDERAL REGISTER, paragraph (b) (1) is added to § 6.375 as set out below.

§ 6.375 Agency for International Development.

(b) *Office of the Assistant Administrator for Congressional Liaison.* (1) One Staff Assistant to the Assistant Administrator.

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

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

[F.R. Doc. 62-7008; Filed, July 17, 1962;
8:53 a.m.]

Title 6—AGRICULTURAL CREDIT

Chapter IV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

[C.C.C. Farm Storage Facility Loan Bulletin 1, Rev. 3, Amdt. 1]

PART 474—FARM STORAGE FACILITIES

Subpart—Farm Storage Facility Loan Program

ELIGIBLE STRUCTURES

The purpose of this amendment is to define eligible new facilities on which loans may be made to include new additions to existing facilities of a movable or immovable type.

The provisions of the amendment will be effective on the date of publication.

Section 474.725 (b) (1) and (c) of the bulletin (26 F.R. 7183) is amended to read as follows:

§ 474.725 Eligible structures.

(b) *Eligibility.* A storage facility shall qualify as an eligible structure if all the following requirements are met:

(1) The facility shall meet the requirements for eligible farm storage under applicable price support programs and must be either (i) a new farm storage facility of movable or immovable

type (including any new addition to an existing movable or immovable facility) or (ii) a used farm storage facility which CCC has acquired by foreclosure or other means under this program. Unless approved by the Executive Vice President, CCC, or the Deputy Administrator, State and County Operations, ASCS, a loan shall not be approved or disbursed if the facility has been purchased or erected prior to the date of application for loan, or for the purchase of a secondhand facility, except as specifically provided in this subpart. A downpayment will not be deemed to be a purchase nor will the installation of the foundation be deemed to be an erection requiring such approval.

(c) *Loan not available.* Except as provided in § 474.725 (b) (1) hereof, a loan shall not be approved or disbursed to repair, remodel, or for the maintenance of existing facilities. A loan shall not be available to provide storage facilities for commodities which the borrower intends to purchase or store for others.

Effective date: Date of publication.

Signed at Washington, D.C., on July 12, 1962.

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

[F.R. Doc 62-7007; Filed, July 17, 1962;
8:52 a.m.]

Title 7—AGRICULTURE

Chapter III—Agricultural Research Service, Department of Agriculture

[P.P.C. 615, Reissued]

PART 301—DOMESTIC QUARANTINE NOTICES

Subpart—Mediterranean Fruit Fly

Administrative Instructions Designating Certain Localities as Regulated Areas

Pursuant to § 301.78-2 of the regulations supplemental to the Mediterranean Fruit Fly Quarantine (7 CFR 301.78-2), under sections 8 and 9 of the Plant Quarantine Act of 1912, as amended (7 U.S.C. 161, 162), administrative instructions to appear as 7 CFR 301.78-2a are hereby issued to read as follows:

§ 301.78-2a Administrative instructions designating regulated areas under the Mediterranean fruit fly quarantine and regulations.

Infestations of the Mediterranean fruit fly have been determined to exist in the parts of civil divisions listed below, or it has been determined that such infestation is likely to exist therein, or it is deemed necessary to regulate such parts of civil divisions because of their proximity to infestation or their insepa-

rability for quarantine enforcement purposes from infested localities. Accordingly, such parts of civil divisions are hereby designated as Mediterranean fruit fly regulated areas within the meaning of the provisions in this subpart:

FLORIDA

Broward County. That portion of the county bounded by a line beginning at a point where Northwest 72d Avenue intersects Northwest 25th Street (near West Hollywood) and extending east on Northwest 25th Street (also known as Sheridan St.) to a point where said street intersects the Seaboard Airline Railroad right of way, thence south on the Seaboard Airline Railroad right of way to a point where said railroad right of way intersects Hollywood Boulevard, thence east on said boulevard to the Atlantic Ocean, thence south along the coast line to the Broward-Dade County line, thence west along said county line to a point where a line extended south from Southwest 72d Avenue would intersect said county line and thence north from this point along said extension, Southwest 72d Avenue and Northwest 72d Avenue to the point of beginning.

Dade County. That portion of the county lying east of the west line of R. 39 E. (State Highway No. 27 and extension thereof to Dade-Broward County line) and north of the north line of T. 57 S. (Waldin Drive or extension thereof).

(Sec. 9, 37 Stat. 318; 7 U.S.C. 162. Interprets or applies sec. 8, 37 Stat. 318, as amended; 7 U.S.C. 161. 19 F.R. 74, as amended; 7 CFR 301.78-2)

These administrative instructions shall become effective July 18, 1962.

The last revision of these administrative instructions, effective April 16, 1957 (22 F.R. 2575), was revoked effective May 21, 1957 (22 F.R. 3512), no Mediterranean fruit flies having been found in the regulated areas for a period of three months. Recently a few incipient infestations of this pest were discovered in the Miami area by means of traps that have been maintained continuously in the 1956 infested area over the intervening years.

These instructions list the parts of civil divisions regulated under the Mediterranean fruit fly quarantine and regulations, and supplement such regulations. They must be made effective promptly in order to carry out the purposes of the regulations. Accordingly, under section 4 of the Administrative Procedure Act (5 U.S.C. 1003) it is found upon good cause that notice and other public procedure with respect to the foregoing administrative instructions are impracticable and good cause is found for making the effective date thereof less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 13th day of July 1962.

[SEAL] E. D. BURGESS,
Director,
Plant Pest Control Division.

[F.R. Doc. 62-7006; Filed, July 17, 1962;
8:52 a.m.]

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

SUBCHAPTER D—SPECIAL PROGRAMS

[Amdt. 5]

PART 775—FEED GRAINS

Subpart—1961 Feed Grain Program Regulations

Title of Contracts Involving Sale of Pooled Certificate Rights

The regulations governing the 1961 Feed Grain Program, 26 F.R. 5356, as amended, are further amended to change in § 775.30 the term used to identify contracts involving the sale of rights represented by pooled certificates.

Section 775.30 as amended will read as follows:

§ 775.30 Marketing of certificates.

All certificates presented to the county office for marketing by CCC shall be pooled by CCC and will lose their identity as individual certificates. The amount of the certificate pool will be equal to the amount of cash advances to producers. CCC shall market the rights represented by pooled certificates at such times and in such manner as it determines will best effectuate the purposes of the program. Such rights shall be marketed for immediate use by the purchaser to obtain delivery of grain from CCC. The term "Certificate Pool Sale—Feed Grain Program" used in contracts of CCC shall be deemed to refer to a transaction involving the sale of rights represented by pooled certificates and the immediate use of such rights to acquire grain from CCC. Commodity Credit Corporation reserves the right to determine the time and place of delivery and the kind, class, grade, quality, and quantity of grain delivered in redemption of such rights. Grain delivered by CCC shall be valued at the market price at point of delivery, as determined by CCC.

(Sec. 16(c), 49 Stat. 1151, as amended by 75 Stat. 6; secs. 4 and 5, 62 Stat. 1070-1072, as amended; sec. 3, 75 Stat. 7; 16 U.S.C. 590 p; 15 U.S.C. 714 b and c)

Signed at Washington, D.C., on July 12, 1962.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 62-7003; Filed, July 17, 1962; 8:52 a.m.]

[1962 Feed Grain Program, Supp. 2, Amdt. 1]

PART 775—FEED GRAINS

Subpart—1962 Feed Grain Program Regulations

Title of Contracts Involving Sale of Pooled Certificate Rights

The regulations governing the 1962 Feed Grain Program, 26 F.R. 10787, are amended to change in § 775.166 the term used to identify contracts involving the sale of rights represented by pooled certificates.

Section 775.166 as amended will read as follows:

§ 775.166 Marketing of certificates.

All certificates for which payees have requested CCC's assistance in marketing shall be pooled by CCC and shall lose their identity as individual certificates. The amount of the certificate pool shall be the total of the value of certificates of which CCC has made constructive delivery to the payees and the value of the certificates presented to the county office by the payees for marketing by CCC. Such amount shall be equal to the amount of cash advances to the payees. CCC shall market the rights represented by pooled certificates at such times and in such manner as it determines will best effectuate the purposes of the program. Such rights shall be marketed for immediate use by the purchaser to obtain delivery of grain from CCC. CCC reserves the right to determine the time and place of delivery and the kind, class, grade, quality, and quantity of grain delivered in redemption of such rights. Such grain delivered by CCC shall be valued at the market price at point of delivery as determined by CCC. The term "Certificate Pool Sale—Feed Grain Program" used in contracts of CCC shall be deemed to refer to a transaction involving the sale of rights represented by pooled certificates and the immediate use of such rights to acquire grain from CCC.

(Sec. 133, 75 Stat. 303, sec. 16(d), 49 Stat. 1151, as amended; secs. 4 and 5, 62 Stat. 1070-1072, as amended; 16 U.S.C. 590 p; 15 U.S.C. 714 b and c)

Signed at Washington, D.C., on July 12, 1962.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 62-7004; Filed, July 17, 1962; 8:52 a.m.]

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

[Valencia Orange Reg. 20, Amdt. 1]

PART 908—VALENCIA ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Limitation of Handling

Findings. 1. Pursuant to the marketing agreement and Order No. 908, as amended (7 CFR Part 908), 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. 601-674), 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 (5 U.S.C. 1001-1011) 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)(ii) of § 908.320 (Valencia Orange Regulation 20, 27 F.R. 6424) are hereby amended to read as follows:

(ii) District 2: 450,000 cartons.

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

Dated: July 13, 1962.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 62-6987; Filed, July 17, 1962; 8:50 a.m.]

[Plum Order 13]

PART 917—FRESH BARTLETT PEARS, PLUMS, AND ELBERTA PEACHES GROWN IN CALIFORNIA

Regulation by Grade and Size

§ 917.315 Plum Order 13 (Kelsey).

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 917, as amended (7 CFR Part 917), regulating the handling of fresh Bartlett pears, plums, and Elberta peaches grown in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations of the Plum Commodity Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of plums of the variety hereinafter set forth, and in the manner herein provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 1001-1011) in that, as hereinafter set forth, the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is

permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than the date hereinafter specified. A reasonable determination as to the supply of, and the demand for, such plums must await the development of the crop thereof, and adequate information thereon was not available to the Plum Commodity Committee until the date hereinafter set forth on which an open meeting was held, after giving due notice thereof, to consider the need for, and the extent of, regulation of shipments of such plums. Interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; shipments of the current crop of such plums are expected to begin on or about the effective date hereof; this section should be applicable to all such shipments in order to effectuate the declared policy of the act; the provisions of this section are identical with the aforesaid recommendation of the committee; and information concerning such provisions and effective time has been disseminated among handlers of such plums and compliance with the provisions of this section will not require of handlers any preparation therefor which cannot be completed by the effective time hereof. Such committee meeting was held on July 13, 1962.

(b) *Order.* (1) During the period beginning at 12:01 a.m., P.s.t., July 19, 1962, and ending at 12:01 a.m., P.s.t., November 1, 1962, no shipper shall ship any package or container of Kelsey plums, unless:

(i) Such plums grade at least U.S. No. 1, as required by the provisions of § 917.301 (Plum Order 1; 27 F.R. 4729), except that a total tolerance of ten (10) percent for defects not considered serious damage is permitted in addition to the tolerances permitted by such grade;

(ii) Such plums are of a size that, when packed in a standard basket, they will pack at least a 4 x 4 standard pack;

(iii) The diameters of the smallest and largest plums in such package or container do not vary more than one-fourth (1/4) inch: *Provided*, That a total of not more than five (5) percent, by count, of the plums in the package or container may fail to meet this requirement.

(2) When used in this section, "U.S. No. 1," "serious damage," and "standard pack" shall have the same meaning as set forth in the revised United States Standards for Plums and Prunes (Fresh) (§§ 51.1520 to 51.1537 of this title); "standard basket" shall mean the standard basket set forth in paragraph 1 of section 828.1 of the Agricultural Code of California; "diameter" shall mean the distance through the widest portion of the cross section of a plum at right angles to a line running from the stem to the blossom end; and, except as otherwise specified, all other terms shall have the same meaning as when used in the amended marketing agreement and order.

(3) Section 917.143 sets forth the requirements with respect to the inspection and certification of shipments of fruits covered by this section. Such section also prescribes the conditions which must be met if any shipment is to be made without prior inspection and certification. Notwithstanding that shipments may be made without inspection and certification, each shipper shall comply with all grade and size regulations applicable to the respective shipment.

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

Dated: July 17, 1962.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 62-7095; Filed, July 17, 1962; 11:35 a.m.]

[Plum Order 14]

PART 917—FRESH BARTLETT PEARS, PLUMS, AND ELBERTA PEACHES GROWN IN CALIFORNIA

Regulation by Size

§ 917.316 Plum Order 14 (President, Emily, Late Duarte).

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 917, as amended (7 CFR Part 917), regulating the handling of fresh Bartlett pears, plums, and Elberta peaches grown in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations of the Plum Commodity Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of plums of the varieties hereinafter set forth, and in the manner herein provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 1001-1011) in that, as hereinafter set forth, the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than the date hereinafter specified. A reasonable determination as to the supply of, and the demand for, such plums must await the development of the crop thereof, and adequate information thereon was not available to the Plum Commodity Committee until the date hereinafter set forth on which an open meeting was held, after giving

due notice thereof, to consider the need for, and the extent of, regulation of shipments of such plums. Interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; shipments of the current crop of such plums are expected to begin on or about the effective date hereof; this section should be applicable to all such shipments in order to effectuate the declared policy of the act; the provisions of this section are identical with the aforesaid recommendation of the committee; and information concerning such provisions and effective time has been disseminated among handlers of such plums and compliance with the provisions of this section will not require of handlers any preparation therefor which cannot be completed by the effective time hereof. Such committee meeting was held on July 13, 1962.

(b) *Order.* (1) During the period beginning at 12:01 a.m., P.s.t., July 19, 1962, and ending at 12:01 a.m., P.s.t., November 1, 1962, no shipper shall ship any package or container of President, Emily, or Late Duarte plums, unless:

(i) Such plums are of a size that, when packed in a standard basket, they will pack at least a 4 x 5 standard pack; and

(ii) The diameters of the smallest and largest plums in such package or container do not vary more than one-fourth (1/4) inch: *Provided*, That a total of not more than five (5) percent, by count, of the plums in the package or container may fail to meet this requirement.

(2) When used in this section, "standard pack" shall have the same meaning as set forth in the revised United States Standards for Plums and Prunes (Fresh) (§§ 51.1520 to 51.1537 of this title); "standard basket" shall mean the standard basket set forth in paragraph 1 of section 828.1 of the Agricultural Code of California; "diameter" shall mean the distance through the widest portion of the cross section of a plum at right angles to a line running from the stem to the blossom end; and, except as otherwise specified, all other terms shall have the same meaning as when used in the amended marketing agreement and order.

(3) Section 917.143 sets forth the requirements with respect to the inspection and certification of shipments of fruit covered by this section. Such section also prescribes the conditions which must be met if any shipment is to be made without prior inspection and certification. Notwithstanding that shipments may be made without inspection and certification, each shipper shall comply with all grade and size regulations applicable to the respective shipment.

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

Dated: July 17, 1962.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 62-7096; Filed, July 17, 1962; 11:35 a.m.]

[948.339; Area 3]

PART 948—IRISH POTATOES GROWN IN COLORADO**Limitation of Shipments**

Findings. (a) Pursuant to Marketing Agreement No. 97, as amended, and Order No. 948, as amended (7 CFR Part 948), regulating the handling of Irish potatoes grown in Colorado, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of recommendations and information submitted by the Area No. 3 Committee, established pursuant to the said marketing agreement and order, and other available information, it is hereby found that the limitation of shipments hereinafter set forth, will tend to maintain orderly marketing conditions and increase returns to producers of such potatoes.

(b) It is hereby found that it is impracticable and contrary to the public interest to give preliminary notice, and engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 1001-1011) in that (1) shipments of 1962 crop potatoes grown in Area No. 3 will begin on or about the effective date specified herein, (2) to maximize benefits to producers, this regulation should apply to all such shipments during the effective period, (3) producers and handlers have operated under said marketing order since 1949 so special preparation on the part of handlers is not required, and (4) information regarding the committee's recommendation has been disseminated to producers and handlers in the production area.

§ 948.339 Limitation of shipments.

During the period July 23, 1962, through June 30, 1963, no person shall handle any lot of potatoes grown in Area No. 3 unless such potatoes meet the requirements of paragraphs (a) and (b) of this section, or unless such potatoes are handled in accordance with paragraphs (c) and (d) of this section.

(a) *Minimum grade and size requirements*—(1) *Round varieties.* U.S. No. 2, or better grade, 2 inches minimum diameter; or U.S. No. 1, or better grade, 1 7/8 inches minimum to 2 1/4 inches maximum diameter, if packaged in 25 pound net weight or smaller size containers.

(2) *Long varieties.* U.S. No. 2, or better, grade, 2 inches minimum diameter or 4 ounces minimum weight.

(b) *Minimum maturity (skinning) requirements*—(1) *All varieties.* Not more than "slightly skinned."

(2) Not to exceed a total of 100 hundredweight of such potatoes may be shipped for any producer without regard to the aforesaid maturity requirements if the handler thereof reports to the area committee for Area No. 3, prior to such handling, the name and address of the producer of such potatoes, and each shipment hereunder is handled as an identifiable entity.

(3) For the purpose of determining who shall be entitled to the exception set

forth in subparagraph (2) of this paragraph, "producer" means any individual, partnership, corporation, association, landlord-tenant relationship, community property ownership, or any other business unit engaged in the production of potatoes for market, and it is intended that such exception shall apply separately to each farm of a producer and only to the potatoes grown on such farm.

(c) *Special purpose shipments.* (1) The quality and maturity requirements set forth in paragraphs (a) and (b) of this section and the inspection and assessment requirements of this part shall not be applicable to shipments of potatoes for the following purposes:

- (i) Livestock feed; and
- (ii) Charity.

(2) The maturity requirements set forth in paragraph (b) of this section shall not be applicable to shipments of potatoes for the following purposes:

- (i) Chipping; and
- (ii) Prepeeling.

(3) The quality and maturity requirements set forth in paragraphs (a) and (b) of this section shall not be applicable to shipments of potatoes for seed (§ 948.6) but such shipments shall be subject to assessments.

(d) *Safeguards.* (1) Each handler making shipments of potatoes for chipping or prepeeling pursuant to paragraph (c) of this section shall,

(i) Prior to shipment, apply for and obtain a Certificate of Privilege from the committee,

(ii) Furnish the committee such reports and documents as requested, including certification by the buyer or receiver on the use of such potatoes, and

(iii) Bill each shipment directly to the applicable processor or receiver.

(2) Potatoes shipped for livestock feed pursuant to paragraph (c) of this section shall be mutilated so as to render them unfit for commercial tablestock markets.

(e) *Definitions.* The terms "U.S. No. 1," "U.S. No. 2," and "slightly skinned," shall have the same meaning as when used in the United States Standards for Potatoes (§§ 51.1540-51.1556 of this title), including the tolerances set forth therein. The term "prepeeling" means potatoes which are clean, sound, fresh tubers prepared commercially in a prepeeling plant by washing, removal of the outer skin or peel, trimming, and sorting preparatory to sale in one or more of the styles of peeled potatoes described in § 52.2422 (United States Standards for Grades of Peeled Potatoes §§ 52.2421 to 52.2433 of this title). Other terms used in this section shall have the same meaning as when used in Marketing Agreement No. 97, as amended and this part.

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

Dated July 13, 1962, to become effective July 23, 1962.

PAUL A. NICHOLSON,
Deputy Director,
Fruit and Vegetable Division.

[F.R. Doc. 62-7001; Filed, July 17, 1962; 8:51 a.m.]

Title 9—ANIMALS AND ANIMAL PRODUCTS**Chapter I—Agricultural Research Service, Department of Agriculture****SUBCHAPTER A—MEAT INSPECTION REGULATIONS****PART 16—MARKING, BRANDING AND IDENTIFYING PRODUCT****PART 17—LABELING****PART 18—REINSPECTION AND PREPARATION OF PRODUCTS****Addition of Soy Protein Concentrate and Calcium Reduced Dried Skim Milk in Meat Food Products**

On May 10, 1962, there was published in the FEDERAL REGISTER (27 F.R. 4483) a notice of proposed amendments of the Federal Meat Inspection Regulations in 9 CFR Parts 16, 17, and 18 to add soy protein concentrate and calcium reduced dried skim milk to the lists of permitted ingredients of sausage and certain other meat food products.

After due consideration of all relevant material in connection with such notice and under the authority of the Meat Inspection Act, as amended and extended (21 U.S.C. 71-96) and section 306 of the Tariff Act of 1930, as amended (19 U.S.C. 1306) §§ 16.13(c), 17.8(c) (16), (27), (32), and (48), and 18.7(g) of the Meat Inspection Regulations (9 CFR 16.13(c), 17.8(c) (16), (27), (32), and (48), and 18.7(g)) are amended to read, respectively, as follows:

§ 16.13 Marking of meat food products in casings.

* * * * *

(c) When cereal, vegetable starch, starchy vegetable flour, soya flour, soy protein concentrate, dried milk, nonfat dry milk, or calcium reduced dried skim milk is added to sausage within the limits prescribed under Part 18 of this subchapter, the product shall be marked with the name of each of such added ingredients, as for example, "cereal added", "potato flour added", "cereal and potato flour added", "soya flour added", "soy protein concentrate added", "nonfat dry milk added", "calcium reduced dried skim milk added", or "cereal and nonfat dry milk added", as the case may be. On sausage of the smaller varieties, the marking prescribed in this paragraph may be limited to links bearing the inspection legend.

§ 17.8 False or deceptive labeling and practices.

* * * * *

(c) * * * * *

(16) When cereal, vegetable starch, starchy vegetable flour, soya flour, soy protein concentrate, dried milk, nonfat dry milk, or calcium reduced dried skim milk is added to sausage within the limits prescribed under Part 18 of this subchapter, there shall appear on the label in a prominent manner, contiguous to the name of the product, the name of each such added ingredient, as, for

example, "cereal added", "with cereal", "potato flour added", "cereal and potato flour added", "soya flour added", "soy protein concentrate added", "nonfat dry milk added", "calcium reduced dried skim milk added", or "cereal and nonfat dry milk added", as the case may be.

Done at Washington, D.C. this 12th day of July 1962.

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

[F.R. Doc. 62-7002; Filed, July 17, 1962; 8:51 a.m.]

Title 13—BUSINESS CREDIT AND ASSISTANCE

Chapter I—Small Business Administration

[Amdt. 2]

PART 101—ADMINISTRATION

Miscellaneous Amendments

Part 101 is hereby amended by adding thereto §§ 101.1 to 101.3 as follows:

§ 101.1 Purpose, function, general organization.

(a) *Purpose.* To aid, counsel, assist, and protect, insofar as possible, the interest of small business concerns in order to preserve free competitive enterprise; to insure that a fair proportion of the total purchases and contracts or subcontracts for property and services for the Government be placed with small business enterprises; to insure that a fair proportion of the total sales of Government property be made to such enterprises; and to maintain and strengthen the overall economy of the Nation. To aid and assist victims of floods, other catastrophes, and small business concerns displaced by federally aided construction. To stimulate and supplement the flow of private equity capital and long-term loans to small business by small business investment companies and state and local development companies.

(b) *Functions.* To make a detailed definition of what constitutes a small business concern using, among other criteria, number of employees and dollar volume of business; make loans to small business concerns to finance plant construction, conversion, or expansion, or to finance the acquisition of equipment, facilities, machinery, supplies, or materials, and to supply such concerns with working capital; make loans to aid victims of floods or other catastrophes and displaced business disaster loans; certify with respect to the competency, as to capacity and credit, of any small business concern or group of such concerns to perform a specific Government contract; enter into joint determinations with Government procurement and disposal agencies with respect to awarding of procurement contracts or sale of property to assure that it is in the interest of (1) maintaining or mobilizing the Nation's full productive capacity, (2) national defense programs and (3) insuring a fair proportion of the total contracts for property and service and total sales of property be made to small businesses; consult with procurement officials in order to attain full use of productive capac-

ity of small business concerns; recommend approval of small business defense production pools and research and development pools; take prime contracts and sublet their performance to small businesses; provide technical and managerial aids to small business; make an inventory of productive facilities of small concerns; to obtain information as to methods and practices which Government prime contractors utilize in letting subcontracts and cooperatively develop with the Department of Defense and the General Services Administration a small business subcontracting program to enable small business concerns to be considered fairly as subcontractors to Government prime contractors; consult with Government agencies to insure fair and reasonable treatment for small business concerns; counsel and advise small firms on foreign trade matters; assist small firms in obtaining Government contracts for research and development and obtaining the benefits of research and development performed with Government funds; make grants to State governments, State-chartered corporations, colleges, universities and schools of business, engineering, commerce, or agriculture for studies, research and counseling concerning the managing, financing and operation of small businesses; license and regulate small business investment companies; and make loans to small business investment companies and state and local development companies, and under authority delegated by the Secretary of Commerce, perform relevant functions provided for in the Area Redevelopment Act.

(c) *Organization.* (1) Management of the Small Business Administration is vested in an Administrator appointed by the President with the advice and consent of the Senate. The Administrator is authorized to appoint three Deputy Administrators under the Small Business Act and one Deputy Administrator under the Small Business Investment Act. The Administrator is authorized, subject to the Civil Service and Classification Laws, to select employees, appoint and fix the compensation of such officers, employees, attorneys, and agents as shall be necessary to carry out the provisions of the Small Business Act of 1958 and the Small Business Investment Act of 1958.

(2) The Small Business Act of 1958 created the Loan Policy Board of the Small Business Administration which consists of the following members:

(i) The Administrator as chairman, the Secretary of the Treasury, and the Secretary of Commerce (or the presidentially appointed designee of each of said Secretaries). The Loan Policy Board is charged with the establishment of general policies (particularly with reference to the public interest) which govern the granting and denial of applications for financial assistance by the Administration.

(ii) A Hearing Examiner or Hearing Examiners appointed or selected in accordance with section 11 of the Adminis-

(27) Product labeled "Chili Con Carne" shall contain not less than 40 percent of meat computed on the weight of the fresh meat. Head meat, cheek meat, and heart meat exclusive of the heart cap may be used to the extent of 25 percent of the meat ingredient under specific declaration on the label. The mixture may contain not more than 8 percent, individually or collectively, of cereal, vegetable starch, starchy vegetable flour, soya flour, soy protein concentrate, dried milk, nonfat dry milk, or calcium reduced dried skim milk.

(32) Spaghetti with meat balls and sauce, spaghetti with meat and sauce, and similar product, shall contain not less than 12 percent of meat computed on the weight of the fresh meat. The presence of the sauce or gravy constituent shall be declared prominently on the label as part of the name of the product. Meat balls may be prepared with not more than 12 percent, singly or collectively, of farinaceous material, soya flour, soy protein concentrate, nonfat dry milk, calcium reduced dried skim milk, and similar substances.

(48) Products labeled "Pork With Barbecue Sauce" and "Beef With Barbecue Sauce" shall contain not less than 50 percent meat computed on the weight of the cooked and trimmed meat. The weight of the cooked meat used in this calculation shall not exceed 70 percent of the uncooked weight of the meat. If uncooked meat is used in formulating the products, they shall contain at least 72 percent meat computed on the weight of the fresh uncooked meat. When cereal, vegetable flour, nonfat dry milk, calcium reduced dried skim milk, or similar substances are used in preparing the products, such fact shall be prominently stated contiguous to the name of the product.

§ 18.7 Use in preparation of meat food products of chemicals, antioxidants, coloring matter, flavoring, water, ice, cereal, vegetable starch, nonfat dry milk, etc.

(g) Under appropriate declaration as required in Parts 16 and 17 of this subchapter, sausage may contain not more than 3½ percent, individually or collectively, of cereal, vegetable starch, starchy vegetable flour, soya flour, soy protein concentrate, dried milk, nonfat dry milk, or calcium reduced dried skim milk.

These amendments shall become effective upon publication in the FEDERAL REGISTER.

trative Procedure Act, shall conduct hearings pursuant to section 309 of the Small Business Investment Act of 1958, as amended. Hearing Examiner functions shall be appropriately, separated from investigative and prosecuting functions of the staff as required by law.

(iii) The Program Administration and Compliance Division administers prosecuting and investigative functions under sections 309 and 310 of the Small Business Investment Act.

(3) The Headquarters office of the Small Business Administration is located at 811 Vermont Avenue NW., Washington 25, D.C. Further information concerning the organization and functions of SBA can be obtained by calling the Agency Information and Reception Center, Dudley 2-3301.

§ 101.2 Organization of the Washington Office—Administrator.

All offices heading §§ 101.2 to 101.2-8 are located in Washington, D.C., and their heads report directly to the Administrator. The Administrator determines policy and directs programs to aid, assist and protect small business, serves as chairman of the Loan Policy Board and of the White House Committee on Small Business, and reports to the President and Congress on Agency program accomplishments and small business problems.

(a) *Office of Hearing Examiners.* Conducts hearings pursuant to Part 109 of this chapter, SBA rules and regulations, and applicable law.

§ 101.2-1 Office of Economic Adviser.

(a) The Office of Economic Advisor provides the focus for research in the economic dynamics of small business. Analyzes the economic effects of SBA activities and advises the Administrator. Makes continuing studies and analyses of small firms and the competitive factors affecting them. Conducts industry and environmental studies of economic changes. At the request of other Offices, or the operating departments of SBA conducts research on specific problems.

(b) Gathers and evaluates size information and suggests changes in size standards. Directs research required to advise the Administrator concerning the effect of economic conditions on funds required by the Agency to meet financing demands of small business.

(c) Conducts economic and statistical research showing the impact of SBA policies and programs on small business, for inclusion in official reports. Conducts negotiations for studies on competitive factors affecting small business authorized by section 8(c) of the Small Business Act, as amended. Performs other duties, including membership on the Size Appeals Board, as assigned to the Office by the Administrator.

§ 101.2-2 Office of the General Counsel.

Serves as legal adviser to the Administrator and program and administrative officials of the Agency. Analyzes and interprets legislation, regulations, and orders relating to the operations of SBA. Negotiates with other Government agencies as to the legal aspects of SBA programs and operations. Gives legal

counsel and drafts legal instruments, operating procedures and technical assistance, management and research programs and administrative operations of the Agency. Participates with the Department of Justice in litigation arising from delinquent loans, criminal matters, and other SBA activities. Reviews legislative proposals affecting small business and develops recommendations for the Bureau of the Budget and Congressional Committees, prepares legislative proposals relating to SBA and develops reports for Congressional hearings or the Office of the President. Serves as Chairman of the Size Appeals Board.

(a) *Liquidation and Litigation Division.* Advises operating officials with respect to legal action to be taken in connection with the servicing and collection of loans and investments. Refers to the Department of Justice for collection and other action to protect the interests of SBA, delinquent loans and all other civil litigation. Refers to the Department of Justice any evidence indicating a violation of the Small Business Act, the Small Business Investment Act, or the Criminal Code of the United States. Prepares cases for submission to the Department of Justice for litigation or prosecution and assists U.S. Attorneys in the trial of cases whenever necessary. Participates with other divisions of the Office of General Counsel with respect to any litigation in connection with their functions and activities.

(b) *Loan Division.* Provides legal counsel to Agency officials in the development and implementation of policies and procedures relating to the financial assistance programs including advice with respect to loan applications, disbursement and servicing of current loans under the Small Business Act, as amended. Renders opinions regarding loan eligibility. Advises field counsel of legal responsibilities in loan programs. Analyzes comments on proposed new loan programs and new legislative lending proposals. Drafts or reviews SBA loan forms and instructions. Reviews and evaluates security information for loan and investment programs.

(c) *Legal Investment Division.* (1) Advises operating officials in the development of policies, regulations, instructions and forms relating to the Small Business Investment Program under the Small Business Investment Act of 1958. Provides legal advice with respect to the granting of licenses to small business investment companies, the regulation of such companies and loans to state and local development companies. Prepares documents for publication in the FEDERAL REGISTER and is responsible for interpreting the Administrative Procedure Act as it applies to the Small Business Investment Act of 1958. Maintains liaison with appropriate Government agencies on legal matters relating to the investment program.

(2) The Legal Investment Division is made up of three branches: (i) Licensing and Operations Branch; (ii) Development Companies Branch and (iii) Regulations Branch.

(d) *Procurement, Legislative, and Administrative Division.* Is responsible

for the legal aspects of policies and procedures relating to the procurement, technical, and management assistance programs of the Agency; provides legal counsel in connection with the administration of the Agency, including fiscal, personnel, contractual and other problems of an administrative nature; serves as liaison with the Federal Register and prepares documents for publication therein. Interprets the Administrative Procedure Act as it applies to the Agency other than for purposes of the Small Business Investment Act of 1958; has responsibility for matters pertaining to Agency legislation and other legislation which may affect small business; provides legal counsel to the Agency's Size Appeals Board and legal advice in connection with the administration of the Agency's small business size standards.

(1) *Legislative Branch.* Reviews legislation and reviews or prepares legislative proposals affecting the interest of small business or the operations of SBA. Prepares reports for Congressional hearings and Committees and the Bureau of the Budget respecting legislative matters.

(2) *Procurement and Administrative Branch.* Provides legal counsel to officials in the development of policies, interagency agreements and operating procedures relating to the procurement and technical assistance programs, small business research and management counseling programs, size standards and size appeals programs and administrative activities of the Agency, and drafts legal instruments relating to these programs and administrative activities. Analyzes regulations and policies of civilian and military procurement agencies for the development of proposals for changes therein to assist small business. Provides legal advice in the formation of defense production pools and research and development pools. Prepares documents for publication in the FEDERAL REGISTER and is responsible for interpreting the Administrative Procedure Act except with respect to its applicability under the Small Business Investment Act of 1958.

§ 101.2-3 Deputy Administrator for Financial Assistance.

Develops and administers the financial assistance program of the Agency under the Small Business Act. Recommends to the Administrator changes in policy requiring approval of the Loan Policy Board. Reviews financial assistance operations and initiates corrective policies when required. Under authority delegated by the Secretary of Commerce to SBA, directs the processing of Area Redevelopment Administration applications for financial assistance. Serves as a member of the Size Appeals Board.

(a) *Office of Loan Processing.* Directs and administers policies and programs pertaining to the processing of loan applications, both business and disaster loans, under section 7 of the Small Business Act, new or special financial assistance programs, and Certificate of Competency credit analysis; provides technical directions and coordination to field offices in the administration of the loan processing program; and

directs the processing of Area Redevelopment Administration applications for financial assistance. Approves or declines loan applications referred to the Washington office by the field office.

(1) *Area Loan Groups* (4). Examines loan applications referred to the Washington office by the field offices, and approves, declines, or recommends approval or declination of such applications.

(b) *Office of Loan Administration*. Directs and administers policies and programs pertaining to the Administration and servicing of loans made pursuant to section 7 of the Small Business Act, including problem and delinquent loans, loans in liquidation and the sale or disposal of acquired assets. Provides technical direction and coordination to field offices in the operation of the loan administration program.

(1) *Loan Servicing Division*. Administers and coordinates programs for the administration and servicing of loans and other obligations, other than loans in liquidation, made pursuant to section 7 of the Small Business Act. Approves, declines, or recommends approval or declination of loan servicing actions referred to the Washington office by the field offices.

(2) *Liquidation Division*. Administers and coordinates the liquidation program as it pertains to loans in liquidation and acquired property. Participates with the Office of General Counsel in the preparation of delinquent loans for referral to the Department of Justice.

(c) *Office of Financial Services*. Prepares and coordinates financial assistance instructions. Coordinates the disaster loan program. Determines eligibility of loan applicants on the basis of established criteria and previous rulings. Conducts research and recommends new or special financial assistance programs. Participates with the Office of Budget and the Office of Personnel on budget and personnel matters relating to the financial assistance program. Conducts special studies and prepares reports relating to the financial assistance program.

(1) *Reports and Special Studies Division*. Initiates studies and reviews reports of studies conducted by other organizational units concerning financial assistance operations. Prepares special reports relating to the financial assistance budget. Participates with the Office of Personnel on personnel matters relating to the financial assistance program. Handles all congressional mail relating to the financial assistance program.

(2) *Procedures and Program Division*. Prepares financial assistance procedures. Coordinates disaster program operations. Recommends eligibility standards for loan applicants under section 7 of the Small Business Act and determines eligibility of applicants on the basis of established criteria and previous rulings.

§ 101.2-4 Deputy Administrator for Procurement and Technical Assistance.

Develops and administers the procurement, property sales and disposal, re-

search and development, management and research, certificate of competency, subcontracting, foreign trade, loan appraisal, production, new products, and technical assistance programs. Reviews program operations and initiates corrective policies when required. Under authority delegated from the Secretary of Commerce to SBA, carries out the production and technical assistance phases of the Area Redevelopment Administration program. Serves as a member of the Size Appeals Board.

(a) *Office of Procurement and Technical Assistance*. Directs and administers policies and programs pertaining to the procurement, property sales and disposal, research and development, products, certificate of competency, subcontracting, foreign trade, production, new products and technical assistance and loan appraisal programs. Provides technical direction and coordination to field offices in the administration of these programs. Maintains liaison with Department of Defense and civilian Government agencies on procurement and technical assistance programs. Directs procurement and technical assistance phases of the SBA civil and defense mobilization program.

(1) *Plans and Program Coordination Staff*. Assists the Director in developing and carrying out procurement and technical assistance plans and programs. Coordinates and implements plans and procedures and prepares instructions relating to the procurement and technical assistance programs. Prepares and coordinates budget estimates with the Office of Budget. Coordinates training programs and cooperates with the Office of Personnel in establishing and carrying out PTA training activities pertaining to the procurement and technical assistance programs.

(2) *Technical Services Division*. (i) Develops and establishes standards and procedures for the certificates of competency, production, products, research and development, facilities inventory, and technical assistance programs. Analyzes applications for certificates of competency from a production standpoint, and recommends the approval or denial of such applications. Provides advice to field offices in the administration of the technical assistance programs.

(ii) The Technical Services Division is made up of three branches: (a) Production Assistance Branch, (b) Industrial Services Branch, and (c) Research and Development Branch.

(3) *Procurement and Contract Services Division*. (i) Develops and establishes standards and procedures for the set-aside, property sales and disposal, prime and subcontracting programs. Consults with government procurement officials in the adoption of agreements for the administration of the procurement, property sales, and contract services programs. Provides advice to field offices in the administration of the programs.

(ii) The Procurement and Contract Services Division is made up of three branches: (a) Procurement Operations Branch, (b) Counseling and Subcon-

tracting Branch, and (c) Property Sales Branch.

(4) *Liaison Activities Division*. Represents SBA with the Department of Defense and Departments of Army, Navy, and Air Force and civilian Government agencies on procurement, property sales and disposal and other technical and research and assistance programs.

(5) *Loan Appraisal Division*. Develops and establishes standards and procedures for the loan appraisal program, and provides advice to field offices in the administration of the program.

(6) *Foreign Trade Division*. (i) Participates with the Department of Commerce, Export & Import Bank and other Government agencies in the development and stimulation of foreign trade opportunities for small business.

(ii) The Foreign Trade Division is made up of two branches: (a) Export Trade Promotion Branch and (b) Export Trade Operations Branch.

(b) *Office of Management and Research Assistance*. Directs and administers the management and research assistance programs, including research studies, management courses, workshop study groups and conferences, management and technical publications, and management marketing counseling. Provides technical direction and coordination to field offices in the administration of these programs.

(1) *Research Studies Division*. Develops plans, criteria, and procedures for research studies for the benefit of small business concerns. Evaluates proposals for research studies, and reviews and evaluates reports and completed management research studies. Directs the dissemination of research reports and information to interested parties.

(2) *Management Development Division*. Develops plans and procedures for assistance to small business concerns in management development through administrative management courses, seminars, institutes, workshops and academic courses offered by public and private educational institutions and trade associations. Participates with educational institutions and SBA field offices in the development and administration of courses and other management development activities.

(3) *Management Methods Division*. Develops plans and procedures with respect to providing counsel and assistance to small business concerns on management methods. Prepares periodical bulletins and booklets, leaflets and aids on management and technical subjects, working with Government agencies, private organizations and individuals.

(4) *Counseling and Conference Division*. Develops plans and procedures for individual and group counseling on management and marketing problems of small business. Directs the preparation of Management Counseling Notes and Small Business Bulletins. Develops and coordinates library procedures for Washington and field offices. Develops plans for conferences, other than procurement and technical assistance, involving small business concerns held by SBA or in which SBA participates.

§ 101.2-5 Deputy Administrator for the Investment Division.

Develops and administers the small business investment program. Issues licenses and permits to small business investment companies and approves requests for the purchase of debentures of small business investment companies. Approves or declines applications for loans from small business investment companies and state and local development companies. Directs the development of procedures for the regulation of small business investment companies, and administers the investigation and prosecuting activities involved under sections 309 and 310 of the Small Business Investment Act of 1958, as amended. Under authority delegated from the Secretary of Commerce to SBA, directs the investment phases of the Area Redevelopment Administration program. Serves as a member of the Size Appeals Board.

(a) *Office of Investment.* Directs, coordinates and administers policies and programs of investment and lending, licensing, examination and servicing under the Small Business Investment Act of 1958, as amended. Reviews and makes recommendations regarding the issuance of licenses and loans to small business investment companies. Directs the development of regulations and procedures in connection with the examination of small business investment companies. Reviews and recommends action on matters disclosed by the examination.

(1) *Program Administration and Compliance Division.* (i) Develops, recommends and implements according requirements and regulations and procedures concerning reporting requirements for investment companies operating under the Act. Plans the over-all administration and compliance program. Administers and directs a continuing program of examination of investment companies for determination of the soundness and reliability of their reports and the companies' compliance with the Act and regulations promulgated thereunder. Based on disclosures, takes or recommends action to assure compliance with the regulations. Directs special studies for policy guidance on accounting, reports, financial analysis, compliance, revision or substitution of rules and regulations and related matters concerning small business investment companies. Interprets rules and regulations relating to the operation of small business investment companies. Administers the investigative and prosecuting activities involved under sections 309 and 310 of the Small Business Investment Act of 1958, as amended.

(ii) The Program Administration and Compliance Division of the Office of Investment is made up of two branches: Program Administration Branch and the Compliance Branch, which carry out the policies and programs of the Division.

(2) *Investment Activities Division.* (i) Develops and recommends regulations and procedures for the licensing of small business investment companies. Takes or recommends final action on proposals and requests for licensing of small business investment companies to operate under the Small Business Invest-

ment Act of 1958, as amended. Approves or disapproves post-licensing amendments, applications for rulings, interpretations, exceptions, etc. Develops and recommends regulations, procedures, and criteria relating to the purchase of subordinated debentures from, and the granting of loans to, small business investment companies. Counsels and interprets regulations for parties interested in forming small business investment companies. Directs and administers policies and programs pertaining to the administration and servicing of debentures purchased from and loans made to such companies by SBA. Takes or recommends final action on requests to purchase subordinated debentures purchased issued by small business investment companies. Takes or recommends final action on proposals to establish redemption funds, revise maturities, or to issue additional equity obligations. Takes appropriate actions on loans made to investment companies to protect the Government's financial interests. Directs special studies for policy guidance on loan servicing and administration matters concerning small business investment companies. Coordinates the activities of the Division with other offices and divisions of SBA. Conducts special studies covering significant policy and procedural questions as they arise.

(ii) The Investment Activities Division of the Office of Investment is made up of two branches: the Licensing Branch and the Post-Licensing Branch, which carry out the policies and programs of the Division.

(3) *Development Company Activities Division.* Directs the development of regulations, procedures, and criteria relating to the execution of the development company activities and lending programs, including the coordination of a program to assure that all State and local development companies located in distressed labor areas are advised of services available to them under Title V of the Act. Directs the handling of applications for loans from State and local development companies. Develops policies and programs pertaining to the administration and servicing of loans made to such companies. Directs a program for the financial analysis of State program and local development companies and for use of the data derived therefrom by SBA directly and in counseling company managements. Under authority delegated from the Secretary of commerce, provides direction and interprets procedures relating to the processing and administration of ARA loans.

(4) *Procedures and Services Division.* Develops and maintains in Investment Division manual and recommends other issuances designed to keep the Washington and field offices fully advised of policy and procedural decisions approved by the Administrator and Deputy Administrator. Develops and coordinates the preparation of budgetary estimates and justifications and maintains liaison with the Office of Budget and Office of Finance and Accounts in connection with fiscal and budgetary matters. Administers the personnel management program and maintains liaison with the Office of

Personnel regarding such matters. Develops and maintains a reporting system designed to keep the Administrator and all Washington and field officials fully informed of all activities involving the investment program. Develops and maintains control and other records relating to applications for licenses and loans to small business investment companies and loans to State and local development companies. Assumes responsibility for the timeliness of answering all inquiries and coordinates the furnishing of requested information. Develops mailing lists and coordinates the public relations program, maintaining liaison with the Office of Information Services and other interested offices. Handles all travel and other administrative matters for the Division. Completes such special projects as assigned.

§ 101.2-6 Assistant Administrator (Management).

Directs and coordinates the personnel, program analysis, organization and management, and small business size standards programs. Directs administrative operations of Washington and field offices. Coordinates SBA activities under the civil and defense mobilization program. Coordinates a program essential to making a detailed definition of small business. Establishes procedures and criteria for making size determinations, and makes recommendations as to the issuance or denial of Small Business Certificates. Directs the performance of functions pertaining to the Administrative Secretary stated in the Adjudicative Proceedings under section 309 of the Small Business Investment Act of 1958, as amended, and the maintenance of files and records relating to such proceedings.

(a) *Administrative Secretary.* In the name of the Administrator, issues subpoenas authorized by sections 309 and 310 of the Small Business Investment Act of 1958, as amended, and fixes the time and place of hearings to be held in response to Orders to show Cause under section 309(c) of the Small Business Investment Act of 1958, as amended, and performs functions and maintains records and files as described in the Rules of Practice for Administrative Proceedings under section 309 of the Small Business Investment Act of 1958, as amended.

(b) *Office of Organization and Management.* Develops and administers the management and administrative services programs of SBA, including program and organization planning, management and engineering studies, systems analysis, management improvement, paperwork management, property and space management, procurement and office services. Coordinates and administers SBA's functions under the civil and defense mobilization program.

(1) *Mobilization Program and Planning Staff.* Coordinates and administers a program for the execution of SBA's emergency responsibilities under the Civil and Defense Mobilization Program.

(2) *Administrative Services Division.* (i) Plans and administers the procurement—equipment, supplies and printing, property and space management, communications and office services programs

of the Agency. Conducts contract negotiations for items and services required by Washington and field offices.

(ii) The Administrative Services Division is made up of four branches: (a) Graphics and Design Branch, (b) Office Services Branch, (c) Procurement and Supply Branch, and (d) Records and Files Branch.

(3) *Management Analysis Division.* Conducts management engineering and systems analyses of Agency programs and operations. Provides advice and assistance to Washington and field offices on organization and management problems.

(4) *Issuances and Control Division.* Administers the Agency's issuances, reports and forms control, records and paperwork management, delegations, and incentive awards programs.

(c) *Office of Program Analysis.* Plans and conducts systematic analyses and evaluations of the technical programs in the field offices to determine their effectiveness, conformance to Agency policy, and established goals, and makes recommendations to program officials for changes in existing programs or the adoption of new programs to provide effective service to small business. Conducts special studies of technical program areas as requested by Washington officials.

(d) *Office of Personnel.* Develops and administers the Agency's personnel management, security and investigations programs. Represents the Agency in contacts with the Civil Service Commission.

(1) *Classification Division.* Administers the position classification program of the Agency. Conducts classification surveys, prepares and recommends position standards and specifications and allocates positions.

(2) *Employment Division.* Administers the recruitment, placement, performance rating, training and employee relations programs of the Agency.

(3) *Security and Investigations Division.* Administers the security and general investigations programs of the Agency. Conducts investigations relating to employee matters, loan applicants, borrowers, small business investment companies, loan participants, fee counsel and advisors. Develops and maintains liaison with the Federal Bureau of Investigation, Civil Service Commission and other investigative agencies. Is responsible for the physical security programs of the Agency.

(e) *Office of Small Business Size Standards.* (i) Directs, coordinates and administers all SBA small business size standards programs. Coordinates a program essential to making a detailed definition of small business and conducts industry hearings pertaining to size matters. Develops and recommends small business size standards to the Administrator for promulgation.

(ii) Determines the size status of business concerns which may or may not receive direct or indirect assistance from SBA. Issues, modifies and revokes Small Business Certificates. Interprets size regulations, definitions and criteria, and advises and issues determinations to

Washington and field officials on size programs.

(iii) Appears before the SBA Size Appeals Board to present views on size determinations made by the Office of Small Business Size Standards.

§ 101.2-7 Assistant Administrator (Controller).

Directs and coordinates the financial management program of the Agency, including budget formulation and administration, audit, statistics and reports, and accounting and fiscal examination. Represents SBA in negotiations with the Bureau of the Budget, Congressional Committees, GAO, Treasury, and other Government agencies in discharging these functions.

(a) *Office of Audits.* Plans and directs a comprehensive audit program for the Agency. Conducts audits of Washington and field offices and reports on the adequacy of financial and accounting policies, procedures and operations of these offices. Conducts external audits of books, accounts and records of borrowers, contractors and others doing business with the Agency.

(b) *Office of Finance and Accounts.* Plans and directs the finance and accounting programs of the Agency, including the accountability of all funds, property and other assets, the collection, deposit and disbursement of funds, and the preparation of financial information, data and reports.

(1) *Systems and Planning Staff.* Provides staff assistance in the development of fiscal examination and accounting policies, procedures and systems. Develops and installs accounting systems and procedures. Develops electronic data analyses, and instructs or supervises the training of personnel in the operation of computers, peripheral equipment and related office machines. Conducts special studies.

(2) *Accounting Division.* (i) Directs the operation of accounting and internal financial control systems designed to provide accountability for all funds, property and other assets of the Agency. Prepares periodic financial statements and reports relating to the financial management of the Agency.

(ii) The Accounting Division is made up of two branches: (a) Financial Reports and Administrative Accounting Branch and (b) Loan Accounting Branch.

(3) *Electronic Data Processing Division.* Directs the operation of an electronic digital computer and peripheral equipment used in the maintenance of detailed accounting records with respect to the lending, investment and other programs and administrative operations of the Agency.

(4) *Fiscal Examination Division.* (i) Directs accounting and fiscal systems relating to the collection, deposit and disbursing of funds; bonding of employees; and the receipt, custody and safe keeping and release of primary notes, debentures, collateral items and other original loan documents. Directs fiscal examining functions relating to loan and investment funds and the payment of administrative expense claims, and directs

accounting systems for employee accounts for leave, earnings, retirement, FICA, Federal, state and local income taxes, bonds, life insurance and health benefits.

(ii) The Fiscal Examination Division is made up to two branches: (a) Program and Administrative Examination Branch and (b) Employee Accounts Branch.

(c) *Office of Budget.* Plans, coordinates, and directs the budgetary and reporting programs for the Agency, which involve budget formulation, justification, and execution.

(1) *Estimates and Allotments Division.* Directs the budget program for the Agency, which involves budget formulation, justification and execution.

(2) *Reports and Statistics Division.* Directs the reports and statistics programs of the Agency, including the establishment of procedures, systems and report forms for use in reporting program operations. Prepares periodic consolidated statistical and operating reports designed to provide the Administrator and key officials with data on program operations and accomplishments and for use in reporting externally thereon.

§ 101.2-8 Assistant Administrator (Information Services).

Develops and administers all SBA public information policies and programs. Provides the President, Congress and the public with accurate, adequate and timely information on all phases of the Agency's activities, plans and policies.

(a) *Office of Information Services.* Directs the preparation and issuance of current releases, pamphlets, and other informational material to the public and small business. Maintains contact with newspapers, business press, trade associations, chambers of commerce and similar groups for the release of information regarding the policies and programs of the Agency. Develops special statements and reports for the Administrator. Coordinates public information activities of the field offices.

(1) *News and Features Division.* Maintains contact with all public information media including the daily, business, and trade press, and radio and television. Provides these media with special news or feature stories, new releases, radio and television scripts, interviews and reports on SBA programs and operations. Answers inquiries on SBA activities from these media. Coordinates all information that is disseminated to public information media by the Agency. Develops and writes official public statements for the Administrator. Provides information on the purpose and responsibilities of SBA to foreign government, business, and trade delegations that visit the Agency. Prepares and issues the Agency "house organ," to all employees.

(2) *Editorial Services Division.* Develops, writes, and issues publications which are necessary to explain all of the various SBA services. Edits for conformity with SBA policy, clarity, and effectiveness of presentation, all publications prepared by other sources but

which are issued as official SBA publications. Writes periodic reports to the President and the Congress on SBA operations. Writes speeches for the Administrator, top Washington and field office officials, and Small Business Advisory Council members. Writes articles about SBA as requested by Senators and Congressmen for their use and assists in preparing Agency statements to Congressional Committees. Provides photographic coverage of SBA activities, and plans visual and publications displays for conferences and meetings which the Agency sponsors or participates in.

§ 101.3 Field Offices.

(a) Region I: 470 Atlantic Avenue, Boston, Massachusetts. Serving Massachusetts, Maine, New Hampshire, Vermont, and Rhode Island.

(1) 116 State Street, Augusta, Maine.
(2) 72 North Main Street, Concord, New Hampshire.

(3) 79 Main Street, Montpelier, Vermont.

(4) 57 Eddy Street, Providence, Rhode Island.

(b) Region II: 42 Broadway, New York 4, New York. Serving New York, Connecticut, and New Jersey counties of Bergen, Essex, Hudson, Hunterdon, Middlesex, Monmouth, Morris, Passaic, Somerset, Sussex, Union, and Warren.

(1) 44 Gillett Street, Hartford, Connecticut.

(2) 500 South Salina Street, Syracuse, New York.

(c) Region III: 1015 Chestnut Street, Philadelphia 7, Pennsylvania. Serving Pennsylvania, Delaware, New Jersey counties of Atlantic, Burlington, Camden, Cape May, Cumberland, Gloucester, Mercer, Ocean, and Salem; and West Virginia counties of Brooke, Hancock, Marshall, Monongalia, Ohio, Preston, and Wetzel.

(1) 107 Sixth Street, Pittsburgh 22, Pennsylvania.

(d) Region IV: P.O. Box 8565, 1904 Byrd Avenue, Richmond 26, Virginia. Serving Virginia, District of Columbia, Maryland, North Carolina, South Carolina, and West Virginia except the counties of Brooke, Hancock, Marshall, Monongalia, Ohio, Preston, and Wetzel.

(1) Fayette and St. Paul Streets, Baltimore 2, Maryland.

(2) 500 Quarrier Street, Charleston, West Virginia.

(3) 102 West Trade Street, Charlotte, North Carolina.

(4) 227 West Pike Street, Clarksburg, West Virginia.

(5) 1801 Assembly Street, Columbia, South Carolina.

(6) 608 13th Street, NW., Washington 25, D.C.

(e) Region V: 90 Fairlie Street NW., Atlanta 3, Georgia. Serving Georgia, Alabama, Florida, Mississippi, Tennessee, Commonwealth of Puerto Rico, and the Virgin Islands.

(1) 2030 First Avenue North, Birmingham 3, Alabama.

(2) Capital and West Streets, Jackson 1, Mississippi.

(3) 47 West Forsyth, Jacksonville 2, Florida.

(4) 301 West Cumberland Avenue, Knoxville 2, Tennessee.

(5) 168 Southeast First Street, Miami 32, Florida.

(6) Sixth Avenue and Church Street, Nashville 3, Tennessee.

(7) 1200 Ponce de Leon Avenue, Santurce, Puerto Rico.

(f) Region VI: 1370 Ontario Street, Cleveland 13, Ohio. Serving Ohio and Kentucky.

(1) Fourth and Broadway, Louisville 2, Kentucky.

(g) Region VII: 105 West Adams Street, Chicago 3, Illinois. Serving Illinois counties of Boone, Bureau, Carroll, Cass, Champaign, Christian, Clark, Coles, Cook, Cumberland, De Kalb, De Witt, Douglas, Du Page, Edgar, Ford, Fulton, Grundy, Hancock, Henderson, Henry, Iroquois, Jo Daviess, Kane, Kankakee, Kendall, Knox, Lake, La Salle, Lee, Livingston, Logan, McDonough, McHenry, McLean, Macon, Marshall, Mason, Menard, Mercer, Morgan, Moultrie, Ogle, Peoria, Platt, Putnam, Rock Island, Sangamon, Schuyler, Shelby, Stark, Stephenson, Tazewell, Vermilion, Warren, Whiteside, Will, Winnebago, and Woodford; Iowa; Indiana; and Southern Wisconsin counties of Adams, Brown, Calumet, Clark, Columbia, Crawford, Dane, Dodge, Door, Fond du Lac, Grant, Green, Green Lake, Iowa, Jackson, Jefferson, Juneau, Kenosha, Kewaunee, La Crosse, Lafayette, Langlade, Manitowoc, Marathon, Marinette, Marquette, Milwaukee, Monroe, Oconto, Outagamie, Ozaukee, Portage, Racine, Richland, Rock, Sauk, Shawano, Sheboygan, Vernon, Walworth, Washington, Waukesha, Waushara, Winnebago, and Wood.

(1) Fifth and Grand Avenue, Des Moines, Iowa.

(2) 130 East Washington Street, Indianapolis 4, Indiana.

(3) 114 North Carroll Street, Madison, Wisconsin.

(h) Region VIII: 603 Second Avenue South, Minneapolis 2, Minnesota. Serving Minnesota, North Dakota, South Dakota, and Wisconsin counties of Ashland, Barron, Bayfield, Buffalo, Burnett, Chippewa, Douglas, Dunn, Eau Claire, Florence, Forest, Iron, Lincoln, Oneida, Pepin, Pierce, Polk, Price, Rusk, St. Croix, Sawyer, Taylor, Trempealeau, Vilas, and Washburn.

(1) 207 North Fifth Street, Fargo, North Dakota.

(2) 109½ North Main Avenue, Sioux Falls, South Dakota.

(i) Region IX: 1006 Grand Avenue, Kansas City 6, Missouri. Serving Missouri, Kansas, Nebraska, and Illinois counties of Adams, Alexander, Bond, Brown, Calhoun, Clay, Clinton, Crawford, Edwards, Effingham, Fayette, Franklin, Gallatin, Greene, Hamilton, Hardin, Jackson, Jasper, Jefferson, Jersey, Johnson, Lawrence, Macoupin, Madison, Marion, Massac, Monroe, Montgomery, Perry, Pike, Pope, Pulaski, Randolph, Richland, St. Clair, Saline,

Scott, Union, Wabash, Washington, Wayne, White and Williamson.

(1) 215 North 17th Street, Omaha 2, Nebraska.

(2) 1520 Market Street, St. Louis 3, Missouri.

(3) 120 South Market Street, Wichita 2, Kansas.

(j) Region X: 1000 Main Street, Dallas 2, Texas. Serving Texas, Arkansas, Oklahoma and Louisiana.

(1) 1424 Hadley Street, Houston 2, Texas.

(2) 700 West Capitol Avenue, Little Rock, Arkansas.

(3) 1616 19th Street, Lubbock, Texas.

(4) 101 East Austin Street, Marshall, Texas.

(5) 610 South Street, New Orleans 12, Louisiana.

(6) Third and Robinson, Oklahoma, City 2, Oklahoma.

(7) 434 South Main Avenue, San Antonio 5, Texas.

(8) 420 South Main Street, Tulsa, Oklahoma.

(k) Region XI: 909 17th Street, Denver 2, Colorado. Serving Colorado, New Mexico, Utah, and Wyoming.

(1) Fifth and Cold Streets, S.W., Albuquerque, New Mexico.

(2) 136 South Main Street, Salt Lake City, Utah.

(l) Region XII: 525 Market Street, San Francisco 5, California. Serving Nevada, except Clark County; California, except the counties of Imperial, Inyo, Kern, Los Angeles, Orange, Riverside, San Bernardino, San Diego, San Luis Obispo, Santa Barbara, and Ventura; and Hawaii.

(1) 199 South King Street, Honolulu, Hawaii.

(m) Region XIII: 506 Second Avenue, Seattle 4, Washington. Serving Washington, Idaho, Montana, Oregon, and Alaska.

(1) P.O. Box 1253, 620 C Street, Anchorage, Alaska.

(2) 910 Main Street, P.O. Box 933, Boise, Idaho.

(3) Corner Main and Sixth Avenue, Helena, Montana.

(4) 208 Southwest Fifth Avenue, Portland 4, Oregon.

(n) Region XIV: 312 West Fifth Street, Los Angeles 13, California. Serving California counties of Imperial, Inyo, Kern, Los Angeles, Orange, Riverside, San Bernardino, San Diego, San Luis Obispo, Santa Barbara, and Ventura; Clark County, Nevada; and Arizona.

(1) 2727 North Central Avenue, Phoenix, Arizona.

(o) Region XV: 232 West Grand River Avenue, Detroit 26, Michigan. Serving Michigan.

(Small Business Act of 1958, 72 Stat. 689, as amended; Small Business Investment Act of 1958, 72 Stat. 689, as amended; sec. 3 of Administrative Procedure Act, 60 Stat. 238)

Dated: July 5, 1962.

JOHN E. HORNE,
Administrator.

[F.R. Doc. 62-6984; Filed, July 17, 1962; 8:49 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter III—Federal Aviation Agency SUBCHAPTER E—AIR NAVIGATION REGULATIONS

[Airspace Docket No. 62—SO—39]

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

Alteration of Control Zone and Control Area Extension

The purpose of these amendments to §§ 601.1019 and 601.2161 of the regulations of the Administrator is to alter the descriptions of the Nashville, Tenn., control zone and control area extension.

The Nashville control zone and control area extension are designated, in part, with reference to the Nashville radio range. The Federal Aviation Agency is converting this facility to a radio beacon. Therefore, action is taken herein to substitute the Nashville radio beacon for the Nashville radio range in the description of the Nashville control zone and control area extension.

Since these amendments are editorial in nature, and impose no additional burden on any person, notice and public procedure hereon are unnecessary and they may be made effective August 6, 1962.

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

1. Section 601.2161 (14 CFR 601.2161) is amended to read:

§ 601.2161 Nashville, Tenn., control zone.

Within a 5-mile radius of the Nashville Municipal Airport (Berry Field) (latitude 36°07'36" N., longitude 86°40'58" W.), within 2 miles either side of the 069° bearing from the Nashville RBN extending from the 5-mile radius zone to 12 miles NE of the RBN, within 2 miles either side of the Nashville VORTAC 304° radial extending from the 5-mile radius zone to the VORTAC, and within 2 miles either side of the 018° bearing from the Nashville ILS OM compass locator extending from the 5-mile radius zone to the OM.

2. Section 601.1019 (14 CFR 601.1019) is amended to read:

§ 601.1019 Control area extension (Nashville, Tenn.).

Within a 50-mile radius of the Nashville RBN, and within 5 miles either side of the Nashville ILS localizer S course extending from the 50-mile radius area to VOR Federal airway No. 7 E alternate, excluding the portion W of a direct line extending from the Graham, Tenn., VOR to the Bowling Green, Ky., VORTAC.

These amendments shall become effective 0001, e.s.t., August 6, 1962.

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

Issued in Washington, D.C., July 12, 1962.

CLIFFORD P. BURTON,
Chief, Airspace Utilization Division.

[F.R. Doc. 62-6963; Filed, July 17, 1962; 8:45 a.m.]

[Airspace Docket No. 62—WE—20]

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

Designation of Control Zone

On April 11, 1962, a notice of proposed rule making was published in the FEDERAL REGISTER (27 F.R. 3469) stating that the Federal Aviation Agency proposed to designate a control zone at the Sonoma County Airport, Santa Rosa, Calif.

No adverse comments were received regarding the proposed amendment.

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

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

In the text of § 601.1983 (14 CFR 601.1983) the following is added:

Santa Rosa, Calif.: Sonoma County Airport (latitude 38°30'30" N., longitude 122°48'45" W.), from 0600 to 2200 hours local time, daily, excluding the portion which coincides with R-2522.

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

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

Issued in Washington, D.C., on July 12, 1962.

CLIFFORD P. BURTON,
Chief, Airspace Utilization Division.

[F.R. Doc. 62-6964; Filed, July 17, 1962; 8:45 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission [Docket C-91]

PART 13—PROHIBITED TRADE PRACTICES

New York Fashion and Edmond Dantes

Subpart—Advertising falsely or misleadingly: § 13.155 Prices: § 13.155-40 Exaggerated as regular and customary.

Subpart—Invoicing products falsely: § 13.1108 Invoicing products falsely: § 13.1108-45 Fur Products Labeling Act.

Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1845 Composition: § 13.1845-30 Fur Products Labeling Act; § 13.1852 Formal regulatory and statutory requirements: § 13.1852-35 Fur Products Labeling Act;

§ 13.1865 Manufacture or preparation: § 13.1865-40 Fur Products Labeling Act; § 13.1886 Quality, grade or type; § 13.1900 Source or origin: § 13.1900-40 Fur Products Labeling Act: § 13.1900-40(b) Place.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; sec. 8, 65 Stat. 179; 15 U.S.C. 45, 69f) [Cease and desist order, New York Fashion et al., Waterloo, Iowa, Docket C-91, Mar. 7, 1962]

In the Matter of New York Fashion, a Corporation, and Edmond Dantes, Individually and as an Officer of Said Corporation

Consent order requiring Waterloo, Iowa, furriers to cease violating the Fur Products Labeling Act by failing to show on invoices and in newspaper advertising the true names of animals producing certain furs, and when fur products contained artificially colored or cheap or waste fur; failing to show the country of origin of imported furs on invoices; advertising prices of fur products falsely as reduced from regular prices when the latter were fictitious, and as "sale priced a fraction above wholesale cost"; failing to keep adequate records as a basis for price and value claims; and failing in other respects to comply with invoicing and advertising requirements.

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

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

1. Falsely or deceptively invoicing fur products by:

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

B. Failing to set forth the item number or mark assigned to a fur product.

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

A. Fails to disclose:

(1) The name or names of the animal or animals producing the fur or furs contained in the fur product, as set forth in the Fur Products Name Guide, and as prescribed under the rules and regulations.

(2) That the fur product contains or is composed of bleached, dyed or otherwise artificially colored fur, when such is the fact.

B. Sets forth information required under section 5(a) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder in abbreviated form.

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

D. Fails to set forth the information required under section 5(a) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder in type of equal size and conspicuousness and in close proximity with each other.

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

F. Represents directly or by implication that prices of fur products are "sale priced a fraction above wholesale cost" or words of similar import, when such is not the fact.

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

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

Issued: March 7, 1962.

By the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 62-6971; Filed, July 17, 1962;
8:46 a.m.]

Title 21—FOOD AND DRUGS

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

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 15—CEREAL FLOURS AND RELATED PRODUCTS; DEFINITIONS AND STANDARDS OF IDENTITY

PART 121—FOOD ADDITIVES

Flour, Whole Wheat Flour, and Related Flours; Order Permitting Use of Azodicarbonamide as Aging and Bleaching Ingredient

1. In the matter of amending the definitions and standards of identity for flour, enriched flour, bromated flour, enriched bromated flour, self-raising flour, enriched self-raising flour, phosphated flour, whole wheat flour, bromated whole

wheat flour, and whole durum wheat flour (21 CFR 15.1, 15.10, 15.20, 15.30, 15.50, 15.60, 15.70, 15.80, 15.90, and 15.100) to permit use of azodicarbonamide as an optional ingredient:

A notice of proposed rule making was published in the FEDERAL REGISTER of October 21, 1960 (25 F.R. 10064), setting forth proposals of Wallace and Tiernan, Inc., 25 Main Street, Belleville, New Jersey, to amend the identity standards for these foods to permit the use of azodicarbonamide as an optional aging ingredient. The notice invited all interested persons to submit views and comments on the proposals. No comments were received.

Upon consideration of information available to the Commissioner, it is concluded that it will promote honesty and fair dealing in the interest of consumers to adopt the amendments as proposed. The amendment of these standards will be effected by amending § 15.1(a) and § 15.80(a) as hereinafter set forth. Therefore, pursuant to the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (secs. 401, 701, 52 Stat. 1046, 1055, as amended 70 Stat. 919, 72 Stat. 948; 21 U.S.C. 341, 371) and delegated to the Commissioner of Food and Drugs by the Secretary (25 F.R. 8625), the following amendments are ordered:

a. Section 15.1(a) is amended by adding thereto a new subparagraph (7), reading as follows:

§ 15.1 Flour, white flour, wheat flour, plain flour; identity; label statement of optional ingredients.

(a) * * *

(7) Azodicarbonamide (complying with the requirements of § 121.1085 of this chapter, including the quantitative limit of not more than 45 parts per million).

b. The last sentence of § 15.80(a) is changed to read as set forth below. As amended, paragraph (a) reads as follows:

§ 15.80 Whole wheat flour, graham flour, entire wheat flour; identity; label statement of optional ingredients.

(a) Whole wheat flour, graham flour, entire wheat flour, is the food prepared by so grinding cleaned wheat other than durum wheat and red durum wheat that, when tested by the method prescribed in paragraph (c)(2) of this section, not less than 90 percent passes through a No. 8 sieve and not less than 50 percent passes through a No. 20 sieve. The proportions of the natural constituents of such wheat, other than moisture, remain unaltered. To compensate for any natural deficiency of enzymes, malted wheat, malted wheat flour, malted barley flour, or any combination of two or more of these, may be used; but the quantity of malted wheat flour so used is not more than 0.5 percent, and the quantity of malted barley flour so used is not more than 0.25 percent. The moisture content of whole wheat flour is not more than 15 percent. Unless such addition conceals damage or inferiority of the whole wheat flour or makes it appear

better or of greater value than it is, the optional bleaching ingredient azodicarbonamide (complying with the requirements of § 121.1085 of this chapter, including the quantitative limit of not more than 45 parts per million), or chlorine dioxide, or chlorine, or a mixture of nitrosyl chloride and chlorine may be added in a quantity not more than sufficient for bleaching and artificial aging effects.

(Secs. 401, 701, 52 Stat. 1046, 1055, as amended; 21 U.S.C. 341, 371)

2. The Commissioner of Food and Drugs, having evaluated the data submitted in a petition filed by Wallace and Tiernan, Inc., and other relevant material, has concluded that the following food additive regulation should issue with respect to the addition of azodicarbonamide to cereal flour: Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)) and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (25 F.R. 8625), Part 121 (21 CFR Part 121) is amended by adding to Subpart D the following new section:

§ 121.1085 Azodicarbonamide.

The food additive azodicarbonamide may be safely used in food in accordance with the following prescribed conditions:

(a) It is used or intended for use as an aging and bleaching ingredient in cereal flour.

(b) It is used in an amount not to exceed 2.04 grams per hundred pounds of flour (0.0045 percent; 45 parts per million).

(c) To assure safe use of the additive:

(1) The label and labeling of the additive and any intermediate premix prepared therefrom shall bear, in addition to the other information required by the act, the following:

(i) The name of the additive.

(ii) A statement of the concentration or the strength of the additive in any intermediate premixes.

(2) The label or labeling of the food additive shall also bear adequate directions for use.

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

Any person who will be adversely affected by the foregoing order may within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington 25, D.C., written objections thereto. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing and such objections must be supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof. All documents shall be filed in quintuplicate.

Effective date. This order shall become effective 60 days from the date of its publication in the FEDERAL REGISTER, except as to any provisions that may be stayed by the filing of proper objections. Notice of the filing of objections or lack thereof will be announced by publication in the FEDERAL REGISTER.

(Secs. 401, 409, 701, 52 Stat. 1046, 1055, as amended; 72 Stat. 1786; 21 U.S.C. 341, 348, 371)

Dated: July 12, 1962.

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

[F.R. Doc. 62-6985; Filed, July 17, 1962; 8:49 a.m.]

PART 120—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

Tolerances for Residues of O,O-Dimethyl S-4-Oxo-1,2,3-Benzotriazin-3(4H)-ylmethyl Phosphorodithioate

A petition was filed with the Food and Drug Administration by Chemagro Corporation, P.O. Box 4913, Kansas, City 20, Missouri, requesting the establishment of tolerances for residues of the insecticide O,O-dimethyl S-4-oxo-1,2,3-benzotriazin-3(4H)-ylmethyl phosphorodithioate in or on alfalfa hay and clover hay at 5 parts per million; blackberries, boysenberries, loganberries, and raspberries at 2 parts per million; and green alfalfa and green clover, at 1 part per million. The request for tolerances on alfalfa and clover was later withdrawn from the petition.

The Secretary of Agriculture has certified that this pesticide chemical is useful for the purposes for which tolerances are being established.

After consideration of the data submitted in the petition and other relevant material which show that the tolerance established in this order will protect the public health, and by virtue of the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(2), 68 Stat. 512; 21 U.S.C. 346a(d)(2)) and delegated to the Commissioner of Food and Drugs by the Secretary (25 F.R. 8625), the regulations for tolerances for pesticide chemicals in or on raw agricultural commodities (21 CFR 120.154) are amended by inserting the term "insecticide" in the introduction to § 120.154 and by adding tolerances for this pesticide chemical in or on blackberries, boysenberries, loganberries, and raspberries. As amended, the affected portions of § 120.154 read as follows:

§ 120.154 Tolerances for residues of O,O-dimethyl S-4-oxo-1,2,3-benzotriazin-3(4H)-ylmethyl phosphorodithioate.

Tolerances for residues of the insecticide O,O-dimethyl S-4-oxo-1,2,3-ben-

zotriazin-3(4H)-ylmethyl phosphorodithioate in or on raw agricultural commodities are established as follows:

2 parts per million in or on apples, apricots, artichokes, blackberries, blueberries, boysenberries, broccoli, cabbage, cauliflower, cherries, crabapples, cranberries, loganberries, nectarines, onions, peaches, pears, plums (fresh prunes), quinces, raspberries, snap beans, spinach, strawberries, tomatoes.

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington 25, D.C., written objections thereto. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof. All documents shall be filed in quintuplicate.

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

(Sec. 408(d)(2), 68 Stat. 512; 21 U.S.C. 346a(d)(2))

Dated: July 13, 1962.

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

[F.R. Doc. 62-7034; Filed, July 17, 1962; 8:53 a.m.]

Title 29—LABOR

Chapter V—Wage and Hour Division, Department of Labor

PART 681—HOMEWORKERS IN CERTAIN INDUSTRIES IN PUERTO RICO

Hand-Lacing of Wallets

In the May 30, 1962 issue of the FEDERAL REGISTER (27 F.R. 5098) there was published a proposal to amend 29 CFR 681.9(c) to increase the minimum piece rates for homeworkers in Puerto Rico in the hand-lacing of leather wallets, leather wallet covers, and plastic wallets commensurate with increases in the minimum hourly wage rates in that industry (27 F.R. 4279).

Interested persons were given 15 days in which to file written statements of data, views or arguments in regard to this proposal and none were received. Accordingly, the proposed amendment is hereby adopted in the form set forth below.

As this amendment merely articulates changed piece rates already in effect pursuant to 29 CFR 681.9(a), good cause is hereby found to make this amendment effective without delay and it shall be effective immediately.

The amendment reads as follows:

§ 681.9 Minimum piece rates prescribed by the Administrator.

(c) Piece rates for the hand-lacing of leather wallets, leather wallet covers, and plastic wallets. A minimum piece rate of 0.84 cent per dozen stitches shall be paid to homeworkers in Puerto Rico engaged in the hand-lacing, single stitch, with plastic lacing material, of leather wallets and leather wallet covers; a minimum piece rate of 2.07 cents per dozen stitches shall be paid to homeworkers in Puerto Rico engaged in the hand-lacing, double stitch, with plastic lacing material, of leather wallets and leather wallet covers; and a minimum piece rate of 2.58 cents per dozen stitches shall be paid to homeworkers in Puerto Rico engaged in hand-lacing, double stitch, with plastic lacing material, of plastic wallets.

(Sec. 6, 52 Stat. 1062; 29 U.S.C. 206)

Signed at Washington, D.C., this 12th day of July 1962.

CLARENCE T. LUNDQUIST,
Administrator.

[F.R. Doc. 62-6975; Filed, July 17, 1962; 8:47 a.m.]

Title 32—NATIONAL DEFENSE

Chapter V—Department of the Army

SUBCHAPTER B—CLAIMS AND ACCOUNTS

PART 536—CLAIMS AGAINST THE UNITED STATES

Claims Under Federal Tort Claims Act

Subparagraph (3) of § 536.29(o) is revised to read as follows:

§ 536.29 Claims arising from negligence of military personnel or civilian employees under the Federal Tort Claims Act.

(o) Settlement of claims. * * *

(3) Authority to disapprove claims. The authority to disapprove claims under this section, subject to appeal to The Judge Advocate General of the Army as the designee of the Secretary of the Army, is delegated only to the Chief, Claims Division, Office of The Judge Advocate General, and to all officers assigned to that division, subject to such limitations as the Chief, Claims Division, may prescribe.

[C 1, AR 25-30, June 27, 1962] (Sec. 3012, 70A Stat. 157; 10 U.S.C. 3012)

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

[F.R. Doc. 62-6974; Filed, July 17, 1962; 8:46 a.m.]

Proposed Rule Making

DEPARTMENT OF THE TREASURY

Internal Revenue Service

[26 CFR Part 1]

INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1953

Proposed Change of Annual Accounting Period

Notice is hereby given, pursuant to the Administrative Procedure Act, approved June 11, 1946, that the regulations set forth in tentative form below are proposed to be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury or his delegate. Prior to the final adoption of such regulations, consideration will be given to any comments or suggestions pertaining thereto which are submitted in writing, in duplicate, to the Commissioner of Internal Revenue, Attention: T:P, Washington 25, D.C., within the period of 30 days from the date of publication of this notice in the FEDERAL REGISTER. Any person submitting written comments or suggestions who desires an opportunity to comment orally at a public hearing on these proposed regulations should submit his request, in writing, to the Commissioner within the 30-day period. In such a case, a public hearing will be held, and notice of the time, place, and date will be published in a subsequent issue of the FEDERAL REGISTER. The proposed regulations are to be issued under the authority contained in section 7805 of the Internal Revenue Code of 1954 (68A Stat. 917; 26 U.S.C. 7805).

[SEAL] BERTRAND M. HARDING,
Acting Commissioner of
Internal Revenue.

In order to facilitate the processing of requests for change of annual accounting period under section 442 of the Internal Revenue Code of 1954, paragraph (b)(1) of § 1.442-1 of the Income Tax Regulations is amended to read as follows:

§ 1.442-1 Change of annual accounting period.

(b) *Prior approval of the Commissioner*—(1) *In general.* In order to secure prior approval of a change of a taxpayer's annual accounting period, the taxpayer must file an application on Form 1128 with the Commissioner of Internal Revenue, Washington 25, D.C., on or before the last day of the calendar month following the close of the short period for which a return is required to effect the change of accounting period. Approval will not be granted unless the taxpayer and the Commissioner agree to the terms, conditions, and adjustments under which the change will be effected. In general, a change of annual account-

ing period will be approved where the taxpayer establishes a substantial business purpose for making the change. In determining whether a taxpayer has established a substantial business purpose for making the change, consideration will be given to all the facts and circumstances relating to the change, including the tax consequences resulting therefrom. Among the nontax factors that will be considered in determining whether a substantial business purpose has been established is the effect of the change on the taxpayer's annual cycle of business activity. The agreement between the taxpayer and the Commissioner under which the change will be effected shall, in appropriate cases, provide terms, conditions, and adjustments necessary to prevent a substantial distortion of income which otherwise would result from the change. The following are examples of effects of the change which would substantially distort income: (i) Deferral of a substantial portion of the taxpayer's income, or shifting of a substantial portion of deductions, from one year to another so as to significantly reduce the taxpayer's tax liability; (ii) causing a similar deferral or shifting in the case of any other person, such as a partner, a beneficiary, or a shareholder in an electing small business corporation as defined in section 1371(b); or (iii) creating a short period in which there is either (a) a substantial net operating loss, or (b) in the case of an electing small business corporation, a substantial portion of amounts treated as long-term capital gain. Even though a substantial business purpose is not established, the Commissioner in appropriate cases may permit a husband or wife to change his or her taxable year in order to secure the benefits of section 2 (relating to tax in the case of a joint return). See paragraph (e) of this section for special rule for newly married couples.

[F.R. Doc. 62-6989; Filed, July 17, 1962; 8:50 a.m.]

DEPARTMENT OF AGRICULTURE

Agricultural Stabilization and Conservation Service

[7 CFR Part 1134]

[Docket No. AO-301-A3]

MILK IN WESTERN COLORADO MARKETING AREA

Notice of Hearing 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), notice is hereby given of a public hearing to be held at City Hall, 5th and Rood Streets, Grand Junction, Colorado, beginning at 10:00 a.m., local time, on August 7, 1962, with respect to proposed amendments to the tentative marketing agreement and to the order, regulating the handling of milk in the Western Colorado marketing area.

The public hearing is for the purpose of receiving evidence with respect to the economic and marketing conditions which relate to the proposed amendments, hereinafter set forth, and any appropriate modifications thereof, to the tentative marketing agreement and to the order.

The proposal relative to a redefinition of the marketing area raises the issue whether the provisions of the present order would tend to effectuate the declared policy of the Act, if they are applied to the marketing area as proposed to be redefined and, if not, what modifications of the provisions of the order would be appropriate.

The proposed amendments, set forth below, have not received the approval of the Secretary of Agriculture.

Proposed by the Western Colorado Milk Producers Association:

Proposal No. 1.

DEFINITIONS

§ 1134.1 Act.

"Act" means Public Act No. 10, 73d Congress, as amended, and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.).

§ 1134.2 Secretary.

"Secretary" means the Secretary of Agriculture or any officer or employee of the United States authorized to exercise the powers or to perform the duties of the Secretary of Agriculture.

§ 1134.3 Department.

"Department" means the United States Department of Agriculture or such other Federal agency authorized to perform the price reporting functions specified in this part.

§ 1134.4 Person.

"Person" means any individual, partnership, corporation, association, or any other business unit.

§ 1134.5 Cooperative association.

"Cooperative association" means any cooperative marketing association which the Secretary determines, after application by the Association:

(a) To be qualified under the provisions of the act of Congress of February 18, 1922, as amended, known as the "Capper-Volstead Act";

(b) To have full authority in the sale of milk of its members and to be engaged in making collective sales of or

marketing milk or its products for its members; and

(c) Has its entire activities under the control of its members.

§ 1134.6 Western Colorado marketing area.

"Western Colorado marketing area" hereinafter called "marketing area" means all the territory within the outer boundaries of the counties of Delta, Mesa, and Montrose, all in the State of Colorado.

§ 1134.7 Pool plant.

A "pool plant" shall be any plant meeting the conditions of paragraph (a) or (b) of this section except the plant of a handler exempted in § 1134.60 or § 1134.61:

(a) Any plant, hereinafter referred to as a "distributing pool plant":

(1) In which fluid milk products are pasteurized or packaged;

(2) From which an amount equal to 50 percent or more of receipts of Grade A milk from dairy farmers, from a cooperative association pursuant to § 1134.9(d), and from other pool plants is disposed of as Class I milk; and

(3) From which 20 percent or more of the total Class I sales are on routes in the marketing area; and

(b) Any plant, hereinafter referred to as a "supply pool plant" from which during the month not less than 70 percent of its dairy farm supply of Grade A milk is moved to a distributing pool plant(s). Any supply plant which has qualified as a pool plant in each of the months of September through February shall be a pool plant for each of the following months of March through August unless written request for nonpool status for any such month is furnished in advance to the market administrator: *Provided, however,* That a "pool supply plant" during a month of automatic qualification may not pool a volume of milk in excess of the average monthly volume of the plant during the qualification period, unless the plant fulfills the shipping requirements of this paragraph for that month. A plant withdrawn from supply pool plant status may not be reinstated for any subsequent month of March through August unless it fulfills the shipping requirements of this paragraph for such month.

§ 1134.8 Nonpool plant.

"Nonpool plant" means any milk receiving, manufacturing, or processing plant other than a pool plant, or a plant operated by a producer-handler.

§ 1134.9 Handler.

"Handler" means:

(a) Any person in his capacity as the operator of a pool plant;

(b) Any person who operates a nonpool plant from which fluid milk products are disposed of on routes in the marketing area;

(c) A cooperative association with respect to the milk of its member producers which is diverted from a pool plant to a nonpool plant for the account of such cooperative association; or

(d) A cooperative association with respect to milk of its member producers

which is received from the farm for delivery to the pool plant of another handler in a tank truck owned and operated by, or under contract to, such cooperative association, if the cooperative association notifies the market administrator and the handler to whom the milk is delivered in writing prior to the first day of the month in which the milk is delivered, that it elects to be the handler for such milk.

§ 1134.10 Producer.

"Producer" means any person, other than a producer-handler (or a dairy farmer with respect to milk delivered to a pool plant which qualifies as producer milk under another Federal order) who produces milk eligible for distribution as Grade A milk in compliance with the fluid milk product requirements of a duly constituted health authority, whose milk is:

(a) Received at a pool plant; or

(b) Diverted from a pool plant to a nonpool plant for the account of the handler operating the pool plant or of a cooperative association, subject to the following limitations and conditions:

(1) The pounds of milk of such person diverted during the month may not exceed the pounds of milk of such person received, at a pool plant. Such person will not be considered a producer for the pounds of milk diverted which are in excess of the pounds of milk received at a pool plant;

(2) A cooperative association may divert for its account the milk of any member producer, whose milk is received at a pool plant for at least 5 days during the month, without limit during such month if the total volume of milk so diverted does not exceed 30 percent of its member producer milk received by all pool handlers during the month: *Provided,* That if this percentage limitation is exceeded, all diversions by such association during the month shall be subject to the matching poundage limitation prescribed above;

(3) A handler in his capacity as the operator of a pool plant may divert for his account the milk of any nonmember producer, whose milk is received at his pool plant for at least 5 days during the month, without limit during such month if the total volume of milk diverted does not exceed 30 percent of the nonmember producer milk received at such pool plant during the month: *Provided,* That if this percentage limitation is exceeded, all diversions by such handler during the month shall be subject to the matching poundage limitation prescribed above.

(4) For purposes of the requirements of § 1134.7, milk diverted for the account of the operator of a pool plant shall be included in the receipts of the pool plant from which diverted; and

(5) For the purposes of location adjustments pursuant to § 1134.81, milk diverted to a nonpool plant shall be considered to have been received at the location of the pool plant from which diverted.

§ 1134.11 Producer-handler.

"Producer-handler" means any person who operates a dairy farm and a

milk processing plant which distributes fluid milk products on routes in the marketing area and who receives no fluid milk products during the month from dairy farmers or any other source except by transfer from a pool plant. Such person must provide proof satisfactory to the market administrator that the care and management of all the dairy animals and other resources necessary to produce the entire volume of fluid milk products (excluding transfers from pool plants) and the operation of the processing and distribution business is the personal enterprise of and at the personal risk of such person.

§ 1134.12 Producer milk.

"Producer milk" means all skim milk and butterfat in milk produced by a producer:

(a) With respect to the operator of a pool plant:

(1) Received directly from such producers at such pool plant; and

(2) Diverted from such pool plant to a nonpool plant for the account of the operator of the pool plant, subject to the limitations and conditions provided in § 1134.10;

(b) With respect to receipts of a cooperative association at a plant other than one it operates:

(1) For which the cooperative association is the handler pursuant to § 1134.9(c), subject to the limitations and conditions provided in § 1134.10; and

(2) For which the cooperative association is the handler pursuant to § 1134.9(d).

§ 1134.13 Other source milk.

"Other source milk" means all the skim milk and butterfat contained in:

(a) Receipts during the month of fluid milk products from any source except (1) producer milk; (2) receipts from other pool plants; and (3) receipts from a cooperative association pursuant to § 1134.9(d); and

(b) Products, other than fluid milk products, from any source (including those produced at the plant) which are reprocessed or converted to another product in the plant during the month.

§ 1134.14 Fluid milk products.

"Fluid milk products" mean milk, skim milk, buttermilk, flavored milk, flavored milk drinks, reconstituted milk or skim milk, fortified milk or skim milk (including "diet" foods), cream (sweet or sour), half and half, or any mixture in fluid form of milk or skim milk and cream (except ice cream mix, frozen dessert mix, aerated cream, eggnog, cultured sour mixture to which cheese or any food substance other than a milk product has been added in an amount not less than three percent by weight of the finished product), which are neither sterilized or in hermetically sealed containers.

§ 1134.15 Route.

"Route" means any delivery to retail or wholesale outlets (including delivery by a vendor or a sale from a plant or plant store) of any fluid milk product other than a delivery to a pool plant or nonpool plant.

MARKET ADMINISTRATOR

§ 1134.20 Designation.

The agency for the administration of this part shall be a market administrator, selected by the Secretary, who shall be entitled to such compensation as may be determined by, and shall be subject to removal at, the discretion of the Secretary.

§ 1134.21 Powers.

The market administrator shall have the following powers with respect to this part:

- (a) To administer its terms and provisions;
- (b) To receive, investigate, and report to the Secretary complaints of violations;
- (c) To make rules and regulations to effectuate its terms and provisions; and
- (d) To recommend amendments to the Secretary.

§ 1134.22 Duties.

The market administrator shall perform all duties necessary to administer the terms and provisions of this part, including but not limited to the following:

- (a) Within 45 days following the date on which he enters upon his duties, or such lesser period as may be prescribed by the Secretary, execute and deliver to the Secretary a bond, effective as of the date on which he enters upon his duties, in an amount and with surety thereon satisfactory to the Secretary;
- (b) Employ and fix the compensation of such persons as may be necessary to enable him to administer the terms and provisions of the part;
- (c) Obtain a bond in a reasonable amount and with reasonable surety thereon covering each employee who handles funds entrusted to the market administrator;
- (d) Pay out of the funds received by § 1134.88 the cost of his bond and those of his employees, his own compensation, and all other expenses (except those incurred under § 1134.87) necessarily incurred by him in the maintenance and functioning of his office and in the performance of his duties;
- (e) Keep such books and records as will clearly reflect the transactions provided for in this part, and, upon request by the Secretary, surrender the same to such other person as the Secretary may designate;
- (f) Submit his books and records to examination by the Secretary and furnish such information and reports as may be requested by the Secretary;
- (g) Verify all reports and payments of each handler, by audit of such handler's records and the records of any other handler or person upon whose utilization the classification of skim milk and butterfat for such handler depends and by such other means as are necessary;
- (h) Publicly announce at his discretion, unless otherwise directed by the Secretary, by posting in a conspicuous place in this office and by such other means as he deems appropriate, the

name of any person who, within 10 days after the date upon which he is required to perform such acts, has not made (1) reports pursuant to §§ 1134.30 to 1134.32, or (2) payments pursuant to §§ 1134.80 to 1134.88;

(i) Publicly announce by posting in a conspicuous place in his office and by such other means as he deems appropriate, and mail to each handler at his last known address, the prices determined for each month as follows:

- (1) On or before the 6th day of each month, the Class I price and butterfat differential for the month, computed pursuant to §§ 1134.51(a) and 1134.53(a) respectively;
- (2) On or before the 6th day of each month, the Class II price and butterfat differential for the preceding month, computed pursuant to §§ 1134.51(b) and 1134.53(b) respectively;
- (3) On or before the 12th day of each month, the uniform price for producer milk computed pursuant to § 1134.71, the location differential computed pursuant to § 1134.81, and the butterfat differential computed pursuant to § 1134.82, all for the preceding month;

(j) On or before the 12th day after the end of each month, report to each cooperative association which so requests the amount and class utilization of producer milk delivered by members of such association to each handler receiving such milk. For the purpose of this report, the milk so received shall be prorated to each class in accordance with the total utilization of producer milk by such handler; and

(k) Prepare and make available for the benefit of producers, consumers, and handlers, such general statistics and such information concerning the operations hereof as are appropriate to the purpose and functioning of this part and which do not reveal confidential information.

REPORTS, RECORDS AND FACILITIES

§ 1134.30 Reports of receipts and utilization.

On or before the 7th day after the end of each delivery period each handler, except a producer-handler or a handler making payments pursuant to § 1134.62(b), shall report to the market administrator in the detail and on forms prescribed by the market administrator as follows:

- (a) The receipts at each plant of milk from each producer, the average butterfat test, and the pounds of butterfat contained therein;
- (b) The quantities of skim milk and butterfat contained in (or used in the production of) fluid milk products received from other handlers;
- (c) The quantities of skim milk and butterfat contained in receipts of other source milk;
- (d) The pounds of skim milk and butterfat contained in all fluid milk products on hand at the beginning and at the end of the delivery period;
- (e) The utilization of all skim milk and butterfat required to be reported pursuant to this section; and

(f) Such other information with respect to receipts and utilization as the market administrator may prescribe.

§ 1134.31 Payroll reports.

On or before the 23d day of each delivery period, each handler, except a producer-handler or a handler making payments pursuant to § 1134.62(b), shall submit to the market administrator his producer payroll for receipts during the preceding delivery period which shall show:

- (a) The total pounds of milk, the average butterfat test thereof, and the pounds of butterfat received from each producer and cooperative association;
- (b) The amount of payment to each producer and cooperative association; and
- (c) The nature and amount of any deductions or charges involved in such payments.

§ 1134.32 Other reports.

Each producer-handler and each handler making payments pursuant to §§ 1134.61 and 1134.62(b), shall make reports to the market administrator at such time and in such manner as the market administrator may prescribe.

§ 1134.33 Records and facilities.

Each handler shall maintain and make available to the market administrator during the usual hours of business such accounts and records of his operations and such facilities as are necessary for the market administrator to verify or establish the correct data with respect to:

- (a) The receipt and utilization of all skim milk and butterfat handled in any form;
- (b) The weights and tests for butterfat and other content of all products handled;
- (c) The pounds of skim milk and butterfat contained in or represented by all items of products on hand at the beginning and end of each month; and
- (d) Payments to producers, including any deductions, and the disbursement of money so deducted.

§ 1134.34 Retention of records.

All books and records required under this order to be made available to the market administrator shall be retained by the handler for a period of three years to begin at the end of the month to which such books and records pertain: *Provided*, That if, within such three-year period, the market administrator notifies the handler in writing that the retention of such books and records, or of specified books and records, is necessary in connection with a proceeding under section 8c(15)(A) of the Act or a court action specified in such notice, the handler shall retain such books and records, or specified books and records, until further written notification from the market administrator. In either case, the market administrator shall give further written notification to the handler promptly upon the termination of the litigation or when the records are no longer necessary in connection therewith.

CLASSIFICATION

§ 1134.40 Skim milk and butterfat to be classified.

All skim milk and butterfat at pool plants which is required to be reported pursuant to § 1134.30 shall be classified by the market administrator, pursuant to the provisions of §§ 1134.41 to 1134.46.

§ 1134.41 Classes of utilization.

Subject to the conditions set forth in §§ 1134.42 through 1134.46, the classes of utilization shall be as follows:

(a) *Class I milk.* Class I milk shall be all skim milk and butterfat:

(1) Disposed of in the form of a fluid milk product except:

(i) Any products fortified with added nonfat milk solids shall be Class I in an amount equal only to the weight of an equal volume of milk, skim milk, or cream of the same butterfat content; and

(ii) As classified pursuant to paragraph (b) (2), (3), and (5) of this section; or

(2) Not specifically accounted for as Class II utilization.

(b) *Class II milk.* Class II milk shall be all skim milk and butterfat:

(1) Used to produce any product other than a fluid milk product;

(2) Disposed of as livestock feed;

(3) In skim milk dumped after prior notification to and opportunity for verification by the market administrator;

(4) The weight of skim milk in fluid milk products which is excepted from Class I milk pursuant to paragraph (a) (1) (i) of this section;

(5) Disposed of in fluid milk products in bulk form to any commercial food processing establishment for use in food products prepared for consumption off the premises;

(6) In inventory of fluid milk products on hand at the end of the month;

(7) In shrinkage of skim milk and butterfat, respectively, not to exceed the following:

(i) Two percent of receipts of producer milk described in § 1134.12(a) (1); plus

(ii) 1.5 percent of receipts from a cooperative association in its capacity as a handler pursuant to § 1134.9(d), except that if the handler operating the pool plant files with the market administrator notice that he is purchasing such milk on the basis of farm weights determined by farm bulk tank calibrations and butterfat tests determined from farm tank samples, the applicable percentage shall be two percent; plus

(iii) 1.5 percent of receipts in bulk tanks lots from other pool plants; less

(iv) 1.5 percent of disposition in bulk tank lots to other milk plants; and plus

(v) 0.5 percent of receipts of producer milk by a cooperative association which is the handler pursuant to § 1134.9(d), unless the exception provided in subdivision (ii) of this subparagraph applies; and

(8) In shrinkage allocated to receipts of other source milk.

§ 1134.42 Shrinkage.

The market administrator shall allocate shrinkage over a handler's receipts at each of his pool plants as follows:

(a) Compute the total shrinkage of skim milk and butterfat, respectively at each pool plant; and

(b) If a handler has receipts of other source milk, shrinkage shall be prorated between:

(1) Skim milk and butterfat in pool milk in amounts respectively equal to 50 times the maximum amount that may be computed pursuant to § 1134.41(b) (7); and

(2) Skim milk and butterfat in other source milk.

§ 1134.43 Responsibility of handlers and reclassification of milk.

(a) All skim milk and butterfat shall be Class I milk unless the handler who first receives such skim milk or butterfat can prove to the market administrator that such skim milk or butterfat should be classified otherwise.

(b) Any skim milk or butterfat shall be reclassified if verification by the market administrator discloses that the original classification was incorrect.

§ 1134.44 Transfers.

Skim milk or butterfat disposed of from a pool plant shall be classified:

(a) As Class I milk if transferred in the form of a fluid milk product to the pool plant of another handler unless utilization in Class II is mutually indicated in writing to the market administrator by the operators of both plants on or before the 7th day after the end of the delivery period within which such transfer occurred: *Provided*, That the skim milk or butterfat so assigned to Class II shall be limited to the amount thereof remaining in Class II in the plant of the transferee-handler after the subtraction of other source milk pursuant to § 1134.46, and any additional amount of such skim milk or butterfat shall be assigned to Class I: *And provided further*, That if either or both plants have received other source milk, the skim milk or butterfat so transferred shall be classified at both plants so as to allocate the greatest possible Class I utilization to producer milk;

(b) As Class I milk if transferred in the form of a fluid milk product to a producer-handler;

(c) As Class I milk, if transferred or diverted as a fluid milk product in bulk to a nonpool plant located more than 350 miles, by the shortest highway distance as determined by the market administrator, from the Mesa County Courthouse.

(d) As Class I milk if transferred to a nonpool plant in the form of a fluid milk product in consumer packages;

(e) As Class I milk, if transferred or diverted as a fluid milk product in bulk to a nonpool plant located not more than 350 miles, by the shortest highway distance as determined by the market administrator, from the Mesa County Courthouse, unless the following conditions are met:

(1) The transferring handler claims Class II utilization in his report submitted pursuant to § 1134.30;

(2) The operator of the nonpool plant maintains books and records showing receipts and utilization of all skim milk and butterfat at such plant which are made available if requested by the mar-

ket administrator for the purpose of verification;

(3) Class I utilization in the nonpool plant does not exceed the receipts of skim milk and butterfat in Grade A milk from dairy farmers. If Class I utilization exceeds such receipts, the skim milk and butterfat so transferred or diverted shall be Class I to the extent of a pro rata share of total receipts at the nonpool plant from all pool plants and from plants fully subject to other orders that are claimed as Class II utilization or as a class other than Class I under another order; and

(4) If any skim milk or butterfat is transferred to a second nonpool plant under this paragraph, the same conditions of audit, classification and allocation shall apply.

(f) Skim milk and butterfat transferred to the pool plant of another handler by a cooperative association which is the handler for such milk pursuant to § 1134.9(d) shall be classified pro rata to the respective amounts thereof remaining in each class for such month at the pool plant(s) of the receiving handler after the computation pursuant to § 1134.46(a) (7) and the corresponding step of § 1134.46(b).

§ 1134.45 Computation of skim milk and butterfat in each class.

For each month, the market administrator shall correct for mathematical and other obvious errors, the report submitted by each handler pursuant to § 1134.30 and compute the total pounds of skim milk and butterfat, respectively, in Class I and Class II milk at all of the pool plants of such handler: *Provided*, That if any of the water contained in the milk from which a product is made is removed before the product is utilized or disposed of by a handler, the pounds of skim milk disposed of by use in such product shall be considered to be a quantity equivalent to the nonfat milk solids contained in such product, plus all of the water originally associated with such solids.

§ 1134.46 Allocation of skim milk and butterfat classified.

After making the computations pursuant to § 1134.45, the market administrator shall determine the classification of milk received from producers at each pool plant as follows:

(a) Skim milk shall be allocated in the following manner:

(1) Subtract from the total pounds of skim milk in Class II the pounds of skim milk allocated in shrinkage of skim milk classified as Class II pursuant to § 1134.41(b) (7);

(2) Subtract from the total pounds of skim milk in Class I the pounds of skim milk in other source milk received in the form of sour cream which is classified and priced as Class I or its equivalent value under another order issued pursuant to the Act;

(3) Subtract from the pounds of remaining skim milk in each class, in series beginning with Class II, the pounds of skim milk in other source milk received in the form of a product other than a fluid milk product;

(4) 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 received in the form of a fluid milk product not classified and priced as Class I milk or its equivalent value under another order issued pursuant to the Act;

(5) 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 received in the form of a fluid milk product not subtracted pursuant to subparagraphs (2) and (4) of this paragraph;

(6) Subtract from the pounds of skim milk remaining in each class, in series beginning with Class II, the pounds of skim milk contained in inventory of fluid milk products on hand at the beginning of the month;

(7) Add to the pounds of skim milk remaining in Class II the pounds of skim milk subtracted pursuant to subparagraph (1) of this paragraph;

(8) Subtract from the pounds of skim milk remaining in each class the pounds of skim milk received from other pool plants according to its classification as determined pursuant to § 1134.44(a);

(9) Subtract pro rata from the remaining pounds of skim milk in each class the pounds of skim milk classified pursuant to § 1134.44(f); and

(10) If the remaining pounds of skim milk in both classes exceeds the pounds of skim contained in milk received from producers, subtract such excess from the remaining pounds of skim milk in series beginning with Class II. Any amount so subtracted shall be known as "overage".

(b) Butterfat shall be allocated in accordance with the same procedure outlined for skim milk in paragraph (a) of this section; and

(c) Add the pounds of skim milk and the pounds of butterfat allocated to producer milk in each class, pursuant to paragraphs (a) and (b) of this section and determine the percentage of butterfat in each class.

MINIMUM PRICES

§ 1134.50 Basic formula price.

The basic formula price for each month to be used in determining the class prices set forth in § 1134.51 shall be the average price per hundredweight for manufacturing grade milk, f.o.b. plants in Wisconsin and Minnesota, as reported by the United States Department of Agriculture for the applicable month, adjusted to a 3.5 percent butterfat basis by a butterfat differential computed by multiplying the Chicago 92-score butter price by 0.12.

§ 1134.51 Class prices.

Subject to the provisions of §§ 1134.52 and 1134.53, the class prices per hundredweight for the month shall be as follows:

(a) *Class I milk.* The basic formula price for the preceding month plus \$2.05; and

(b) *Class II milk.* The basic formula price for the current month.

§ 1134.52 Location differentials to handlers.

For milk which is received from producers at a plant located more than 200

miles by the shortest highway distance as determined by the market administrator, from the Mesa County Courthouse in Grand Junction, and which is classified as Class I milk the price computed pursuant to § 1134.51(a) shall be reduced by 31.5 cents if such plant is located more than 200 miles but not more than 210 miles from such Courthouse and by an additional 1.5 cents for each 10 miles or fraction thereof that such distance exceeds 210 miles: *Provided*, That for the purpose of calculating such differential transfers between pool plants shall be assigned to Class I milk in a volume not in excess of that by which Class I disposition at the transferor plants to be made first to plants at which no differential credit is applicable and then in the sequence beginning with the plant at which the lowest location differential credit would apply.

§ 1134.53 Butterfat differentials to handlers.

For milk containing more or less than 3.5 percent butterfat, the class prices pursuant to § 1134.51 shall be increased or decreased, respectively for each one-tenth of one percent of butterfat, by the appropriate rate, rounded in each case to the nearest one-tenth cent, determined as follows:

(a) *Class I milk.* Multiply the butter price specified in § 1134.50 by 0.135; and

(b) *Class II milk.* Multiply the butter price specified in § 1134.50 by 0.120.

§ 1134.54 Use of equivalent prices.

If for any reason a price quotation required by this order for computing class prices or for other purposes is not available in the manner described, the market administrator shall use a price determined by the Secretary to be equivalent to the price which is required.

APPLICATION OF PROVISIONS

§ 1134.60 Producer-handler.

Sections 1134.40 to 1134.46, 1134.50 to 1134.54, 1134.70 to 1134.72, and 1134.80 to 1134.88 shall not apply to a producer-handler.

§ 1134.61 Exempt plants.

The provisions of this part shall not apply to a plant specified in paragraph (a) or (b) of this section except that the operator of such plant shall make such reports of receipts and utilization of milk as the market administrator may require and allow verification of such reports by the market administrator.

(a) Any distributing plant from which less than an average of 200 pounds of Class I milk per day is disposed of on routes in the marketing area during the month.

(b) Any distributing plant which would be subject to the classification and pricing provisions of another order issued pursuant to the Act unless (1) such plant is qualified as a pool plant pursuant to § 1134.7(a) and more Class I milk is disposed of from such plant on routes in the Western Colorado marketing area than in the marketing area regulated pursuant to such other order, or (2) such plant was qualified as a supply plant under the other order.

§ 1134.62 Handler operating a nonpool plant.

In lieu of the payments required pursuant to §§ 1134.80 to 1134.88, each handler, other than a producer-handler or one exempt pursuant to § 1134.61, who operates during the month a nonpool plant, 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 unless the handler elects, at the time of reporting pursuant to § 1134.30, to pay the amounts 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 § 1134.70 if such handler had operated a pool plant, the gross payments made by such handler for milk received during the month from Grade A dairy farmers at such plant or at a plant which serves as a supply plant; and

(2) As his pro rata share of the expense of administration, an amount equal to that which would have been computed pursuant to § 1134.88 had such plant been a pool plant, except that if such plant is also a nonpool plant under another order issued pursuant to the Act, and his Class I sales in such other marketing area exceed those made in the Western Colorado marketing area, the payments due under this subparagraph shall be reduced by the amount of any administrative expense payments under the other order; 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 I price applicable at the location.

(2) As his share of the expense of administration, the rate specified in § 1134.88 with respect to Class I milk so disposed of in the marketing area.

DETERMINATION OF UNIFORM PRICE

§ 1134.70 Computation of the value of producer milk for each handler.

For each month, the market administrator shall compute the value of producer milk for each handler as follows:

(a) Multiply the quantity of producer milk in each class computed pursuant to § 1134.46 by the applicable class price and total the resulting amounts;

(b) Add an amount computed by multiplying the pounds of any overage deducted from any class pursuant to § 1134.46(a)(10) and the corresponding step of § 1134.46(b) by the applicable class price;

(c) Add an amount computed by multiplying the difference between the Class II price for the preceding month and the Class I price for the current month by the hundredweight of skim milk and butterfat remaining in Class II milk after the calculations pursuant to § 1134.46(a)(6) and the corresponding step of § 1134.46(b) for the preceding month or the hundredweight of skim milk and butter-

fat subtracted from Class I milk pursuant to § 1134.46(a) (6) and the corresponding step of § 1134.46(b) for the current month, whichever is less;

(d) Add the amount computed in subparagraphs (1) and (2) of this paragraph;

(1) Multiply the hundredweight of skim milk and butterfat subtracted from Class I milk pursuant to § 1134.46(a) (3) and the corresponding step of § 1134.46(b) by the difference between the Class II price and the Class I price for the current month, adjusted by the applicable butterfat differentials; and

(2) For any skim milk or butterfat subtracted from Class I milk pursuant to § 1134.46(a) (4) and the corresponding step of § 1134.46(b) and pursuant to § 1134.46(a) (6) and the corresponding step of § 1134.46(b) which is in excess of the skim milk and butterfat applied pursuant to paragraph (c) of this section, add an amount equal to the differences between the values of such skim milk and butterfat at the Class I price and at the Class II price: *Provided*, That such calculations shall not apply if the total receipts of producer milk at pool plants during the month are less than 110 percent of the total Class I utilization of such plants for the month.

§ 1134.71 Computation of the uniform price.

The market administrator shall compute the uniform price per hundredweight of producer milk as follows:

(a) Combine into one total the values computed pursuant to § 1134.70 for the producer milk of all handlers who submitted reports prescribed in § 1134.30, and who are not in default of payments pursuant to § 1134.80 for the preceding month;

(b) Subtract, if the average butterfat content of the producer milk included under paragraph (a) of this section is greater than 3.5 percent, or add, if such average butterfat content is less than 3.5 percent, an amount computed by multiplying the amount by which the average butterfat content of such milk varies from 3.5 percent by the butterfat differential pursuant to § 1134.82 and multiply the result by the total hundredweight of such milk;

(c) Add an amount equal to the sum of the deduction to be made from producer payments for location differentials pursuant to § 1134.81;

(d) Add an amount equal to one-half of the unobligated balance on hand in the producer-settlement fund;

(e) Divide the resulting amount by the total hundredweight of producer milk included under paragraph (a) of this section; and

(f) Subtract not less than 4 cents nor more than 5 cents.

The resulting figure shall be the uniform price per hundredweight of producer milk of 3.5 percent butterfat content delivered to plants within the 200-mile zone.

§ 1134.72 Notification of handlers.

On or before the 12th day after the end of each month, the market administrator shall mail to each handler, at

his last known address, a statement showing:

(a) The amount and value of his producer milk in each class and the total thereof;

(b) The uniform price computed pursuant to § 1134.71 and the producer location and butterfat differentials computed pursuant to §§ 1134.81 and 1134.82; and

(c) The amounts to be paid by such handler pursuant to §§ 1134.84, 1134.86, 1134.87, and 1134.88 and the amount due such handler pursuant to § 1134.85.

PAYMENTS

§ 1134.80 Payment to producers.

Except as provided in paragraph (c) of this section, each handler shall make payment to each producer from whom milk is received as specified in paragraphs (a) and (b) of this section:

(a) On or before the last day of the month, to each producer who had not discontinued shipping milk to such handler before the 18th day of the month, an advance payment with respect to milk received during the first 15 days of the month at the Class II price for the preceding month;

(b) On or before the 16th day after the end of each month, for milk received during such month, an amount computed at not less than the uniform price per hundredweight pursuant to § 1134.71, subject to the butterfat differential computed pursuant to § 1134.82 and location adjustment computed pursuant to § 1134.81, plus or minus adjustments for errors made in previous payments to such producers and less (1) payments made pursuant to paragraph (a) of this section, (2) marketing service deductions pursuant to § 1134.87, and (3) proper deductions authorized in writing by such producer: *Provided*, That if by such date such handler has not received full payment for such delivery period pursuant to § 1134.85 he may reduce his total payment to all producers uniformly by not more than the amount of reduction in payment from the market administrator; the handler shall, however, complete such payments not later than the date for making such payments pursuant to this paragraph next following receipt of the balance from the market administrator.

(c) (1) Upon receipt of a written request from a cooperative association which the market administrator determines is authorized by its members to collect payment for their milk and receipt of a written promise to reimburse the handler the amount of any actual loss incurred by him because of any improper claim on the part of the cooperative association each handler shall pay to the cooperative association on or before the second day prior to the date of payment to producers in lieu of payments pursuant to paragraphs (a) and (b), respectively, of this section an amount equal to the sum of the individual payments otherwise payable to such producers. The foregoing payment shall be made with respect to milk of each producer whom the cooperative association certifies is a member effective on and after the first day of the calendar month

next following receipt of such certification through the last day of the month next preceding receipt of notice from the cooperative association of a termination of membership or until the original request is rescinded in writing by the cooperative association.

(2) A copy of each such request, promise to reimburse and certified list of members shall be filed simultaneously with the market administrator by the cooperative association and shall be subject to verification at his discretion, through audit of the records of the cooperative association pertaining thereto. Exceptions, if any, to the accuracy of such certification by a producer claimed to be a member, or by a handler, shall be made by written notice to the market administrator and shall be subject to his determination.

(d) In making the payments to producers pursuant to paragraphs (b) and (c) of this section, each handler shall furnish each producer or cooperative association from whom he has received milk with a supporting statement which shall show for each month:

(1) The month and the identity of the handler and of the producer;

(2) The total pounds and the average butterfat content of milk received from such producer;

(3) The minimum rate or rates at which payment to such producer is required pursuant to this part;

(4) The rate which is used in making the payment if such rate is other than the applicable minimum rate;

(5) The amount or the rate per hundredweight and nature of each deduction claimed by the handler; and

(6) The net amount of payment to such producer.

(e) Each handler who receives milk for which a cooperative association is the handler pursuant to § 1134.9(d) shall, on or before the 2d day prior to the date payments are due individual producers, pay such cooperative association for such milk as follows:

(1) An advance payment for milk received during the first 15 days of the month at not less than the Class II price for the preceding month; and

(2) In final settlement, the value of such milk as classified pursuant to § 1134.44(f) at the applicable class prices, less payment made pursuant to subparagraph (1) of this paragraph.

§ 1134.81 Location differential to producers.

For milk which is received at a plant located more than 200 miles but not more than 210 miles by shortest highway distance, as determined by the market administrator, from the Mesa County Courthouse, Grand Junction, there should be deducted 31.5 cents per hundredweight and an additional 1.5 cents shall be deducted for each 10 miles or fraction thereof that such distance exceeds 210 miles.

§ 1134.82 Butterfat differential to producers.

The applicable uniform price to be paid to producers pursuant to § 1134.80 shall be increased or decreased for each one-tenth of one percent which the butter-

fat content of his milk is above or below 3.5 percent, respectively, by a butterfat differential equal to the average of the butterfat differentials determined pursuant to § 1134.53 (a) and (b), weighted by the pounds of butterfat in producer milk in each class and the result rounded to the nearest tenth of a cent.

§ 1134.83 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 payments made by handlers pursuant to §§ 1134.62 and 1134.84 and out of which he shall make all payments pursuant to § 1134.85: *Provided*, That any payments due to any handler shall be offset by any payments due from such handler.

§ 1134.84 Payments to the producer-settlement fund.

On or before the 14th day after the end of each month, each handler who operates a pool plant shall pay to the market administrator any amount by which the value of his producer milk as computed pursuant to § 1134.70, is greater than the amount owed by him for such milk at the appropriate uniform prices determined pursuant to § 1134.80.

§ 1134.85 Payments out of the producer-settlement fund.

On or before the 14th day after the end of each month, the market administrator shall pay to each handler any amount by which the total value of his producer milk, computed pursuant to § 1134.70 is less than the amount owed by him for such milk at the appropriate uniform price determined pursuant to § 1134.80. If at such time the balance of the producer-settlement fund is insufficient to make all payments pursuant to this section, the market administrator shall reduce uniformly such payments and shall complete such payments as soon as the funds are available.

§ 1134.86 Adjustment of accounts.

Whenever audit by the market administrator of any handler's reports, books, records, or accounts of other verification discloses errors resulting in moneys due a producer or the market administrator from such handler or due such handler from the market administrator; the market administrator shall promptly notify such handler of any amount so due and payment thereof shall be made on or before the next date for making payments as set forth in the provisions under which such error occurred.

§ 1134.87 Marketing services.

(a) Except as set forth in this paragraph (b) of this section, each handler in making payments to producers for milk (other than milk of his own production) pursuant to § 1134.80, shall deduct 6 cents per hundredweight, or such lesser amount as may be prescribed by the Secretary, and shall pay such deductions to the market administrator on or before the 16th day after the end of the month. Such money shall be used by the market administrator to provide market information and to check the accuracy of the

testing and weighing of their milk for producers who are not receiving such services from a cooperative association;

(b) In the case of producers who are members of a cooperative association which the Secretary has determined is actually performing the services set forth in this paragraph (a) of this section, each handler shall make, in lieu of the deduction specified in paragraph (a) of this section, such deductions from the payments to be made to producers as may be authorized by the membership agreement or marketing contract between the cooperative association and its members, and on or before the 16th day after the end of each month, the handler shall pay the aggregate amount of such deductions to the cooperative association, furnishing a statement showing the amount of the deductions and the quantity of milk on which the deduction was computed from each producer.

§ 1134.88 Expense of administration.

As his pro rata share of the expense of the administration hereof, each handler shall pay the market administrator, on or before the 16th day after the end of each month, 5 cents per hundredweight, or such lesser amount as the Secretary may prescribe, with respect to (a) all milk received from producers during such month, including such handler's own farm production, (b) other source milk received at a pool plant and classified as Class I and (c) the quantities of milk at the plants of handlers operating nonpool plants as specified in § 1134.62 (a) (2) or § 1134.62 (b) (2).

§ 1134.89 Termination of obligations.

The provisions of this section shall apply to any obligation under this part for the payment of money:

(a) The obligation of any handler to pay money required to be paid under the terms of this part shall, except as provided in paragraphs (b) and (c) of this section, terminate 2 years after the last day of the month during which the market administrator received the handler's utilization report on the milk involved in such obligation, unless within such 2-year period the market administrator notifies the handler in writing that such money is due and payable. Service of such notice shall be complete upon mailing to the handler's last known address, and it shall contain, but need not be limited to, the following conditions:

(1) The amount of the obligation;

(2) The month(s) during which the milk, with respect to which the obligation exists, was received or handled; and

(3) If the obligation is payable to one or more producers or to a cooperative association, the names of such producer(s) or cooperative association, or if the obligation is payable to the market administrator, the account for which it is to be paid;

(b) If a handler fails or refuses, with respect to any obligation under this part, to make available to the market administrator or his representatives all books and records required by this part to be made available, the market administrator may, within the 2-year period provided for in paragraph (a) of this section, notify the handler in writing of

such failure or refusal. If the market administrator notifies a handler, the said 2-year period, with respect to such obligation, shall not begin to run until the first day of the month following the month during which all such books and records pertaining to such obligations are made available to the market administrator or his representative;

(c) Notwithstanding the provisions of paragraphs (a) and (b) of this section a handler's obligation under this part to pay money shall not be terminated with respect to any transaction involving fraud or willful concealment of a fact, material to the obligation, on the part of the handler against whom the obligation is sought to be imposed; and

(d) Any obligation on the part of the market administrator to pay a handler any money which such handler claims to be due him under the terms of this part shall terminate 2 years after the end of the month during which the payment (including deduction or offset by the market administrator) was made by the handler, if a refund on such payment is claimed unless such handler, within the applicable period of time, files, pursuant to section 8c(15)(A) of the Act, a petition claiming such money.

EFFECTIVE TIME, SUSPENSION OR TERMINATION

§ 1134.90 Effective time.

The provisions of this part or any amendment thereto, shall become effective at such time as the Secretary may declare and shall continue in force until suspended or terminated.

§ 1134.91 Suspension or termination.

The Secretary shall, whenever he finds that any or all provisions of this part, or any amendment thereto, obstruct or do not tend to effectuate the declared policy of the Act, terminate or suspend the operation of any or all provisions of this part or any amendment thereto. This part shall terminate in any event whenever the provisions of the Act authorizing it cease to be in effect.

§ 1134.92 Continuing obligations.

If upon the suspension or termination of any or all provisions of this part, or any amendment thereto, there are any obligations thereunder, the final accrual or ascertainment of which requires further acts by any person (including the market administrator), such further acts shall be performed notwithstanding such suspension or termination.

§ 1134.93 Liquidation.

Upon the suspension or termination of any or all provisions of this part, the market administrator, or such other liquidating agent as the Secretary may designate, shall, if so directed by the Secretary, liquidate the business of the market administrator's office, dispose of all property in his possession or control, including accounts receivable, and execute and deliver all assignments or other instruments necessary or appropriate to effectuate any such disposition. If a liquidating agent is so designated, all assets, books and records of the market administrator shall be transferred promptly to such liquidating agent. If

upon such liquidation, the funds on hand exceed the amounts required to pay outstanding obligations of the office of the market administrator and to pay necessary expenses of liquidating and distribution, such excess shall be distributed to contributing handlers and producers in an equitable manner.

MISCELLANEOUS PROVISIONS

§ 1134.100 Agents.

The Secretary may, by designation in writing, name any officer or employee of the United States to act as his agent and representative in connection with any of the provisions of this part.

§ 1134.101 Separability of provisions.

If any provisions of this part, or its application to any person or circumstances, is held invalid, the application of such provision, and of the remaining provisions of this part, to other persons or circumstances shall not be affected thereby.

Proposed by Clymer's Rose Glen Dairy, Inc., of Grand Junction, Colorado:

Proposal No. 2. Revise § 1134.6 to enlarge the marketing area by adding Garfield County, Colorado.

Proposal No. 3. Revise § 1134.51 to read as follows:

§ 1134.51 Class prices.

Subject to the provisions of §§ 1134.52 and 1134.53, the class prices per hundredweight for the month shall be as follows:

(a) *Class I milk.* The basic formula price for the preceding month plus \$1.80.

(b) *Class II milk.* The basic formula price for the current month.

Proposed by Crescent Creamery of Grand Junction, Colorado:

Proposal No. 4. In § 1134.51 revise paragraph (a) to read as follows:

(a) *Class I price.* The basic formula price for the preceding month plus \$1.80.

Proposal No. 5. In § 1134.83 reduce the maximum marketing service deduction from 6 cents to 5 cents per hundredweight.

Proposal No. 6. In § 1134.84 reduce the maximum expense of administration from 5 cents to 4 cents per hundredweight.

Proposed by Clymer's Rose Glen Dairy, Inc., of Grand Junction, Colorado:

Proposal No. 7. Revise § 1134.84 to read as follows:

§ 1134.84 Expense of administration.

As his pro rata share of the expense of administration of this part, each handler shall pay to the market adminis-

trator on or before the 16th day after the end of the month, four cents per hundredweight, or such amount not exceeding four cents per hundredweight as the Secretary may prescribe, with respect to (a) all milk received from producers during such month, including such handlers' own production; (b) other source milk received at a pool plant and classified as Class I; and (c) the quantities of milk at the plant of handlers operating nonpool plants as specified in § 1134.62 (a) (2) or (b) (2).

Proposed by the Milk Marketing Orders Division, Agricultural Stabilization and Conservation Service:

Proposal No. 8. Make such changes as may be necessary to make the entire marketing agreement and the order conform with any amendments thereto that may result from this hearing.

Copies of this notice of hearing and the order may be procured from the Market Administrator, H. Alan Luke, 2765 South Colorado Boulevard, Denver 22, Colorado, or from the Hearing Clerk, Room 112, Administration Building, United States Department of Agriculture, Washington 25, D.C., or may be there inspected.

Signed at Washington, D.C., on July 13, 1962.

ROBERT G. LEWIS,
Deputy Administrator, Price and Production, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 62-7005; Filed, July 17, 1962; 8:52 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Parts 600, 601]

[Airspace Docket No. 62-WE-9]

FEDERAL AIRWAY AND ASSOCIATED CONTROL AREAS

Proposed Alteration

Pursuant to the authority delegated to me by the Administrator (14 CFR 409.13), notice is hereby given that the Federal Aviation Agency is considering amendments to § 600.6448 and § 601.6448 of the regulations of the Administrator, the substance of which is stated below.

Low altitude VOR Federal airway No. 448 and its associated control areas are designated from Ephrata, Wash., to Mullan Pass, Mont. The Federal Aviation Agency has under consideration the extension of this airway from Ephrata to Yakima, Wash. The extension of this airway would provide a direct route for

aircraft operating between Ephrata and Yakima. This direct route would shorten by 14 nautical miles the present indirect routing via Ellensburg, Wash. Further, route separation would be afforded for Spokane and Seattle traffic to and from Yakima since the proposed direct route would eliminate the present common route via Ellensburg to these two terminals. A portion of the proposed airway would transit Restricted Area R-6714 located northeast of Yakima and would be utilized only after prior approval from the appropriate authority.

The control areas associated with this proposed airway would extend from 700 feet above the surface to the base of the continental control areas. Separate action would be initiated to implement on an area basis Amendment 60-21 to Part 60 of the Civil Air Regulations.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Assistant Administrator, Western Region, Attn: Chief, Air Traffic Division, Federal Aviation Agency, 5651 West Manchester Avenue, P.O. Box 90007, Airport Station, Los Angeles 9, Calif. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room A-103, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Air Traffic Division Chief.

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

Issued in Washington, D.C., on July 12, 1962.

CLIFFORD P. BURTON,
Chief, Airspace Utilization Division.

[F.R. Doc. 62-6962; Filed, July 17, 1962; 8:45 a.m.]

Notices

DEPARTMENT OF THE INTERIOR

Bureau of Reclamation

[Public Announcement No. 28, Amdt. 1]

COLUMBIA BASIN PROJECT, WASHINGTON

Public Announcement of the Sale of Full-Time Farm Units

Public announcement of the sale of farm units in the South Columbia Basin Irrigation District, Columbia Basin Project, Washington, dated June 13, 1958, and published in the FEDERAL REGISTER at 23 F.R. 4814, is amended by adding to the last sentence of section 16(d)(2), the following: * * * except that for Farm Unit 35, Irrigation Block 3, and only that unit, the latest permissible date for initiating residence will be extended for two years in addition to the one-year period specified above.

M. B. BENNETT, JR.,
Acting Commissioner.

JULY 11, 1962.

[F.R. Doc. 62-6972; Filed, July 17, 1962;
8:46 a.m.]

Office of the Secretary

[Order 2869]

DIRECTOR, BUREAU OF COMMERCIAL FISHERIES

Delegation of Authority To Negotiate a Contract for Processing and Sale of United States Government Owned Alaska Fur Sealskins

SECTION 1. Delegation. The Director, Bureau of Commercial Fisheries, is authorized to exercise the authority delegated by the Administrator of General Services Administration to the Secretary of the Interior (27 F.R. 3017) to negotiate without advertising, under section 302(c)(10) of the Federal Property and Administrative Services Act of 1949, as amended (41 U.S.C. 252 et seq.), a contract for the processing or selling or both of United States Government owned Alaska fur sealskins.

SEC. 2. Exercise of authority. The authority delegated by section 1 of this order shall be exercised in accordance with the applicable limitations in the Federal Property and Administrative Services Act of 1949, as amended, and in accordance with applicable policies, procedures and controls prescribed by the General Services Administration and the Department of the Interior. The authority delegated by this order does not include authority to make advance payments under section 305 of the Act.

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SEC. 3. Redelegation. The authority delegated by section 1 of this order may not be redelegated.

STEWART L. UDALL,
Secretary of the Interior.

JULY 11, 1962.

[F.R. Doc. 62-6973; Filed, July 17, 1962;
8:46 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-129]

WEST VIRGINIA UNIVERSITY

Notice of Issuance of Amendment to Utilization Facility License

Please take notice that the Atomic Energy Commission has issued Amendment No. 5, set forth below, to Facility License No. R-58. The license authorizes West Virginia University (the licensee) to operate its nuclear reactor Model AGN-211, Serial No. 103 located on its campus in Morgantown, West Virginia. The amendment authorizes the licensee to add the position of Assistant Reactor Director to the organization responsible for operation of the reactor as requested by the licensee's application for license amendment dated March 20, 1962.

The Commission has found that:

(1) Operation of the reactor in accordance with the license as amended will not present undue hazard to the health and safety of the public and will not be inimical to the common defense and security;

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

(3) Prior public notice of proposed issuance of this amendment is not necessary in the public interest since operation of the reactor in accordance with the license, as amended, will not present any substantial change in the hazards to the health and safety of the public from those considered and evaluated in connection with the previously approved operation.

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

For further details with respect to this amendment see (1) the hazards analysis prepared by the Research and Power Reactor Safety Branch of the Division of Licensing and Regulation and (2) the licensee's application for license amendment dated March 20, 1962, both of which are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. A copy of item (1) above may be obtained at the Commission's Public Document Room or upon request addressed to the Atomic Energy Commission, Washington, D.C., Attention: Director, Division of Licensing and Regulation.

Dated at Germantown, Md., this 11th day of July 1962.

For the Atomic Energy Commission.

ROBERT H. BRYAN,
*Chief, Research and Power Reactor
Safety Branch, Division
of Licensing and Regulation.*

[License No. R-58; Amdt. 5]

Facility License No. R-58, as amended, which authorizes West Virginia University ("the licensee") to operate its nuclear reactor Model AGN-211, Serial No. 103 ("the reactor"), located on its campus in Morgantown, West Virginia, is hereby further amended to authorize the addition of the position of Assistant Reactor Director to the licensee's organization responsible for operation of the reactor as described in the licensee's application for license amendment dated March 20, 1962.

The reactor shall be operated in accordance with the terms and conditions contained in License No. R-58, as amended, and the licensee's application for license amendment dated March 20, 1962.

This amendment is effective as of the date of issuance.

Date of issuance: July 11, 1962.

For The Atomic Energy Commission.

ROBERT H. BRYAN,
*Chief, Research and Power Reactor
Safety Branch, Division of Licens-
ing and Regulation.*

[F.R. Doc. 62-6961; Filed, July 17, 1962;
8:45 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 13329 etc.]

AIR BUS TARIFFS INVESTIGATION

Notice of Postponement of Hearing

Reference is hereby made to a Notice of Hearing dated June 29, 1962, which assigned the above-entitled proceeding for public hearings beginning July 24, 1962.

Notice is hereby given, pursuant to the Federal Aviation Act of 1958, as amended, that public hearings in this proceeding are hereby postponed until further notice.

Dated at Washington, D.C., July 13, 1962.

[SEAL] MILTON H. SHAPIRO,
Hearing Examiner.

[F.R. Doc. 62-6998; Filed, July 17, 1962;
8:51 a.m.]

[Docket No. 13775; Order No. E-18585]

**HAWAIIAN AIR SERVICE
INVESTIGATION**

Order Instituting Investigation

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 13th day of July 1962.

The Board by the institution of this investigation of the interisland air service in Hawaii seeks a thorough evaluation of the competitive routes of Hawaiian Airlines, Inc. (Hawaiian) and Aloha Airlines, Inc. (Aloha). Prior to 1929, all commercial transportation between the islands, which now comprise the State of Hawaii, was provided by boat. In 1929, Hawaiian inaugurated scheduled airline service. Over the years, the commercial traffic between the islands shifted to air service and because of the decline in water transportation, interisland commercial boat service was discontinued in 1948. Following this, in 1949, Trans-Pacific Airlines, Ltd. (now Aloha) was authorized to provide scheduled air transportation in competition with Hawaiian.

Aloha originally operated under temporary certification but, pursuant to a Congressional mandate, the Board issued to this carrier a certificate of indefinite duration which went into effect on February 2, 1957 (Order E-10817, December 4, 1956). Hawaiian, a carrier with the usual grandfather rights, holds a currently effective certificate, which was issued on March 7, 1961 (Order E-16481), and Aloha holds a similar currently effective certificate which was issued on February 11, 1959 (Order E-13508).¹

Prior to the issuance of an indefinite certificate to Aloha, the Board conducted a proceeding involving a re-examination of the need for competitive air service in the Hawaiian Islands (*Trans-Pacific Airlines, Ltd. Renewal Case*, 21 CAB 253, May 3, 1955). Therein, a determination was made that the public convenience and necessity required renewal of Aloha's certificate for a temporary period terminating December 21, 1959 (subsequent to the Board's decision to temporarily renew, an indefinite certificate was issued to Aloha as referred to above).

Before Aloha was certificated, Hawaiian provided air service without subsidy support. However, since Aloha has been operating, both carriers have required subsidy, for most of the period of competition, with the total subsidy bill ranging from a low of \$48,000 in fiscal 1951 to a high of \$871,000 in fiscal 1953. In these years, the carriers operated only DC-3

equipment, but subsequently Hawaiian added Convairs to its fleet, and, in 1959 and 1960, Aloha acquired and placed in service six F-27 aircraft. For a short period of time, prior to an extensive sugar strike in Hawaii that took place in the spring of 1958, both carriers were able to operate on a subsidy-free basis. However, the economic impact of the strike was such as to drastically reduce the interisland traffic and both carriers again sought subsidy. The subsidy requirements subsequent to the decision in the renewal case remained at moderate levels for a period of several years,² but, for the calendar year 1961, it is estimated that the carriers accrued approximately \$570,000 in temporary subsidy requirements—\$291,000 for Aloha and \$279,000 for Hawaiian. The prospect for future annual periods is even more disturbing than the substantial amount that appears to be required for calendar year 1961. The carriers' claims for subsidy with tax allowance may well approach, or even exceed, a \$2 million annual sum with each carrier claiming approximately half of this total amount. Such a sharp rise in subsidy cost is difficult if not impossible to accept in a market which has no competitive forms of transportation and which has achieved a healthy volume of air traffic.

The carriers' and Board personnel have attempted to solve or alleviate the subsidy problems in a series of informal conferences, but it does not appear that any of the possibilities discussed at the informal conferences would lead to marked reductions in subsidy requirements without the formal action that we contemplate herein. As discussed in

the renewal case, air transportation among the islands of Hawaii involves a unique situation. There is no surface competition, and, by local service standards, the traffic is high density. For example, the following data for the year ended December 31, 1960, compare the two Hawaiian carriers with the domestic United States local service carriers:

	Aloha	Hawaiian	Average local service industry	Highest local service carrier (Mohawk)
Passengers/Route Mile/Day.....	418.04	506.60	93.29	204.23
Passengers/Station/Day.....	139.73	136.34	30.39	67.94

A haul-density index constructed from the average haul for the Hawaiian carriers—149 miles—for the foregoing density factors discloses that Hawaiian's and Aloha's routes are superior to local service routes by a ratio of almost 7 to 1. Routes with these characteristics operated with the reasonably efficient modern equipment possessed by Hawaiian and Aloha should produce profitable operations. Since profitability appears to be questionable, under the existing route structures, it appears both logical and apparent that the side-by-side competition of the two carriers creates unusually high costs.

The following table, which compares certain indirect expenses of the Hawaiian carriers with those of two domestic local service carriers, is included here to illustrate some of the principal categories in which these high costs occur:³

	Aloha	Hawaiian	Allegheny	Mohawk
Passenger service.....	\$155,575	\$235,784	\$963,029	\$769,551
Aircraft and traffic servicing.....	807,480	1,514,044	4,549,425	3,983,703
Promotion and sales.....	937,182	1,244,376	1,688,041	1,918,744
General and Administrative ¹	567,758	971,717	912,047	924,195

¹ \$294,026 of the amount of General and Administrative expense shown for HIAL is for gross receipts tax; for Aloha the comparable figure is \$201,118.

The figures above indicate that the promotion and sales and general and administrative expenses of Aloha and Hawaiian are disproportionately high when compared to the experience of Allegheny and Mohawk. The volume of operations and traffic carried by each of these two local service carriers is by any measurement; e.g. miles flown, stations, passengers, substantially greater than that of the Hawaiian carriers.

We are by no means prepared to reverse our rationale in the renewal proceeding, which indorsed two-carrier competition as justified in the public

convenience and necessity. However, we must take cognizance of the fact that the decision contemplated no more than a fraction of the subsidy requirements now facing us. Moreover, the forecast subsidy was for service at fares substantially lower than current levels.⁴ Under such circumstances, it is appropriate for us now to re-examine the route structure to determine whether it is possible to preserve competitive services in those markets which can support and warrant it, and to eliminate competition at points of lesser need and traffic density.

³ It is recognized that there can be many many cost distinctions—as well as public convenience and necessity distinctions—in making any comparison between the Hawaiian carriers and domestic local service carriers.

	Aloha	HIAL	Total
1956 (closed rate).....	\$50,729	\$237,752	\$288,481
1957 (closed rate).....	12,283	59,990	72,273
1958 (temporary rate).....	109,150	32,731	141,881
1959 (temporary rate).....	91,557	60,059	151,616
1960 (temporary rate).....	30,296	240,166	270,462
Total.....	294,015	630,698	924,713

FIRST CLASS FARES
[Effective in March of each year]

	1956	1957	1958	1959	1960	1961	1962
Honolulu-Hilo.....	15.00	15.00	16.50	17.60	17.60	21.00	19.09
Honolulu-Kauai.....	9.50	9.50	10.50	11.20	11.20	13.80	12.55
Honolulu-Maui.....	9.50	9.50	10.50	11.20	11.20	13.80	12.55

¹ With minor exceptions, the carriers have identical authority at present. Hawaiian's certificate is slightly broader than Aloha's in its terms in that Hawaiian's designates the entire island of Maui and also the City of Kamuela.

Our aim in this proceeding is directed toward a realignment of the existing routes of Hawaiian and Aloha to the extent that route realignments can produce economies for the carriers without subverting the service warranted by the public convenience and necessity. In evaluating all possible realignments, the Board will, of course, weigh the impact on the public—to the extent that it is affected by a diminution or elimination of point-to-point competition.

With the established history that each carrier enjoys in Hawaii, we do not here contemplate total cancellation of either carrier's certificate nor will we consider applications of any other parties who may seek to provide new or additional certificated air service in Hawaii. Rather, this proceeding concerns only such changes as may be warranted, in the presently parallel routes of the existing carriers, to produce reductions in the costs of competition without undue adverse impact upon the benefits inherent in parallel operations. To this end, and pursuant to sections 401(g) and 1002(b) of the Federal Aviation Act of 1958, as amended, a hearing will be conducted to see whether the public convenience and necessity require that the certificates of Hawaiian and/or Aloha should be altered, amended, modified or suspended for the purpose of reducing or eliminating uneconomic competition at those points in Hawaii which are now designated in the certificates of Hawaiian and/or Aloha to receive service. At the hearing, and in conformance with meeting the issues raised herein, the carriers will be expected to supply estimates of the financial results which might be achieved through a reduction or elimination of uneconomic competition.

This proceeding will be set before an examiner of the Board at a time and place to be determined.

Accordingly, it is ordered:

1. That an investigation be instituted to determine whether the public convenience and necessity require that the certificates of Hawaiian Airlines, Inc., and/or Aloha Airlines, Inc., should be altered, amended, modified or suspended to reduce or eliminate uneconomic competition at those points in Hawaii which are now designated in the certificates of Hawaiian and Aloha to receive scheduled air service;

2. That Hawaiian Airlines, Inc., and Aloha Airlines, Inc., be and they hereby are made parties to this proceeding; and

3. That this order be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 62-8999; Filed, July 17, 1962; 8:51 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 12445 etc.; FCC 62M-987]

FLORIDA GULFCOAST BROADCASTERS, INC.

Order Scheduling Prehearing Conference

In re applications of Florida Gulfcoast Broadcasters, Incorporated, Largo, Florida, Docket No. 12445, File No. BPCT-2371; City of St. Petersburg, Florida (WSUN-TV), Largo, Florida, Docket No. 12446, File No. BPCT-2373; Suncoast Cities Broadcasting Corporation, Largo, Florida, Docket No. 12447, File No. BPCT-2389; Tampa Telecasters, Inc., Largo, Florida, Docket No. 12448, File No. BPCT-2432; WTSP-TV, Inc., Largo, Florida, Docket No. 12449, File No. BPCT-2437; Bay Area Telecasting Corporation, Largo, Florida, Docket No. 12450, File No. BPCT-2445; for construction permits for television broadcast stations.

On the Examiner's own motion: *It is ordered*, This 12th day of July 1962, that a prehearing conference in the above-entitled matter will be held in the offices of the Commission, Washington, D.C., on July 19, 1962, at 9:00 a.m.

Released: July 13, 1962.

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

[F.R. Doc. 62-7000; Filed, July 17, 1962; 8:51 a.m.]

FEDERAL POWER COMMISSION

[Docket No. RI63-2]

BLAIR-VREELAND

Order Providing for Hearing on and Suspension of Proposed Change in Rate

JULY 11, 1962.

On June 21, 1962, Blair-Vreeland¹ tendered for filing a proposed change in its presently effective rate schedule for sales of natural gas subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filing:

Description: Notice of Change, dated May 31, 1962.

Purchaser and producing area: Coastal Transmission Corporation (Hinde Field, Starr County, Texas) (Railroad Commission Dist. No. 4).

¹ Address is: P.O. Box 2413, Corpus Christi, Texas.

Rate schedule designation: Supplement No. 1 to Blair-Vreeland's FPC Gas Rate Schedule No. 2.

Effective date: July 22, 1962.²

Proposed rate: 17.0 cents per Mcf.³

Effective rate: 16.0 cents per Mcf.³

Annual increase: \$3,660.

Pressure base: 14.65 psia.

The proposed periodic rate increase exceeds the applicable area price level as set forth in the Commission's Statement of General Policy No. 61-1, as amended (18 CFR Ch. I, Part 2, § 2.56).

The proposed increased rate may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the proposed change, and that Supplement No. 1 to Blair-Vreeland's FPC Gas Rate Schedule No. 2 be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the Regulations under the Natural Gas Act (18 CFR, Ch. I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate and charge contained in Supplement No. 1 to Blair-Vreeland's FPC Gas Rate Schedule No. 2.

(B) Pending such hearing and decision thereon, said supplement be and it is hereby suspended and the use thereof deferred until December 22, 1962, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplement hereby suspended, nor the rate schedule sought to be altered thereby, shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37 (f)) on or before August 27, 1962.

By the Commission.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 62-6968; Filed, July 17, 1962; 8:45 a.m.]

² The stated effective date is the first day after expiration of the required statutory notice.

³ Subject to downward Btu adjustment below 1,000 Btu's per cubic foot.

[Docket No. G-1471]

TEXAS GAS TRANSMISSION CORP.

Notice of Application To Amend Certificate of Public Convenience and Necessity

JULY 11, 1962.

Take notice that on April 9, 1962, Texas Gas Transmission Corporation (Applicant) filed an application to amend the Commission's order issued January 19, 1951, in Docket No. G-1471 to increase by 4,500 Mcf Applicant's daily deliveries of natural gas to Spencer Chemical Company (Spencer) for industrial use by the latter near Henderson, Kentucky. Applicant is presently authorized to deliver a maximum of 17,000 Mcf of gas per day to Spencer for use in the production of anhydrous ammonia, of which 7,000 Mcf is delivered under high priority interruptible service for use as raw material and 10,000 Mcf is delivered under other interruptible service for use as fuel.

Applicant states that Spencer has undertaken to expand its output of ammonia, which expansion has caused an increase in Spencer's maximum daily requirement of high priority interruptible gas from the 7,000 Mcf presently authorized to 11,500 Mcf.

Applicant and Spencer have entered into an amendatory agreement dated January 22, 1962, for the proposed additional volumes of natural gas.

Protests, petitions to intervene or requests for hearing may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before July 31, 1962.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 62-6969; Filed, July 17, 1962; 8:45 a.m.]

FEDERAL RESERVE SYSTEM

UNITED CALIFORNIA BANK

Order Denying Application for Approval of Merger of Banks

In the matter of the application of United California Bank for approval of merger with The First National Bank of Vista.

There has come before the Board of Governors, pursuant to the Bank Merger Act of 1960 (12 U.S.C. 1828(c)), an application by United California Bank, Los Angeles, California, a member bank of the Federal Reserve System, for the Board's prior approval of the merger of The First National Bank of Vista, Vista, California, with and into United California Bank, under the charter and title of the latter. Notice of the proposed merger, in form approved by the Board, was published pursuant to said Act.

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

involved in the proposed merger and the information received at and in connection with the public proceeding which was ordered in this matter (27 F.R. 4601) pursuant to the Board's rules of procedure (12 C.F.R. 262.2(f)(3)).

It is hereby ordered, For the reasons set forth in the Board's Statement¹ of this date, that the said application be and hereby is denied.

Dated at Washington, D.C., this 20th day of June 1962.

By order of the Board of Governors.
[SEAL] MERRITT SHERMAN,
Secretary.

[F.R. Doc. 62-6970; Filed, July 17, 1962; 8:46 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 1-3341]

CENTRAL STANDARD CONSOLIDATED MINES

Order Granting Application To Strike From Listing and Registration

JULY 12, 1962.

In the matter of Central Standard Consolidated Mines, Common Stock, File No. 1-3341.

Salt Lake Stock Exchange has filed an application with the Securities and Exchange Commission pursuant to section 12(d) of the Securities Exchange Act of 1934 and Rule 12d2-1(b) promulgated thereunder, to strike the specified security from listing and registration thereon.

The reasons alleged in the application for striking this security from listing and registration include the following:

Registrant has informed the Exchange that it is unable to comply with requirements of the Exchange in the following particulars:

1. To hold an annual meeting with notice to stockholders and the Exchange.
2. To mail to stockholders and the Exchange an Annual Report within 140 days of the close of its fiscal year.
3. That the market value of the outstanding stock will be at least \$100,000.

The Commission having considered the facts stated in the application, and having due regard for the public interest and protection of investors;

It is ordered, That said application be, and the same is, hereby granted, effective at the close of the trading session on July 27, 1962.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 62-6976; Filed, July 17, 1962; 8:47 a.m.]

¹Filed as part of the original document. Copies available upon request to the Board of Governors of the Federal Reserve System, Washington 25, D.C., or to the Federal Reserve Bank of San Francisco. Dissenting statement of Chairman Martin and Governor Shepardson also filed as part of the original document and available upon request.

[File No. 1-1765]

EAST CROWN POINT CONSOLIDATED MINING CO.

Order Granting Application To Strike From Listing and Registration

JULY 12, 1962.

In the matter of East Crown Point Consolidated Mining Co., Common Stock, File No. 1-1765.

Salt Lake Stock Exchange has filed an application with the Securities and Exchange Commission pursuant to section 12(d) of the Securities Exchange Act of 1934 and Rule 12d2-1(b) promulgated thereunder, to strike the specified security from listing and registration thereon.

The reasons alleged in the application for striking this security from listing and registration include the following:

Listing requirements of the Exchange are not met in the following particulars, and correction is not indicated:

1. The company has less than 200 stockholders.
2. Market value of outstanding stock is less than \$200,000.
3. Stock held by non-control persons is less than \$50,000.

The company was notified April 20, 1962 of contemplated delisting action and has failed to show cause why such action should not be effected.

The Commission having considered the facts stated in the application, and having due regard for the public interest and protection of investors;

It is ordered, That said application be, and the same is, hereby granted, effective at the close of the trading session on July 27, 1962.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 62-6977; Filed, July 17, 1962; 8:47 a.m.]

[File No. 1-3445]

E. L. BRUCE CO., INC.

Order Summarily Suspending Trading

JULY 12, 1962.

The common stock, par value \$1, of E. L. Bruce Co. (Incorporated), being listed and registered on the American Stock Exchange, a national securities exchange; and

The Commission being of the opinion that the public interest requires the summary suspension of trading in such security on such Exchange and that such action is necessary and appropriate for the protection of investors; and

The Commission being of the opinion further that such suspension is necessary in order to prevent fraudulent, deceptive or manipulative acts or practices, with the result that it will be unlawful under Section 15(c)(2) of the Securities Exchange Act of 1934 and the Commission's Rule 15c2-2 thereunder for any broker or dealer to make use of the mails or of any means or instrumentality of interstate commerce to effect any transaction in, or to induce or attempt to induce the purchase or sale

of such security, otherwise than on a national securities exchange;

It is ordered, Pursuant to section 19(a)(4) of the Securities Exchange Act of 1934 that trading in said security on the American Stock Exchange be summarily suspended in order to prevent fraudulent, deceptive or manipulative acts or practices, this order to be effective for a period of ten (10) days, July 13, 1962, to July 22, 1962, both dates inclusive.

By the Commission.

ORVAL L. DuBois,
Secretary.

[F.R. Doc. 62-6979, Filed, July 17, 1962;
8:47 a.m.]

[File No. 1-1762]

EUREKA MINES CO.

Order Granting Application To Strike From Listing and Registration

JULY 12, 1962.

In the matter of Eureka Mines Company, Common Stock, File No. 1-1762.

Salt Lake Stock Exchange has filed an application with the Securities and Exchange Commission pursuant to section 12(d) of the Securities Exchange Act of 1934 and Rule 12d2-1(b) promulgated thereunder, to strike the specified security from listing and registration thereon.

The reason alleged in the application for striking this security from listing and registration include the following:

Listing requirements of the Exchange are not met in the following particulars, and correction is not indicated:

1. Market value of the outstanding stock is less than \$100,000.
2. Market value of the stock held by other than "control persons" is less than \$50,000.

The company upon invitation to do so, has failed to show cause why delisting should not be initiated.

The Commission having considered the facts stated in the application, and having due regard for the public interest and protection of investors;

It is ordered, That said application be, and the same is, hereby granted, effective at the close of the trading session on July 27, 1962.

By the Commission.

[SEAL] ORVAL L. DuBois,
Secretary.

[F.R. Doc. 62-6978; Filed, July 17, 1962;
8:47 a.m.]

[File No. 70-4052]

NEW ENGLAND POWER CO. AND NEW ENGLAND ELECTRIC SYSTEM

Notice of Proposed Issuance and Sale of Common Stock by Subsidiary Company and Acquisition Thereof by Holding Company

JULY 11, 1962.

Notice is hereby given that New England Electric System ("NEES"), a registered holding company, and New England Power Company ("NEPCO"),

one of its subsidiary companies (411 Stuart Street, Boston 16, Massachusetts), have filed a joint application with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6(b), 9(a), and 10 of the Act as applicable to the proposed transactions. All interested persons are referred to the joint application, on file at the office of the Commission, for a statement of the transactions therein proposed which are summarized below.

NEPCO proposes to issue and sell to NEES, its sole common stockholder, 342,857 additional shares of common stock, \$20 par value, and NEES proposes to acquire said shares for a cash consideration of \$35 per share. The par value of such shares aggregates \$6,857,140, and the cash consideration to be paid by NEES totals \$11,999,995. The excess of \$5,142,855 over the par value will be credited by NEPCO to premiums on capital stocks. Upon such issue and sale, NEPCO will have outstanding 3,107,039 shares of common stock of an aggregate par value of \$62,140,780. The proceeds from the sale of the additional shares of common stock will be applied by NEPCO to the payment of short-term note indebtedness previously incurred for capital expenditures.

The joint application states that expenses incident to the proposed transactions are estimated at \$19,629 for NEPCO and \$1,000 for NEES, consisting of service charges, at cost, of New England Power Service Company amounting to \$1,000 for NEES and \$4,000 for NEPCO, original issue stamp taxes of \$12,000, a State filing fee of \$3,429, and a counsel fee of \$200. It is also stated that the Massachusetts Department of Public Utilities, the State commission of the State in which NEPCO is organized and doing business, and the New Hampshire Public Utilities Commission and the Vermont Public Service Board, commissions of the other States in which NEPCO is doing business, have jurisdiction over the proposed issue and sale of common stock by NEPCO. The orders of these commissions relating to the proposed issuance and sale of common stock are to be filed by amendment. No other State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than July 31, 1962, request in writing that a hearing be held on such matters, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said joint application which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D.C. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the applicants, and proof of service (by affidavit or, in case of an attorney-at-law, by certificate) should be filed contemporaneously with the request. At any time

after said date, the joint application, as it is to be amended, may be granted as provided in Rule 23 of the General rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate.

By the Commission.

[SEAL] ORVAL L. DuBois,
Secretary.

[F.R. Doc. 62-6981; Filed, July 17, 1962;
8:47 a.m.]

[File No. 1-536]

PLYMOUTH OIL CO.

Order Granting Application To Strike From Listing and Registration

JULY 12, 1962.

In the matter of Plymouth Oil Company, Common Stock, File No. 1-536.

Pittsburgh Stock Exchange has filed an application with the Securities and Exchange Commission pursuant to section 12(d) of the Securities Exchange Act of 1934 and Rule 12d2-1(b) promulgated thereunder, to strike the specified security from listing and registration thereon.

The reasons alleged in the application for striking this security from listing and registration include the following: Stockholders on March 28, 1962, adopted a Plan of Complete Liquidation of the Company.

The Commission having considered the facts stated in the application, and having due regard for the public interest and protection of investors;

It is ordered, That said application be, and the same is, hereby granted, effective at the close of the trading session on July 27, 1962.

By the Commission.

[SEAL] ORVAL L. DuBois,
Secretary.

[F.R. Doc. 62-6982; Filed, July 17, 1962;
8:47 a.m.]

[File No. 1-4583]

PRECISION MICROWAVE CORP.

Order Summarily Suspending Trading

JULY 12, 1962.

The Common Stock, Par Value \$1.00, of Precision Microwave Corp., being listed and registered on the American Stock Exchange, a national securities exchange; and

The Commission being of the opinion that the public interest requires the summary suspension of trading in such security on such Exchange and that such action is necessary and appropriate for the protection of investors; and

The Commission being of the opinion further that such suspension is necessary in order to prevent fraudulent, deceptive or manipulative acts or practices, with the result that it will be unlawful under section 15(c)(2) of the Securities Exchange Act of 1934 and the Commission's Rule 15c2-2 thereunder for any broker or dealer to make use of the mails or of any means or instrumentality of interstate commerce to effect any trans-

action in, or to induce or attempt to induce the purchase or sale of such securities, otherwise than on a national securities exchange;

It is ordered, Pursuant to section 19 (a) (4) of the Securities Exchange Act of 1934 that trading in said security on the American Stock Exchange be summarily suspended in order to prevent fraudulent, deceptive or manipulative acts or practices, this order to be effective for a period of ten (10) days, July 13, 1962, to July 22, 1962, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 62-6980; Filed, July 17, 1962;
8:47 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 219]

MOTOR CARRIER ALTERNATE ROUTE DEVIATION NOTICES

JULY 13, 1962.

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 38541 (Deviation No. 3), WHITE MOTOR EXPRESS, INCORPORATED, 321 Benedict Street, Nashville 6, Tenn., filed July 5, 1962. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Nashville, Tenn., over U.S. Highway 31E to junction Tennessee Highway 25, at or near Gallatin, Tenn., thence over Tennessee Highway 25 to junction Tennessee Highway 10, thence over Tennessee Highway 10 to Lafayette, Tenn., 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 Nashville over U.S. Highway 31E to junction Tennessee Highway 52, thence over Tennessee

Highway 52 to Lafayette, and return over the same route.

No. MC 77486 (Deviation No. 3), ADMIRAL TRANSIT, INC., 2625 Territorial Road, St. Paul 14, Minn., filed July 5, 1962. 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. Highways 12 and 14, south of Madison, Wis., over U.S. Highway 12 to junction U.S. Highway 51, thence over U.S. Highway 51 to junction U.S. Highway 14, north of Janesville, Wis., 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 between the same points over U.S. Highway 14.

By the Commission.

[SEAL] HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 62-6991; Filed, July 17, 1962;
8:50 a.m.]

[Notice 458]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

JULY 13, 1962.

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

All hearings and prehearing conferences will be called at 9:30 a.m., United States standard time (or 9:30 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

The applications 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 PROCEDURES FOR HEARING

(1) All of the testimony to be adduced by applicant's 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 applicant's 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 applicant's 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 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) Supplemental testimony by a witness to correct errors or to supply inadvertent omissions in his written statement is permissible.

No. MC 25798 (Sub No. 74), filed July 12, 1962. Applicant: CLAY HYDER TRUCKING LINES, INC., Dade City, Fla. Applicant's attorney: Thomas F. Kilroy, Suite 912 Federal Bar Building, 1815 H Street NW., Washington 6, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods, potatoes, and potato products*, frozen and uncooked, and blanched, from Fargo, Park River, Grafton, and points in Grand Forks County, N. Dak., Crookston, Mankato, Barnesville, East Grand Forks, St. Paul, Minneapolis, and Hopkins, Minn., to points in Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, Missouri, North Carolina, South Carolina, Tennessee (except Memphis), Texas, Virginia, West Virginia, and Washington, D.C.

HEARING: July 31, 1962, at the U.S. Court Rooms, Fargo, N. Dak., before Examiner J. Thomas Schneider.

No. MC 78643 (Sub-No. 48), filed June 27, 1962. Applicant: HART MOTOR EXPRESS, INC., 2417 North Cleveland, St. Paul 13, 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: *Potatoes, potato products and frozen foods*, from points in North Dakota and Minnesota to points in North Dakota, Minnesota, Wisconsin, Illinois, points in Indiana and the Chicago, Ill., Commercial Zone, and points in Iowa on and East of U.S. Highway 218.

HEARING: July 31, 1962, at the U.S. Court Rooms, Fargo, N. Dak., before Examiner J. Thomas Schneider.

No. MC 117119 (Sub-No. 52) (AMENDMENT), filed May 3, 1962, published in the FEDERAL REGISTER, issue of June 13, 1962, republished this issue as amended July 11, 1962. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., Elm Springs, Ark. Applicant's attorneys: John H. Joyce, 26 North College, Fayetteville, Ark.; A. Alvis Layne, Pennsylvania Building, Washington 4, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Potatoes and potato products*, frozen and unfrozen, cooked, uncooked and blanched, (1) from Fargo, Park River, Grafton, and points in Grand Forks County, N. Dak., and points in Minnesota, to points in Florida, Georgia, North Carolina, South Carolina, Alabama, Tennessee, Mississippi, Louisiana, Arkansas, Oklahoma, Missouri,

Kansas, Indiana, Ohio, Kentucky, and Texas; (2) from points in Grand Forks County, Park River, and Grafton, N. Dak., and points in Minnesota to Mankato, Minn., and Sioux City, Iowa; and (3) from Sioux City, Iowa, and Carthage, Mo., to points in Florida, Georgia, North Carolina, South Carolina, Alabama, Tennessee, Mississippi, Louisiana, Arkansas, Oklahoma, Missouri, Kansas, Indiana, Ohio, Kentucky, and Texas; and *empty containers* on return.

NOTE: The purpose of this republication is to substitute "points in Minnesota" for the three named points in that state in both (1) and (2) and to add as destination states, Indiana, Ohio and Kentucky in (1) and (3). These amendments will expand both the origin and destination territories.

HEARING: Remains as assigned July 31, 1962, in the U.S. Court Rooms, Fargo, N. Dak., before Examiner J. Thomas Schneider.

No. MC 117954 (Sub-No. 9), filed July 2, 1962. Applicant: H. L. HERRIN, JR., 101 Airline Highway, P.O. Box 456, Metairie, La. Applicant's attorney: Harold R. Ainsworth, 2307 American Bank Building, New Orleans 12, La. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Potatoes and potato products*, frozen and unfrozen, cooked, uncooked and blanched, from Grand Forks, Fargo, and Grafton, N. Dak., and East Grand Forks, Crookston, Barnesville, and Mankato, Minn., to points in Alabama, Arkansas, Florida, Illinois, Indiana, Iowa, Kansas, Louisiana, Mississippi, Missouri, Nebraska, Oklahoma, Tennessee, and Texas.

HEARING: July 31, 1962, at the U.S. Court Rooms, Fargo, N. Dak., before Examiner J. Thomas Schneider.

No. MC 118159 (Sub-No. 10), filed July 2, 1962. Applicant: EVERETT LOWRANCE, 4916 Jefferson Highway, P.O. Box 10216, New Orleans 21, La. Applicant's attorney: Harold R. Ainsworth, 2307 American Bank Building, New Orleans 12, La. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Potatoes and potato products*, frozen and unfrozen, cooked, uncooked and blanched, from Grand Forks, Fargo, and Grafton, N. Dak., and East Grand Forks, Crookston, Barnesville, and Mankato, Minn., to points in Alabama, Arkansas, Florida, Illinois, Indiana, Iowa, Kansas, Louisiana, Mississippi, Missouri, Nebraska, Oklahoma, Tennessee, and Texas.

HEARING: July 31, 1962, at the U.S. Court Rooms, Fargo, N. Dak., before Examiner J. Thomas Schneider.

No. MC 124211 (Sub-No. 12), filed July 11, 1962. Applicant: HILT TRUCK LINE, INC., 3751 Sumner Street, Lincoln, Nebr. Applicant's attorney: J. Max Harding, Box 2041, Lincoln, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Potatoes and potato products*, frozen and unfrozen, cooked, uncooked, and blanched, from Grand Forks, Fargo, and Grafton, N. Dak., and Crookston and Barnesville, Minn., to points in Colorado, Illinois,

Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Montana, Nebraska, North Dakota, South Dakota, Wisconsin, and Wyoming.

HEARING: July 31, 1962, at the U.S. Court Rooms, Fargo, N. Dak., before Examiner J. Thomas Schneider.

[SEAL]

HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 62-6992; Filed, July 17, 1962; 8:50 a.m.]

[Notice 459]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

JULY 13, 1962.

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

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

APPLICATIONS ASSIGNED FOR ORAL HEARING OR PREHEARING CONFERENCE

MOTOR CARRIERS OF PROPERTY

No. MC 504 (Sub-No. 48), filed March 12, 1962. Applicant: HARPER MOTOR LINES, INC., 213 Long Avenue, Elberton, Ga. Applicant's attorney: Guy H. Postell, 1375 Peachtree Street NE., Atlanta 9, Ga. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dairy products*, as described in Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, 766, from points in Wisconsin to points in Tennessee.

NOTE: Applicant states that it presently holds this authority via Birmingham, Ala., and here seeks to eliminate that gateway. It further states that "any authority granted here and that now held between the same points shall be construed as comprising a single operating right" and that "the authority herein granted and that now held between the same points shall not be severable by sale or otherwise."

HEARING: September 14, 1962, at The Conrad Hilton, Chicago, Ill., before Examiner Theodore M. Tahan.

No. MC 730 (Sub-No. 206), filed April 16, 1962. Applicant: PACIFIC INTERMOUNTAIN EXPRESS CO., a corporation, 1417 Clay Street, Oakland, Calif. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except livestock, household goods as defined by the Commission, and commodities which, because of size or weight, require special equipment), serving Rocketdyne Reno Test Facility, located approximately twenty (20) miles northeast of Reno, Nev., and all Rocketdyne bases and supply points located in Washoe County, Nev., as off-route points in connection with applicant's authorized

regular route operations to and from Reno and Sparks, Nev.

NOTE: Common control may be involved.

HEARING: September 12, 1962, at the Nevada Public Service Commission, Room 204, State Office Building, East Musser Street, Carson City, Nev., before Joint Board No. 128, or, if the Joint Board waives its right to participate before Examiner F. Roy Linn.

No. MC 4405 (Sub-No. 390) (AMENDMENT), filed February 26, 1962, published in the FEDERAL REGISTER, issue of June 20, 1962, republished this issue as amended July 10, 1962. Applicant: DEALERS TRANSIT, INC., 13101 South Torrence Avenue, Chicago 33, Ill. Applicant's attorney: James W. Wrape, 1624 I Street NW., Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cargo containers and parts thereof*, when moving with such containers, from Cincinnati, Ohio, Fremont, Calif., points in Gregg County, Tex., and Springfield, Mo., and points within ten (10) miles thereof, to points in the United States, excluding Hawaii.

NOTE: The purpose of this republication is to specify "points in Gregg County, Tex.," instead of Longview, Tex., and to add "and points within 10 miles thereof," after Springfield, Mo., which will expand the origin territory.

HEARING: Remains as assigned July 27, 1962, at Room 712, Federal Building, Cincinnati, Ohio, before Examiner Alfred B. Hurley.

No. MC 15909 (Sub-No. 5) (CORRECTION), filed May 14, 1962, published FEDERAL REGISTER issue July 4, 1962, and republished this issue to show correct hearing date. Applicant: E. L. BONER, doing business as OWENS TRANSFER, P.O. Box 146, Du Quoin, Ill. Applicant's representative: R. W. Burgess, 1507 Poplin Street, St. Louis, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, and except Classes A and B explosives, household goods as defined in 17 M.C.C. 467, commodities in bulk and commodities requiring special equipment), between St. Louis, Mo., and points in the Commercial Zone thereof, and Champ, Mo.-Industrial Village; (1) from the St. Louis Terminal at Carr Street, via Carr Street to 12th Street, 12th Street to Cass Avenue, Cass Avenue, to Interstate Highway 70, thence via Interstate Highway 70 to Champ, Mo.-Industrial Village and return over the same route, serving no intermediate points, and (2) from the western boundary of the St. Louis Commercial Zone to the junction of Bypass 66 and Interstate Highway 70, thence via Interstate Highway 70 to Champ, Mo.-Industrial Village and return over the same route, serving no intermediate points.

HEARING: September 13, 1962, at the Pick-Mark Twain Hotel, St. Louis, Mo., before Joint Board No. 135.

No. MC 23939 (Sub-No. 131), filed March 9, 1962. Applicant: ASBURY TRANSPORTATION CO., a corporation, 2222 East 38th Street, Los Angeles 58,

Calif. Applicant's attorney: E. B. Evans, 718 Symes Building, Denver 2, Colo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cryogenic liquids*, in bulk, in specially designed tank trailers, and *empty vehicles*, between Santa Susanna, Calif., and points within seventy-five (75) miles thereof, Nimbus, Calif., and points within twenty-five (25) miles thereof, and Edwards Air Force Base, Calif., on the one hand, and, on the other, Mercury, Nev., and points within one hundred (100) miles thereof.

HEARING: September 10, 1962, at the Nevada Public Service Commission, Room 204, State Office Building, East Musser Street, Carson City, Nev., before Joint Board No. 78, or, if the Joint Board waives its right to participate before Examiner F. Roy Linn.

No. MC 25798 (Sub-No. 75), filed July 12, 1962. Applicant: CLAY HYDER TRUCKING LINES, INC., Dade City, Fla. Applicant's attorney: Thomas F. Kilroy, Suite 912 Federal Bar Building, Washington 6, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Deerfield, Ill., to all points in Alabama, Florida, Georgia, and Tennessee (except Memphis).

HEARING: August 2, 1962, at the Midland Hotel, Chicago, Ill., before Examiner Bernard J. Hasson, Jr.

No. MC 33641 (Sub-No. 50), filed July 5, 1962. Applicant: INTERSTATE MOTOR LINES, INC., 235 West Third South, Salt Lake City 1, Utah. Applicant's attorney: Edward M. Berol, 21st Fl.-100 Bush Street, San Francisco 4, Calif. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Silver coin and silver bullion*, between San Francisco, Calif., and Denver, Colo.; (1) from San Francisco over U.S. Highway 40 to Denver; (2) from San Francisco over U.S. Highway 50 to Salt Lake City, Utah, thence over U.S. Highway 40 to Denver; (3) from San Francisco over either U.S. Highway 40 or 50 to Salt Lake City, thence over U.S. Highway 91 to Ogden, Utah, thence over U.S. Highway 30-S to junction U.S. Highway 30, thence over U.S. Highway 30 to Laramie, Wyo., thence over U.S. Highway 287 to Denver, and return over the same routes, serving no intermediate points.

HEARING: July 30, 1962, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Allen W. Hagerty.

No. MC 41915 (Sub-No. 26) (REPUBLICATED), filed June 19, 1961, published FEDERAL REGISTER, issue of September 13, 1961, and republished this issue. Applicant: MILLER'S MOTOR FREIGHT, INC., Zinn's Quarry Road, York, Pa. Applicant's attorney: Norman T. Petow, 43 North Duke Street, York, Pa. By application filed June 19, 1962, applicant sought authority to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Insulating materials in mixed truck loads in combination with roofing materials and supplies*, (1) from York, Pa., to Martinsburg, W. Va., and points in

North Carolina, Virginia, New Jersey, New York, Maryland, Delaware, Ohio, and the District of Columbia, and (2) from points in New Jersey, to York, Pa., and Westminster and Curtis Bay, Md., and *rejected materials and empty containers or other such incidental facilities* (not specified) used in transporting the above-specified commodities in connection with routes (1) and (2) above, on return. A Report of The Commission, division 1, decided June 29, 1962, and served July 9, 1962, finds that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a *common carrier* by motor vehicle, over irregular routes, (1) of *insulating materials when moving in the same vehicle and at the same time with roofing materials and supplies*, from York, Pa., to Martinsburg, W. Va., and points in North Carolina, Virginia, New Jersey, New York, Maryland, Delaware, Ohio, and the District of Columbia, and (2) of *insulating materials, when moving in the same vehicle and at the same time with plaster, plasterboard, gypsum lath, and gypsum sheathing*, from Akron, N.Y., to points in Pennsylvania on and east of U.S. Highway 219, except those in McKean, Potter, Elk, and Cameron Counties, Pa., and to points in Delaware; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and our rules and regulations thereunder; that a certificate authorizing such operations should be granted, subject to prior publication of a corrected notice in the FEDERAL REGISTER and any interested person will be permitted to file an appropriate petition within 30 days from the date of this republication.

No. MC 42261 (Sub-No. 68), filed July 6, 1962. Applicant: LANGER TRANSPORT CORP., Route 1, Foot of Danforth Avenue, Jersey City, N.J. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Jet fuel and aviation gasoline*, in bulk, in tank vehicles, between Burlington and Jacksonville, N.J., on the one hand, and, on the other, points in Delaware and those in Pennsylvania on and east of a line beginning at the New York-Pennsylvania State line and extending along U.S. Highway 15 to its junction with U.S. Highway 522, and thence along U.S. Highway 522 to the Pennsylvania-Maryland State line.

HEARING: July 24, 1962, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner John B. Mealy.

No. MC 52458 (Sub-No. 167), filed July 12, 1962. Applicant: T. I. McCORMACK TRUCKING CO., INC., U.S. Route No. 9, Woodbridge, N.J. Applicant's attorney: Chester A. Zyblut, 1700 K Street NW., Washington 6, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cryogenic liquids and rocket propellant fuels*, in bulk, in specially designed tank trailers, between missile sites, production plants and missile test facilities, located in the States of Alabama, Arizona, Arkansas, California, Colorado,

Florida, Georgia, Idaho, Illinois, Indiana, Kansas, Michigan, Missouri, Montana, New Mexico, New York, Nebraska, Nevada, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, South Dakota, Tennessee, Texas, Utah, Vermont, Washington, and Wyoming.

NOTE: Common control may be involved.

HEARING: August 1, 1962, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Jerry F. Laughlin.

No. MC 52709 (Sub-No. 177), filed July 5, 1962. Applicant: RINGSBY TRUCK LINES, INC., 3201 Ringsby Court, Denver 5, Colo. Applicant's representative: Eugene Hamilton (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Silver coin and silver bullion*, from San Francisco, Calif., to Denver, Colo.: From San Francisco over U.S. Highway 40 to Denver (also from San Francisco over U.S. Highway 40 to junction U.S. Highway 40 and U.S. Highway 189 at Silver Creek Junction, Utah, thence over U.S. Highway 189 to junction with U.S. Highway 30S near Echo, Utah, thence over U.S. Highway 30S to junction with U.S. Highway 30 near Little America, Wyo., thence over U.S. Highway 30 to junction with U.S. Highway 287 at Laramie, Wyo., thence over U.S. Highway 287 to Denver) and return over the same route, serving no intermediate or off-route points.

NOTE: Common control may be involved.

HEARING: July 30, 1962, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Allen W. Hagerty.

No. MC 52709 (Sub-No. 178), filed July 12, 1962. Applicant: RINGSBY TRUCK LINES, INC., 3201 Ringsby Court, Denver 5, Colo. Applicant's attorney: Thomas F. Kilroy, Suite 912 Federal Bar Building, 1815 H Street NW., Washington 6, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Deerfield, Ill., to points in Arizona, Nevada, California, Idaho, Washington, Oregon, New Mexico, Utah, Montana, Wyoming, and Colorado.

HEARING: July 27, 1962, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner A. Lane Cricher.

No. MC 55236 (Sub-No. 61), filed June 20, 1962. Applicant: OLSON TRANSPORTATION COMPANY, a corporation, 1970 South Broadway, Green Bay, Wis. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Hexane, heptane, benzene, toluene and xylene (xytol)*, in bulk, in tank vehicles, from the plant site of American Mineral Spirits Co., Division, The Pure Oil Co., located at or near Lemont, Ill., to points in Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, Ohio, and Wisconsin.

HEARING: September 18, 1962, at The Conrad Hilton, Chicago, Ill., before Examiner Theodore M. Tahan.

No. MC 55896 (Sub-No. 14) (AMENDMENT), filed May 15, 1962, published

FEDERAL REGISTER issue of June 13, 1962, clarified June 19, 1962, and republished, FEDERAL REGISTER issue of July 5, 1962, and republished, as clarified, this issue. Applicant: R. W. EXPRESS, INC., 4840 Wyoming Avenue, Dearborn, Mich. Applicant's attorney: William B. Elmer, 1800 Buhl Building, Detroit 26, Mich. 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 in 17 M.C.C. 467, commodities in bulk, and commodities requiring special equipment) between Goshen and Marion, Ind., over Indiana Highway 15, serving Wabash and Warsaw, Ind., as intermediate points.

NOTE: The purpose of this republication is to add Warsaw, Ind., as an intermediate point.

HEARING: Remains as assigned July 27, 1962, in Room 908, Indiana Public Service Commission, New State Office Building, 100 North Senate Avenue, Indianapolis, Ind., before Joint Board No. 72.

No. MC 64932 (Sub-No. 310), filed March 1, 1962. Applicant: ROGERS CARTAGE CO., a corporation, 1934 South Wentworth Avenue, Chicago, Ill. 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: *Alcohols*, in bulk, in tank vehicles, from Clinton, Iowa, to points in Pennsylvania, New York, Massachusetts, Kentucky, Indiana, Connecticut, Missouri, Illinois, West Virginia, Michigan, Wisconsin, Minnesota, Kansas, Nebraska, and New Jersey.

HEARING: September 21, 1962, at The Conard Hilton, Chicago, Ill., before Examiner Theodore M. Tahan.

No. MC 64932 (Sub-No. 311), filed March 1, 1962. Applicant: ROGERS CARTAGE CO., a corporation, 1934 South Wentworth Avenue, Chicago, Ill. 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: *Chemicals*, in bulk, in tank vehicles, from the plant site of Stepan Chemical Company at or near Millsdale, Ill., to points in Connecticut, Maryland, Massachusetts, and Rhode Island.

HEARING: September 10, 1962, at The Conard Hilton, Chicago, Ill., before Examiner Theodore M. Tahan.

No. MC 66562 (Sub-No. 1886), filed April 23, 1962. 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) between Lake City, Fla., and Jasper, Fla., as follows: From Lake City over U.S. Highway 41 to Jasper, and return over the same route, serving the intermediate point of White Springs, Fla.; and (2) between Starke, Fla., and Keystone

Heights, Fla., as follows: From Starke over Florida Highway 100 to Keystone Heights, and return over the same route, serving no intermediate points. Restrictions: In addition to the restriction "moving in express service", applicant states the proposed operation will be subject to the following restrictions: (1) The service to be performed by applicant shall be limited to service which is auxiliary to or supplemental of air or rail express service; (2) shipments transported by applicant shall be limited to those moving on through bills of lading or express receipts covering, in addition to a motor carrier movement by applicant, an immediately prior or immediately subsequent movement by rail or air; and (3) such further specific conditions as the Commission, in the future, may find it necessary to impose in order to restrict applicant's operations to service which is auxiliary to or supplemental of railway express service.

HEARING: September 10, 1962, at the Mayflower Hotel, Jacksonville, Fla., before Joint Board No. 205, or, if the Joint Board waives its right to participate, before Examiner Warren C. White.

No. MC 71096 (Sub-No. 42), filed July 9, 1962. Applicant: NORWALK TRUCK LINES, INC., 180 Milan Avenue, Norwalk, Ohio. Applicant's representative: Marion M. Emery (same address as applicant). 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, automobiles, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving Utica, Mich., as an off-route point in connection with applicant's regular-route operations from and to Detroit, Mich.

NOTE: Applicant requests deletion of any duplicating authority if this application is approved. Common control may be involved.

HEARING: August 2, 1962, at the Federal Building, Lansing, Mich., before Joint Board No. 76.

No. MC 85934 (Sub-No. 22) (REPUBLICATION), filed February 28, 1962, published FEDERAL REGISTER, issue of April 11, 1962, and republished this issue. Applicant: MICHIGAN TRANSPORTATION COMPANY, a corporation, 3601 Wyoming Avenue, Dearborn, Mich. Applicant's attorney: Rex Eames, 1800 Buhl Building, Detroit 26, Mich. By application filed February 28, 1962, applicant seeks authority to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Salt*, in bulk, in hopper and dump type vehicles, from the site of The Dow Chemical Company plant located at Midland, Mich., to points in Illinois, points in Indiana south of U.S. Highway 40, and points in Ohio south of U.S. Highway 40 and east of Ohio Highway 13, except points in Licking and Muskingum Counties, Ohio, located south and east respectively, of those two highways. The application was heard May 31, 1962, at Detroit, Mich., Hearing Examiner Warren C. White presiding. A Report and Order served June 7, 1962, finds that the present and future public convenience and necessity require opera-

tion by applicant as a *common carrier* by motor vehicle, in interstate or foreign commerce, over irregular routes of salt, in bulk, in hopper and dump type vehicles, from Midland, Mich., to points in Illinois; points in Indiana south of U.S. Highway 40; and points in Ohio except points in the northwest quarter of Ohio situated north of U.S. Highway 40 and west of Ohio Highway 13, and excepting also points in Ashtabula, Cuyahoga, Lake, Summit, Franklin, Wayne, Licking, and Muskingum Counties, and recommends that an appropriate certificate authorizing such operation should be issued after the elapse of 30 days from the date of publication in the FEDERAL REGISTER.

No. MC 95540 (Sub-No. 438), filed July 2, 1962. Applicant: WATKINS MOTOR LINES, INC., Albany Highway, Thomasville, Ga. Applicant's attorney: Joseph H. Blackshear, Gainesville, Ga. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Deerfield, Ill., to points in Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Virginia, and West Virginia.

HEARING: August 2, 1962, at the Midland Hotel, Chicago, Ill., before Examiner Bernard J. Hasson, Jr.

No. MC 96407 (Sub-No. 2), filed March 28, 1962. Applicant: HOWARD O. LEE, doing business as LEE LUMBER HAULING, 9258 Muller Street, Downey, Calif. Applicant's attorney: Karl K. Roos, 740 Roosevelt Building, 727 West Seventh Street, Los Angeles 17, Calif. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber (including plywood)*, when transported on vehicles equipped with lumber rollers, in truckload shipments weighing 20,000 pounds or more, from points in Los Angeles, San Bernardino, Riverside, and Orange Counties, Calif., to points in Clark and Nye Counties, Nev.

NOTE: Applicant states no duplicating authority is requested. The purpose of this application is to eliminate the restriction against plywood, to include San Bernardino, Riverside, and Orange Counties, Calif., as points of origin and Nye County, Nev., as point of destination.

HEARING: September 11, 1962, at the Nevada Public Service Commission, Room 204, State Office Building, East Musser Street, Carson City, Nev., before Joint Board No. 78, or, if the Joint Board waives its right to participate before Examiner F. Roy Linn.

No. MC 97357 (Sub-No. 10), filed July 5, 1962. Applicant: ALLYN TANK LINE, INC., 14011 South Central Avenue, Los Angeles 59, Calif. 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: *Cryogenic liquids and rocket propellant fuels*, in bulk, in specially designed tank vehicles, and *empty tank vehicles*, and *empty containers or other such incidental facilities* (not specified) used in transporting the above described commodities, between missile sites, production plants, and missile test facilities located at points in

Arizona, California, Colorado, Idaho, Montana, New Mexico, Nevada, Oregon, Utah, Washington, and Wyoming.

HEARING: August 1, 1962, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Jerry F. Laughlin.

No. MC 103378 (Sub-No. 234), filed May 8, 1962. Applicant: PETROLEUM CARRIER CORPORATION, 369 Margaret Street, Jacksonville, Fla. Applicant's attorney: Martin Sack, 500 Atlantic Bank Building, Jacksonville 2, Fla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in bulk, in tank vehicles, from points in Hillsborough County, Fla., to points in Georgia on and south of U.S. Highway 80.

HEARING: September 11, 1962, at the Mayflower Hotel, Jacksonville, Fla., before Joint Board No. 64, or, if the Joint Board waives its right to participate, before Examiner Warren C. White.

No. MC 103378 (Sub-No. 236), filed June 11, 1962. Applicant: PETROLEUM CARRIER CORPORATION, 369 Margaret Street, Jacksonville, Fla. Applicant's attorney: Martin Sack, Atlantic National Bank Building, Jacksonville, Fla. 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 the site of the Terminal of Tenneco Oil Company, located at or near Southport, Fla., to points in North Carolina.

HEARING: September 12, 1962, at the Mayflower Hotel, Jacksonville, Fla., before Examiner Warren C. White.

No. MC 103880 (Sub-No. 249), filed February 12, 1962. Applicant: PRODUCERS TRANSPORT, INC., 224 Buffalo Street, New Buffalo, Mich. 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 irregular routes, transporting: *Fertilizer compounds*, dry, in bulk and in bags, from Marseilles, Ill., to points in Indiana, Iowa, Michigan, Minnesota, Missouri, North Dakota, Ohio, South Dakota, and Wisconsin.

HEARING: September 17, 1962, at The Conrad Hilton, Chicago, Ill., before Examiner Theodore M. Tahan.

No. MC 103880 (Sub-No. 250), filed February 26, 1962. 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: *Linseed oil, paint and paint materials, plastics, resins, surface coating compounds and solvents or increasing, reducing, removing, thickening or thinning compounds*, in bulk, in tank vehicles, from the site of the De Soto Chemical Coatings, Inc., plant located at Chicago Heights, Ill., to points in Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, North Carolina, Ohio, Pennsylvania, and Wisconsin.

HEARING: September 19, 1962, at The Conrad Hilton, Chicago, Ill., before Examiner Theodore M. Tahan.

No. MC 103880 (Sub-No. 251), filed March 2, 1962. 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: *Chemicals and liquid plastics*, in bulk, in tank vehicles, from Lemont, Ill., to points in Indiana, Michigan, Ohio, Wisconsin, and Tennessee.

HEARING: September 20, 1962, at The Conrad Hilton, Chicago, Ill., before Examiner Theodore M. Tahan.

No. MC 105813 (Sub-No. 64), filed April 18, 1962. Applicant: BELFORD TRUCKING CO., INC., 1299 Northwest 23d Street, Miami 42, Fla. Applicant's attorney: Norman J. Bolinger, 1730 Lynch Building, Jacksonville 2, Fla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods, and citrus products* (except frozen and canned), from points in Alabama, Florida, and Georgia, to points in Colorado, Idaho, Montana, Nevada, Oregon, Utah, Washington, and Wyoming.

NOTE: Common control may be involved.

HEARING: September 20, 1962, at the U.S. Court Rooms, Tampa, Fla., before Examiner Warren C. White.

No. MC 106089 (Sub-No. 9), filed May 28, 1962. Applicant: JOHN G. LANE LINE, INC., 1017 North McDuff Avenue, Jacksonville, Fla. Applicant's attorney: Martin Sack, 500 Atlantic Bank Building, Jacksonville 2, Fla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Bakery products and merchandise distributed by baking companies and, in connection therewith, bakery advertising matter, crates, racks, and containers*, (a) from points in Fulton, Cobb, Clayton, De Kalb, and Gwinnett Counties, Ga., to Jacksonville, Fla.; (b) from Jacksonville, Fla., to points in Fulton, Cobb, Clayton, De Kalb, and Gwinnett Counties, Ga., and to Greenville, S.C., and points within fifteen (15) miles thereof; (c) from points in Fulton, Cobb, Clayton, De Kalb, and Gwinnett Counties, Ga., to Greenville, S.C., and points within fifteen (15) miles thereof; and (d) from Greenville, S.C., and points within fifteen (15) miles thereof, to points in Fulton, Cobb, Clayton, De Kalb, and Gwinnett Counties, Ga., and to Jacksonville, Fla.; and (2) *Stale and rejected bakery products, empty bakery products containers, crates, and racks*, from the above-specified destination points to their respective origin points.

HEARING: September 11, 1962, at the Mayflower Hotel, Jacksonville, Fla., before Joint Board No. 354, or, if the Joint Board waives its right to participate, before Examiner Warren C. White.

No. MC 107107 (Sub-No. 213), filed April 23, 1962. Applicant: ALTERMAN TRANSPORT LINES, INC., P.O. Box 65, Allapattah Station, Miami 42, Fla. Applicant's representative: H. R. Marlane (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Foods, food*

ingredients and food materials, and (2) related advertising, promotional and display materials, racks, and premiums when in mixed shipments with (1) above, from Atlanta, Ga., to points in Florida.

HEARING: September 26, 1962, at the Florida Railroad Commission, Tallahassee, Fla., before Joint Board No. 99, or, if the Joint Board waives its right to participate, before Examiner Warren C. White.

No. MC 107496 (Sub-No. 235), filed February 23, 1962. Applicant: RUAN TRANSPORT CORPORATION, 408 Southeast 30th Street, Des Moines, Iowa. Applicant's attorney: Henry L. Fabritz, Jr., Box 855, 408 Southeast 30th Street, Des Moines, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Benzol, toluol, xylo, hexane and heptane*, in bulk, in tank vehicles, from the plant site of American Mineral Spirits Co. at Lemont, Ill., to points in Michigan, Indiana, Ohio, Kentucky, Missouri, Iowa, Wisconsin, and Minnesota.

NOTE: Since this applicant holds contract authority under MC-119136, dual operations may be involved. Applicant states that it is wholly owned by John Ruan and controls and owns all of the outstanding stock of Illinois-Ruan Transport Corporation.

HEARING: September 18, 1962, at The Conrad Hilton, Chicago, Ill., before Examiner Theodore M. Tahan.

No. MC 107496 (Sub-No. 242), filed April 23, 1962. Applicant: RUAN TRANSPORT CORPORATION, 408 Southeast 30th Street, Des Moines, Iowa. Applicant's attorney: H. L. Fabritz, P.O. Box 855, Des Moines, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer and fertilizer compounds*, in bulk and in bags, from the plant site of National Phosphate Corporation, Marseilles, Ill., to points in Indiana, Iowa, Michigan, Minnesota, Missouri, North Dakota, Ohio, South Dakota, and Wisconsin.

NOTE: Applicant states that it is under common control with Illinois-Ruan Transport Corporation. Note also that since applicant holds contract authority under MC-119136, dual operations may be involved.

HEARING: September 17, 1962, at The Conrad Hilton, Chicago, Ill., before Examiner Theodore M. Tahan.

No. MC 107515 (Sub-No. 387), filed March 15, 1962. Applicant: REFRIGERATED TRANSPORT CO., INC., 290 University Avenue SW., Atlanta 10, Ga. Applicant's attorney: Clyde W. Carver, 214 Grant Building, Atlanta, Ga. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned citrus products*, from points in Florida, to points in Georgia, North Carolina, and South Carolina.

NOTE: Common control may be involved.

HEARING: September 17, 1962, at the U.S. Court Rooms, Tampa, Fla., before Examiner Warren C. White.

No. MC 107544 (Sub-No. 51), filed July 3, 1962. Applicant: LEMMON TRANSPORT COMPANY, a corporation, P.O. Box 580, Marion, Va. Applicant's

attorney: Harry C. Ames, Jr., Transportation Building, Washington 6, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cryogenic liquids and rocket propellant fuels*, in bulk, in specially designed trailers, between missile sites, production plants, and missile test facilities located at points in Alabama, Arizona, Arkansas, California, Colorado, Florida, Georgia, Idaho, Illinois, Indiana, Kansas, Michigan, Missouri, Montana, New Mexico, New York, Nebraska, Nevada, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, South Dakota, Tennessee, Texas, Utah, Vermont, Washington, and Wyoming.

NOTE: Applicant states that the service proposed will be performed in shipper or government owned equipment, or in equipment which applicant proposes to purchase. Applicant is also authorized to conduct operations as a contract carrier in Permit No. MC 118959 and subs; therefore dual operations may be involved.

HEARING: August 1, 1962, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Jerry F. Laughlin.

No. MC 108121 (Sub-No. 9) (AMENDMENT), filed January 31, 1961, published issue of March 27, 1962, amended May 9, 1962, and republished as amended this issue. Applicant: TRANSPORT STORAGE & DISTRIBUTING CO., a corporation, 74 Jackson Street, Seattle, Wash. Applicant's attorney: Joseph O. Earp, 1912 Smith Tower, Seattle 4, Wash. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New motor vehicles*, freight and passenger (except trailers), in secondary movement by driveway and truckaway service, (1) from Kennewick, Wash., to points in Yakima, Kittitas, Benton, Franklin, Grant, Adams, Whitman, Garfield, Columbia, Walla Walla, Asotin, and Klickitat Counties, Wash., Morrow, Umatilla, Gilliam, and Wheeler Counties, Oreg., and Nez Perce, Latah, Lewis, Clearwater, and Idaho Counties, Idaho; and (2) from Spokane, Wash., to points in Okanogan, Chelan, Kittitas, Yakima, Klickitat, Douglas, Grant, Benton, Stevens, Ferry, Lincoln, Adams, Franklin, Walla Walla, Columbia, Asotin, Garfield, Whitman, Spokane, and Pend Oreille Counties, Wash., and points in Boundary, Bonner, Kootenai, Shoshone, Benewah, Latah, Lewis, Clearwater, Idaho, and Nez Perce Counties, Idaho.

NOTE: Applicant states the proposed operations are restricted to traffic having a prior movement by rail from plant sites of the General Motor Corporation. The purpose of this republication is to add nine (9) counties in the State of Washington, and four (4) counties in the State of Idaho, destination territory.

HEARING: September 20, 1962, at the Washington Utilities and Transportation Commission, Insurance Building, Olympia, Wash., before Joint Board No. 81, or, if the Joint Board waives its right to participate, before Examiner Samuel Horwich.

No. MC 108991 (Sub-No. 18), filed April 25, 1962. Applicant: SOUTHERN

TRUCK LINES, INC., Huntsville Highway, Fayetteville, Tenn. Applicant's attorney: Martin Sack, Atlantic National Bank Building, Jacksonville 2, Fla. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Dairy products* (other than in hermetically sealed containers), from the plant site of the Borden Company Plant at Franklinton, La., to points in Mississippi, Alabama, Georgia, South Carolina, North Carolina, Texas, Tennessee, Arkansas, Virginia, Oklahoma, Florida, Missouri, and Kentucky, and *empty containers and other such incidental facilities* (not specified) used in transporting the commodities specified above, on return.

NOTE: Applicant has common carrier authority under MC 118236; therefore, dual operations may be involved.

HEARING: September 13, 1962, at the Mayflower Hotel, Jacksonville, Fla., before Examiner Warren C. White.

No. MC 109637 (Sub-No. 206), filed July 3, 1962. 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: *Cryogenic liquids and rocket propellant fuels*, in bulk, in specially designed tank vehicles, and *empty containers or other such incidental facilities* (not specified) used in transporting the above-described commodities, between points in the states of Alabama, Arizona, Arkansas, California, Colorado, Florida, Georgia, Idaho, Illinois, Indiana, Kansas, Michigan, Missouri, Montana, New Mexico, New York, Nebraska, Nevada, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, South Dakota, Tennessee, Texas, Utah, Vermont, Washington, and Wyoming.

HEARING: August 1, 1962, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Jerry F. Laughlin.

No. MC 109689 (Sub-No. 130) (AMENDMENT), filed May 11, 1962, published FEDERAL REGISTER issue May 23, 1962, amended July 5, 1962, and republished as amended this issue. Applicant: W. S. HATCH CO., a corporation, 643 South 800 West, Woods Cross, Utah. Applicant's attorney: Mark K. Boyle, 345 South State Street, Salt Lake City, Utah. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Cryogenic liquids, and rocket propellant fuels* (except rocket propellant fuels derived from petroleum products), in specially designed tank trailers, and (2) *empty containers or other such incidental facilities* (not specified), used in transporting the commodities specified, between missile sites, production plants and missile test facilities located at points in Alabama, Arizona, Arkansas, California, Colorado, Florida, Georgia, Idaho, Illinois, Indiana, Kansas, Michigan, Missouri, Montana, New Mexico, New York, Nebraska, Nevada, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, South Dakota, Tennessee, Texas, Utah, Vermont, Washington, and Wyoming.

NOTE: The purpose of this republication is to show change in commodity description, as previously published, and to add the States of Alabama, Florida, Georgia, Illinois, Indiana, Michigan, Missouri, Montana, New York, Nevada, North Dakota, Ohio, Oregon, Pennsylvania, Tennessee, Utah, and Vermont.

HEARING: August 1, 1962, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Jerry F. Laughlin.

No. MC 110193 (Sub-No. 47), filed July 9, 1962. Applicant: SAFEWAY TRUCK LINES, INC., 4625 West 55th Street, Chicago 32, Ill. Applicant's attorney: Howell Ellis, Suite 616-618 Fidelity Building, Indianapolis 4, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meatpacking houses*, as listed in Parts A and C of Appendix I, *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, (a) from Denison, Iowa, to points in Delaware, Maryland, Pennsylvania, and the District of Columbia, and (b) from Fort Dodge, Iowa, to points in Delaware (except Wilmington) and Maryland (except Baltimore).

HEARING: July 27, 1962, at Room 401, Old Federal Office Building, Fifth and Court Avenues, Des Moines, Iowa, before Examiner Bernard J. Hasson, Jr.

No. MC 110420 (Sub-No. 307), filed March 23, 1962. Applicant: QUALITY CARRIERS, INC., Burlington, Wis. Applicant's attorney: Earl 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: *Alcohols*, in bulk, in tank vehicles, from Clinton, Iowa, to points in Pennsylvania, New York, Massachusetts, Kentucky, Indiana, Connecticut, Missouri, Illinois, West Virginia, Michigan, Wisconsin, Minnesota, Kansas, Nebraska, and New Jersey.

HEARING: September 21, 1962, at The Conrad Hilton, Chicago, Ill., before Examiner Theodore M. Tahan.

No. MC 110698 (Sub-No. 219), filed July 5, 1962. Applicant: RYDER TANK LINE, INC., P.O. Box 457, Winston-Salem Road, Greensboro, N.C. Applicant's attorney: Dale Woodall, P.O. Box 2408, Jacksonville, Fla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cryogenic liquids and rocket propellant fuels*, in bulk, in specially designed tank trailers, between missile sites, production plants, and missile test facilities, in the states of Alabama, Arkansas, Arizona, California, Colorado, Florida, Georgia, Idaho, Illinois, Indiana, Kansas, Michigan, Missouri, Montana, New Mexico, New York, Nebraska, Nevada, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, South Dakota, Tennessee, Texas, Utah, Vermont, Washington, and Wyoming.

HEARING: August 1, 1962, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Jerry F. Laughlin.

No. MC 111812 (Sub-No. 154), filed March 5, 1962. 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. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen Foods*, from Frankfort, Mich., to points in Nebraska and Wyoming.

NOTE: Common control may be involved.

HEARING: September 11, 1962, at The Conrad Hilton, Chicago, Ill., before Examiner Theodore M. Tahan.

No. MC 112520 (Sub-No. 74), filed May 23, 1962. Applicant: MCKENZIE TANK LINES, INC., New Quincy Road, Tallahassee, 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: *Nitrogen fertilizer solutions and anhydrous ammonia*, in bulk, in tank vehicles, from Pace, Fla., to points in Alabama and Georgia.

NOTE: Applicant states "W. Guy McKenzie, President and General Manager of the applicant, a member of its Board of Directors and holder of 96 percent of its outstanding stock, is also the President and General Manager of M.R. & R. Trucking Company of Crestview, Fla., a regular route, interstate common carrier, of commodities generally, operating under authorities held by M.R. & R. Trucking Company, in Docket No. MC 105881 and subs. He owns 40 percent of the outstanding stock of M.R. & R. Trucking Company and is a director thereof. The joint control of the two carriers by W. Guy McKenzie has been approved in Docket No. MC-F-5239."

HEARING: September 25, 1962, at the Florida Railroad Commission, Tallahassee, Fla., before Joint Board No. 99, or, if the Joint Board waives its right to participate, before Examiner Warren C. White.

No. MC 112520 (Sub-No. 75), filed June 13, 1962. Applicant: MCKENZIE TANK LINES, INC., New Quincy Road, Tallahassee, Fla. Applicant's attorney: Sol H. Proctor, 1730 Lynch Building, Jacksonville, Fla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Nitrogen fertilizer solutions and anhydrous ammonia*, in bulk, in tank vehicles, from Pace, Fla., to points in Louisiana.

NOTE: Applicant states it is affiliated with M.R. & R. Trucking Company.

HEARING: September 12, 1962, at the Mayflower Hotel, Jacksonville, Fla., before Examiner Warren C. White.

No. MC 114123 (Sub-No. 28), filed May 28, 1962. Applicant: HERMAN R. EWELL, INC., East Earl (Lancaster County), Pa. Applicant's attorney: Andrew Wilson Green, Princeton Club of Philadelphia, 1223 Locust Street, Philadelphia 7, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fresh apple juice and fresh apple cider*, in bulk, in tank vehicles, from Highland, N.Y., to Fleetwood, Pa., and *empty containers or other such incidental facilities* (not specified) used in transporting the commodities specified above, and *fresh milk and fresh cream* as

exempt agricultural commodities, on return.

NOTE: Common control may be involved.

HEARING: September 6, 1962, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Wm. N. Culbertson.

No. MC 115841 (Sub-No. 110) (AMENDMENT), filed May 4, 1962, published issue of May 23, 1962, amended July 6, 1962, and republished as amended this issue. 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: *Frozen foods*, from Chambersburg, Pa., and points within fifteen (15) miles thereof, to Nashville, Tenn.

NOTE: The purpose of this republication is to add "points within fifteen (15) miles thereof".

HEARING: Reassigned to September 5, 1962, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Bernard J. Hason, Jr.

No. MC 116110 (Sub-No. 6), filed May 9, 1962. Applicant: P. C. WHITE TRUCK LINE, INC., 315 South Bell Street, Dothan, Ala. Applicant's attorney: Maurice F. Bishop, 325-29 Frank Nelson Building, Birmingham, Ala. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), to serve Tyndall Air Force Base, Fla., as an off-route point in connection with applicant's presently regular route operations between Panama City, Fla., and Dothan, Ala.

HEARING: September 24, 1962, at the Florida Railroad Commission, Tallahassee, Fla., before Joint Board No. 205, or, if the Joint Board waives its right to participate, before Examiner Warren C. White.

No. MC 116273 (Sub-No. 8), April 4, 1962. Applicant: D & L TRANSPORT, INC., 3800 South Laramie Avenue, Chicago, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum aromatic compounds*, in bulk, in tank vehicles, from the plant site of the American Mineral Spirits Company, located at Lemont, Ill., to points in Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, Ohio, and Wisconsin.

HEARING: September 18, 1962, at The Conrad Hilton, Chicago, Ill., before Examiner Theodore M. Tahan.

No. MC 116544 (Sub-No. 19) (AMENDMENT), filed March 9, 1962, published in FEDERAL REGISTER issue of April 11, 1962, republished this issue as amended July 5, 1962. Applicant: WILSON BROTHERS TRUCK LINE, INC., 700 Fairview Avenue, Carthage, Mo. Applicant's attorneys: Robert R. Hendon, 3200 Cummings Lane, Chevy Chase 14,

Md., and Harry Ross, Warner Building, Washington 4, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs and potato products*, frozen and unfrozen, (1) from Fargo, Park River, Grafton, and points in Grand Forks County, N. Dak., Crookston, Mankato, Barnesville, East Grand Forks, St. Paul, Minneapolis, and Hopkins, Minn., to points in Florida, Georgia, South Carolina, North Carolina, Alabama, Tennessee, Mississippi, Louisiana, Arkansas, Oklahoma, Missouri, Kansas, and Texas; (2) from points in Grand Forks County, Park River, Grafton, and Fargo, N. Dak., and Crookston and East Grand Forks, Minn., to Mankato, St. Paul, Minneapolis, and Hopkins, Minn., and Sioux City, Iowa; and (3) from Sioux City, Iowa, and Carthage, Mo., to points in Florida, Georgia, South Carolina, North Carolina, Alabama, Tennessee, Mississippi, Louisiana, Arkansas, Oklahoma, Missouri, Kansas, and Texas.

NOTE: The purpose of this republication is to substitute "foodstuffs" for "potatoes" and to add St. Paul, Minneapolis, and Hopkins, Minn., as points of origin in (1) as above, and Fargo, N. Dak., as an origin point and St. Paul, Minneapolis, and Hopkins, Minn., as destination points in (2).

HEARING: July 31, 1962, in U.S. Court Rooms, Fargo, N. Dak., before Examiner J. Thomas Schneider.

No. MC 118217 (Sub-No. 2), filed May 31, 1962. Applicant: A. W. STURGEON AND HARRY MEEKER, doing business as STURGEON & MEEKER (partnership), 612 East 18th Street, Box 3184, Wichita, Kans. Applicant's attorney: John E. Jandera, 641 Harrison Street, Topeka, Kans. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Feed and feed ingredients* between points in Sedgwick, Kingman, Sumner, Cowley, Butler, Chase, Chataqua, Greenwood, Harper, Harvey, McPherson, Marion, Reno, and Rice Counties, Kans., on the one hand, and on the other, points in Georgia and Florida.

NOTE: Dual operations may be involved.

HEARING: September 14, 1962, at the Mayflower Hotel, Jacksonville, Fla., before Examiner Warren C. White.

No. MC 119349 (Sub-No. 1), filed May 18, 1962. Applicant: C. R. STEVENSON, P.O. Box 1116, Winter Garden, 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: *Petroleum products*, in containers, from St. Marys, W. Va., and Farmers Valley, Pa., to points in Florida.

NOTE: Applicant states duplicating authority to be eliminated.

HEARING: September 13, 1962, at the Mayflower Hotel, Jacksonville, Fla., before Examiner Warren C. White.

No. MC 119934 (Sub-No. 38), filed February 5, 1962. Applicant: ECOFF TRUCKING, INC., 625 East Broadway, Fortville, 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: *Fertilizer compounds*, dry, in bulk and in bags, from Marseilles, Ill., to points in Indiana, Iowa, Michigan, Minnesota, Missouri, Ohio, Wisconsin, North Dakota, and South Dakota, and *damaged and rejected shipments*, in return.

HEARING: September 17, 1962, at The Conrad Hilton, Chicago, Ill., before Examiner Theodore M. Tahan.

No. MC 121139 (CORRECTION), published FEDERAL REGISTER issue of June 20, 1962, and republished as corrected this issue. Applicant: ALL OHIO TRUCKING CO., 311 South Wabash Avenue, Wheeling, W. Va. Applicant's attorney: Taylor C. Burneson, 3430 Le Veque-Lincoln Tower, 50 West Broad Street, Columbus 15, Ohio. Assigned for hearing to determine whether the motor vehicle operations of All Ohio Trucking Co. are and will be managed and operated in a common interest, management, and control with those of Tower Lines, Inc., a multiple-State carrier holding certificates under No. MC-65941, and whether All Ohio Trucking Co. is eligible to engage in operations in interstate or foreign commerce within the State of Ohio under the second proviso of section 206(a)(1) of the Interstate Commerce Act. The purpose of this republication is to show the State of Ohio instead of the State of West Virginia.

HEARING: Remains assigned July 31, 1962, at Room 5405-7 U.S. Court House and Federal Office Building, 500 Quarrier Street, Charleston, W. Va., before Examiner Alfred B. Hurley.

No. MC 123271 (Sub-No. 2) (CORRECTION), filed June 7, 1962, published FEDERAL REGISTER issue of July 11, 1962, and republished as corrected this issue. Applicant: TAVILLA TRUCKING CORP., One North Market Street, Boston 9, Mass. Applicant's attorney: James J. Weinstein, One Court Street, Boston 8, Mass. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Bananas* from New York, N.Y., to Boston, Mass.; and *exempt commodities* on return trips.

NOTE: Applicant states the operations will be under contract with Boston Banana Co., Inc. The purpose of this republication is to show the correct hearing date.

HEARING: September 25, 1962, at the Hotel Essex, Boston, Mass., before Examiner Francis A. Welch.

No. MC 124078 (Sub-No. 6), filed March 7, 1962. Applicant: SCHWERMAN TRUCKING CO., a corporation, 620 South 29th Street, Milwaukee 46, Wis. Applicant's attorney: James R. Ziperski (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lime and lime products*, from Davenport, Iowa, to points in Iowa, Missouri, Minnesota, Illinois, and Wisconsin.

NOTE: Applicant states it has contract carrier authority involving the transportation of petroleum products under MC 113832. It also has common carrier cement and concrete conduit applications pending under MC 124078; therefore, dual operations may be involved; it is further noted that common control may be involved.

HEARING: September 12, 1962, at The Conrad Hilton, Chicago, Ill., before Examiner Theodore M. Tahan.

No. MC 124078 (Sub-No. 33), filed June 13, 1962. Applicant: SCHWERMAN TRUCKING CO., a corporation, 620 South 29th Street, Milwaukee 46, Wis. Applicant's attorney: James R. Ziperski, address same as applicant. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Mineral filler and stone dust* from Davenport, Iowa, to points in Iowa, Missouri, Minnesota, Illinois, and Wisconsin.

NOTE: In view of applicant's contract authority under MC-113832, dual operations may be involved.

HEARING: September 12, 1962, at The Conrad Hilton, Chicago, Ill., before Examiner Theodore M. Tahan.

No. MC 124339, filed April 9, 1962. Applicant: GUST A. GUSTAFSON, SR., doing business as GUST GUSTAFSON TRUCKING, 532 North 18th Street, Escanaba, Mich. Applicant's attorney: James P. Chapekis, 808 Ludington Street, Escanaba, Mich. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Prepared mink foods and fertilizer*, and *exempt commodities, such as vegetables, fruits, grains, seeds, and hay*, at the same time in the same vehicle, between Chicago, Ill., Davenport, Iowa, and points in the Lower Peninsula of Michigan, and points in Delta County, Mich.

HEARING: September 13, 1962, at The Conrad Hilton, Chicago, Ill., before Examiner Theodore M. Tahan.

No. MC 124350, filed April 10, 1962. Applicant: MAC'S TOWING COMPANY, INC., 3420 South Indiana Avenue, Chicago, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wrecked and disabled motor vehicles*, between points in Illinois, Indiana, Michigan, Wisconsin, Kentucky, and Tennessee.

HEARING: September 13, 1962, at The Conrad Hilton, Chicago, Ill., before Examiner Theodore M. Tahan.

No. MC 124480, filed May 28, 1962. Applicant: J & H COMPANY, a corporation, 4200 Ventura Road, Ventura, Calif. Applicant's attorney: Phil Jacobson, 510 West Sixth Street, Suite 723, Los Angeles 14, Calif. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Bulk cement and cement*, in sacks, in bottom hoppers, and flat bed equipment, from Monolith, Kern County, Calif., to points in Clark, Nye, and Lincoln Counties, Nev., and (2) *Fluorspar*, from the site of the Monolith mine located near Beatty, Nev., to points in Kern County, Calif.

NOTE: Common control may be involved.

HEARING: September 14, 1962, at the Nevada Public Service Commission, Room 204, State Office Building, East Musser Street, Carson City, Nev., before Joint Board No. 78, or, if the Joint Board waives its right to participate before Examiner F. Roy Linn.

No. MC 124499, filed May 31, 1962. Applicant: CARL R. WADDELL, 4160

67th Street, Sacramento, Calif. Applicant's attorney: James S. Eddy, 920 Forum Building, Sacramento 14, Calif. Authority sought to operate as a *contract carrier*, by motor vehicle, over regular routes, transporting: *Drugs, drug products and sundries, namely toiletries, photographic equipment and supplies, stationery, costume jewelry, sanitary supplies, child-care equipment, health and specialized foods, variety store items and other such items as commonly sold in retail drug stores*, between Sacramento, Calif., and Zephyr Cove, Nev., over U.S. Highway 50, serving the intermediate point of State line, Calif.-Nev.

HEARING: September 14, 1962, at the Nevada Public Service Commission, Room 204, State Office Building, East Musser Street, Carson City, Nev., before Joint Board No. 78, or, if the Joint Board waives its right to participate before Examiner F. Roy Linn.

MOTOR CARRIERS OF PASSENGERS

No. MC 109148 (Sub-No. 15), filed May 22, 1962. Applicant: LAS VEGAS-TONOPAH-RENO-STAGE LINE, INC., 917 Stewart Street, Las Vegas, Nev. Applicant's attorney: Richard R. Hanna, Old Bank Building, Carson City, Nev. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers, and their baggage, and express and newspapers*, in the same vehicle, with passengers, (1) between Incline, Nev., and Truckee, Calif., from Incline over California Highway 28, to Tahoe City, Calif., thence over California Highway 89 to the junction of California Highway 89 and U.S. Highway 40, thence over U.S. Highway 40, to Truckee, including service to Squaw Valley, Calif., over unnumbered highway connecting with California Highway 89, between Tahoe City, and Truckee, Calif., and return over the same route, serving all intermediate points, including Crystal Bay, Nev., and Brockway, Kings Beach, Tahoe Vista, Carnelian Bay, Lake Forest, Tahoe City, and Squaw Valley, Calif., (2) between Kings Beach, and Truckee, Calif., from Kings Beach, over unnumbered highway commonly known as the Brockway Cut-off, to Truckee, Calif., and return over the same route, serving all intermediate points.

NOTE: Applicant states the proposed service in (1) above is sought to extend the proposed authority granted by MC 109148 (Sub-No. 12); also, that MC 109148 (Sub-No. 14) authorizes service between Incline, Nev., and Tahoe City, Calif., but only for the period between June 1 to September 30 of each year and the service as proposed herein, contemplates an all year operation.

HEARING: September 13, 1962, at the Nevada Public Service Commission, Room 204, State Office Building, East Musser Street, Carson City, Nev., before Joint Board No. 78, or, if the Joint Board waives its right to participate before Examiner F. Roy Linn.

PREHEARING CONFERENCES

The applications immediately following are set for prehearing conference at the time and place designated in the notice of filing as here published in each proceeding. At the pre-hearing confer-

ence it is contemplated that the following matters will be discussed: (1) The issues generally with a view to their simplification; (2) The possibility and desirability of agreeing upon special procedure to expedite and control the handling of this application, including the submission of the supporting and opposing shipper testimony by verified statements; (3) The time and place or places of such hearing or hearings may be agreed upon; (4) The number of witnesses to be presented and the time required for such presentations by both applicant and protestants; (5) The practicability of both applicant and the opposing carriers submitting in written form their *direct* testimony with respect to: (a) Their present operating authority; (b) Their corporate organizations if any, ownership and control; (c) Their fiscal data; (d) Their equipment, terminals, and other facilities; (6) The practicability and desirability of all parties exchanging exhibits covering the immediately above-listed matters in advance of any hearing; and (7) Any other matters by which the hearing can be expedited or simplified or the Commission's handling thereof aided.

No. MC 15735 (Sub-No. 16), filed July 5, 1962. Applicant: ALLIED VAN LINES, INC., P.O. Box 4403, Chicago 80, Ill. Applicant's attorney: Gerald M. Robison, 1725 K Street NW., Washington 6, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New and used furniture, new and used household furnishings, fixtures, equipment, and appliances, new and used office, store, church, school, library, institutional, and commercial fixtures, equipment, appliances and furnishings, airplane seats, new and used building fixtures and equipment, including but not limited to arches, balusters, bells, carillons, carts, chimes, columns, cornices, crestings, crosses, fencing, fire escapes (slide type), flower boxes, gates, grills, jardinieres, lamps, letters, lithurgical arts, louvers, metalwork (ornamental and decorative), millwork, mouldings, panels, plaques, posts and ropes, railings, scoreboards, screens, sculptured figures, sculptured modulants, shelf racks on wheels, shutters, signs, solar screens, spires, stages, steeples, sun control devices, trallages, turnstiles, urns, and weathervanes, new and used laboratory, hospital, scientific, dental, medical and school furniture, fixtures, appliances, instruments, and equipment, articles, including objects of art, displays and exhibits, which because of their unusual nature or value require the specialized handling and equipment usually employed in moving household goods, and articles, including objects of art, displays and exhibits, not of an unusual nature or value but which require specialized handling, facilities and specifically trained employees not ordinarily in use in general commodity transportation, including but not limited to microfilm equipment, television recording cameras, audio equipment, office equipment containing intricate and delicate wiring and of high value, laboratory equipment for micro-wave portable sets,*

portable carrier sets used in the transmission of telegraph messages, tabulators and accessory tabulating machinery and equipment, stage scenery, props, stage furniture, technical furniture, fixtures and equipment, costumes, baggage, pipe organs, automobiles used for display purposes, photographic machinery and equipment used in micro-filming and reproducing photographic records, white line, black line and blue print machines, pin ball machines, calculating machines and parts, cash registers, cafeteria and kitchen equipment, television sets and transmitting equipment, switchboards, communication equipment, radar equipment, sound systems, phonographs, electronic organs, juke boxes, coin operated vending machines, musical instruments, new floor coverings and voting machines, optical and radio telescopes and other astronomical instruments, observatory equipment and devices, satellites, data processing equipment, amplifiers, radio controlled drones, telemetry equipment, iron lungs, electronic plotters, missiles and missile parts, rockets and rocket parts, flight simulators, antennas, electronic sorters, micro-wave transmitting, receiving and testing equipment, accelerators, boats, new and used, commercial and scientific cameras, photocopy equipment, oscilloscopes, attenuation measuring equipment, electronic counters, static inverters, digital data processing equipment, spectrum analyzers, radar equipment, simulators and test equipment, circuit board printers, electronic lathes, enometers, sonar equipment, television transmitting equipment, airplane wings and fuselage section, and parts and auxiliary equipment to be used in connection with the foregoing. All uncrated, except that small parts and pieces accompanying shipments may be packed in cloth bag and attached to individual article of which it is a component part or shipped separately in a bag, package or box, between points in the United States including Hawaii and Alaska.

NOTE: Nothing here described is intended to duplicate any authority presently held by applicant as a household goods carrier, but only includes those articles which do not properly come within the commodity description Household Goods as defined by the Commission in 17 M.C.C. 467.

PREHEARING CONFERENCE: July 26, 1962, at the Offices of the Interstate Commerce Commission, Washington, D.C., with Examiner James C. Cheselding presiding.

No. MC 22254 (Sub-No. 38), filed July 6, 1962. Applicant: TRANS-AMERICAN VAN SERVICE, INC., 7540 South Western Poe, Chicago, Ill. Applicant's attorney: John C. Bradley, 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: *New and used furniture, new and used household furnishings, fixtures, equipment, and appliances, new and used office, store, church, school, library, institutional, and commercial fixtures, equipment, appliances and furnishings, airplane seats, new and used building fixtures and equipment, including but not*

limited to arches, balusters, bells, carillons, carts, chimes, columns, cornices, crestings, crosses, fencing, fire escapes (slide type), flower boxes, gates, grills, jardinieres, lamps, letters, liturgical arts, louvers, metalwork, (ornamental and decorative), millwork, mouldings, panels, plaques, posts and ropes, railings, scoreboards, screens, sculptured figures, sculptured modulants, shelf racks on wheels, shutters, signs, solar screens, spires, stages, steeples, sun control devices, trallages, turnstiles, urns, and weathervanes, new and used laboratory, hospital, scientific, dental, medical and school furniture, fixtures, appliances, instruments, and equipment, and the following: (1) Articles, including objects of art, displays and exhibits, which because of their unusual nature or value require the specialized handling and equipment usually employed in moving household goods, and (2) articles, including objects of art, displays, and exhibits, not of an unusual nature or value, but which require specialized handling, facilities, and specifically trained employees not ordinarily used in general commodity transportation, including but not limited to microfilm equipment, television recording cameras, audio equipment, office equipment, containing intricate and delicate wiring and of high value, laboratory equipment for microwave portable sets, portable carrier sets used in the transmission of telegraph messages, tabulators and accessory tabulating machinery and equipment, stage scenery, props, stage furniture, fixtures and equipment, costumes, baggage, pipe organs, automobiles used for display purposes, photographic machinery and equipment used in microfilming and reproducing photographic records, white line, black line and blue print machines, pin ball machines, calculating machines and parts, cash registers, cafeteria and kitchen equipment, television sets and transmitting equipment, switchboards, communication equipment, radar equipment, sound systems, phonographs, electronic organs, juke boxes, coin operated vending machines, musical instruments, new floor coverings and voting machines, optical and radio telescopes and other astronomical instruments, observatory equipment and devices, satellites, data processing equipment, amplifiers, radio controlled drones, telemetry equipment, iron lungs, electronic plotters, missiles and missile parts, rockets and rocket parts, flight simulators, antennas, electronic sorters, microwave transmitting, receiving and testing equipment, accelerators, boats new and used, commercial and scientific cameras, photocopy equipment, oscilloscopes, attenuation measuring equipment, electronic counters, static inverters, digital data processing equipment, spectrum analyzers, radar equipment, simulators and test equipment, circuit board printers, electronic lathes, enometers, sonar equipment, television transmitting equipment, airplane wings and fuselage sections, and parts and auxiliary equipment to be used in connection with the foregoing, all uncrated (except that small parts and pieces accompanying shipments may be packed in cloth bag and attached to

individual article of which it is a component part or shipped separately in bag, package or box), between points in the United States, including Hawaii and Alaska.

NOTE: Applicant states that nothing here described is intended to duplicate any authority presently held by applicant as a household goods carrier, but only includes those articles which do not come within the commodity description "Household Goods" as defined by the Commission in 17 M.C.C. 467.

HEARING: July 26, 1962, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner James C. Cheseldine.

APPLICATIONS IN WHICH HANDLING WITHOUT ORAL HEARING HAS BEEN ELECTED

MOTOR CARRIERS OF PROPERTY

No. MC 41432 (Sub-No. 87), filed July 9, 1962. Applicant: EAST TEXAS MOTOR FREIGHT, INC., 623 North Washington Street, Dallas, Tex. Applicant's attorney: Hugh T. Matthews, 2130 Fidelity Union Tower, Dallas 1, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Ammunition* (explosive, incendiary, or gas, smoke or tear producing), *manufactured ingredients and component parts of ammunition*, and *general commodities* (except those of unusual value, explosives other than ammunition and manufactured ingredients and component parts of ammunition as specified above), livestock, rock, gravel, sand, household goods (as defined by the Commission, commodities in bulk, and those requiring special equipment). (1) Between Linden, Tex., and Gladewater, Tex.: From Linden over Texas Highway 155 to its intersection with U.S. Highway 271, thence over U.S. Highway 271 to Gladewater, and return over the same route, serving no intermediate points, as an alternate route for operating convenience only, in connection with applicant's regular route operation. (2) Between Longview, Tex., and the intersection of Texas Highway 26 and Texas Highway 155: From Longview over Texas Highway 26 to the intersection of Texas Highway 26 and Texas Highway 155, and return over the same route, serving no intermediate points with service at the named intersection point for purpose of joinder, only, with the route described in (1) above, as an alternate route for operating convenience only, in connection with applicant's regular route operations. (3) Between Longview, Tex., and Tatum, Tex.: From Longview over Texas Highway 149 to Tatum, and return over the same route, serving no intermediate points, as an alternate route for operating convenience only, in connection with applicant's regular route operations.

No. MC 43654 (Sub-No. 53), filed July 5, 1962. Applicant: DIXIE OHIO EXPRESS, INC., 237 Fountain Street, Akron, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except perishables, livestock, petroleum and its products, in tank trucks, coal, sand, gravel, grain, household goods as defined by the Commission, Classes A and B explosives, and

those requiring special equipment), between Lexington, Ky., and Winchester, Ky.; from Lexington, over U.S. Highway 60 to Winchester and return over the same route, serving no intermediate points, as an alternate route for operating convenience only in connection with applicant's regular route operations.

No. MC 66562 (Sub-No. 1898), filed June 25, 1962. Applicant: RAILWAY EXPRESS AGENCY, INCORPORATED, 219 East 42d Street, New York 17, N.Y. Applicant's attorneys: Slovacek & Galliani, Suite 2800, 188 Randolph Tower, Chicago 1, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, moving in express service. (1) Between the junction of U.S. Highway 63 and Iowa Highway 3, and the junction of Iowa Highways 150 and 154, as follows: From the junction of U.S. Highway 63 and Iowa Highway 3 over Iowa Highway 3 to Oelwein, Iowa; thence over Iowa Highway 150 to junction of Iowa Highways 150 and 154, returning over the same route, serving the intermediate point of Oelwein and the off-route point of Readlyn. (2) Between Fayette, Iowa, and the junction of U.S. Highway 63 and Iowa Highway 93, as follows: From Fayette over Iowa Highway 93 to junction of U.S. Highway 63 and Iowa Highway 93, and return over the same route, serving the intermediate points of Sumner and Tripoli. (3) Between the junction of U.S. Highways 63 and 18, and Fredericksburg, Iowa, as follows: From the junction of U.S. Highways 63 and 18 over U.S. Highway 18 to Fredericksburg, returning over the same route, and serving no intermediate points.

NOTE: Applicant states that it is wholly owned by 64 rail carriers.

RESTRICTION: Applicant states the service to be performed will be limited to that which is auxiliary to or supplemental of air or rail service and the shipments shall be limited to those moving on through bills of lading or express receipts.

No. MC 66562 (Sub-No. 1902), filed July 5, 1962. Applicant: RAILWAY EXPRESS AGENCY, INCORPORATED, 219 East 42d Street, New York 17, N.Y. Applicant's attorney: William H. Marx (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, moving in express service, between Manchester, N.H., and Henniker, N.H.; from Manchester over New Hampshire Highway 101 to Peterborough, N.H., thence over U.S. Highway 202 to Henniker, and return over the same route, serving the intermediate points of Milford, Wilton, Peterborough, Bennington and Hillsborough, N.H., and the off-route point of Greenfield, N.H. RESTRICTION: The service to be performed by said carrier shall be limited to service which is auxiliary to, or supplemental of, railway express service. Shipments transported by said carrier shall be limited to those moving on a through bill of lading, or express receipt, covering, in addition to a motor carrier movement by said carrier, an immediately prior or immediately

subsequent movement by rail, and such further specific conditions as the Commission, in the future may find it necessary to impose in order to restrict said carrier's operation to service which is auxiliary to, or supplemental of, railway express service.

No. MC 114126 (Sub-No. 4), filed July 9, 1962. Applicant: ASSOCIATED ENTERPRISES LTD., Box 139, Salmo, British Columbia. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas*, from Seattle, Wash., to the Ports of Entry on the International Boundary line between the United States and Canada at or near Blaine, Oroville, and Metaline Falls, Wash., and Porthill and Eastport, Idaho, and *empty containers or other such incidental facilities* (not specified) used in transporting the commodities specified, on return.

No. MC 116208 (Sub-No. 3), filed July 5, 1962. Applicant: C. W. SMITH, doing business as LOADER TRANSPORT, 302 West 13th Street, Peru, Ind. Applicant's attorney: Donald W. Smith, Suite 511 Fidelity Building, Indianapolis 4, Ind. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Poultry and hog farm equipment, garden sprayers*, knocked down and set up, and *accessories thereto*, when transported in the same vehicle with the above-described equipment, from Tipton, Ind., to points in the United States (except Hawaii). RESTRICTION: Service to be performed under a continuing contract with Oakes Manufacturing Company, Operation of FMC Corporation.

APPLICATION FOR BROKERAGE LICENSE

MOTOR CARRIERS OF PASSENGERS

No. MC 12810, filed June 21, 1962. Applicant: ALONZO D. CAMP, doing business as CAMP INTERSTATE TRAVEL SERVICE, 602 Wallace Building, Little Rock, Ark. For a license (BMC 5) to engage in operations as a broker at Little Rock, Ark., in arranging for transportation in interstate or foreign commerce of *passengers and their baggage*, in the same vehicle, both as individuals and in groups, beginning and ending at Little Rock, Ark., and extending to points in the United States (except Alaska and Hawaii).

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 8176. Authority sought for purchase by T. E. MERCER TRUCKING CO., 920 North Main Street, Fort Worth 1, Tex., of a portion of the operating rights of BILL FRADY & CO., P.O. Box 4024, 529 West Mable Street, Odessa, Tex., and for acquisition by TOMMY G. MERCER, MRS. T. E. MERCER, MRS. G. E. MERCER, and MRS. W. O. COMP-

TON, all of 920 North Main Street, Fort Worth, Tex., of control of such rights through the purchase. Applicants' attorney: Reagan Sayers, Rawlings, Sayers, Scurlock & Eidson, 301 Century Life Building, Fort Worth 2, Tex. Operating rights sought to be transferred: *Machinery, equipment, materials, and supplies* used in, or in connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum, and their products and byproducts, and *machinery, materials, equipment and supplies* used in, or in connection with, the construction, operation, repair, servicing, maintenance, and dismantling of pipe lines, including the stringing and picking-up thereof, as a *common carrier* over irregular routes, between points in Texas, on the one hand, and, on the other, points in Kansas and Oklahoma; *machinery, equipment, materials and supplies*, used in, or in connection with the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum, and their products and byproducts, and *machinery, materials, equipment and supplies*, used in, or in connection with the construction, operation, repair, servicing, maintenance, and dismantling of pipe lines, including the stringing and picking-up thereof, except the stringing and picking-up thereof in connection with main or trunk pipe lines, between Texas, Oklahoma, Kansas, and Colorado. Vendee is authorized to operate as a *common carrier* in Arkansas, Kansas, Louisiana, Mississippi, New Mexico, Oklahoma, Texas, Tennessee, Georgia, Alabama, Florida, Colorado, Wyoming, Utah, Montana, and Idaho. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-8177. Authority sought for purchase by COLUMBIA TRUCKING COMPANY, INC., 1101 Indianapolis Boulevard, Roby, Ind., of the operating rights of RAYMOND WESLEY, doing business as WESLEY OIL TRANSPORT, 7306 West 83d Street, Oak Lawn, Ill. (HARRY A. ASH, Trustee in Bankruptcy), 100 West Monroe Street, Chicago 3, Ill., and for acquisition by JOHN W. PHILBIN and GERTRUDE M. PHILBIN, both of 1101 Indianapolis Boulevard, Roby, Ind., of control of such rights through the purchase. Applicants' attorney: Harold E. Marks, 208 South La Salle Street, Chicago 4, Ill. Operating rights sought to be transferred: *Asphalt and tar*, in bulk, in tank vehicle, as a *common carrier* over irregular routes from Gary, Whiting, East Chicago, and Hammond, Ind., to points in Cook, Du Page, McHenry, Will, Winnebago, Kane, De Kalb, Kankakee, Kendall, and Grundy Counties, Ill. Application has been filed for temporary authority under section 210a(b).

No. MC-F-8178. Authority sought for merger into JOHNSON MOTOR LINES, INC., 2426 North Graham Street, P.O. Box 10497, Charlotte 1, N.C., of the operating rights and property of EMMOTT VALLEY TRANSPORTATION CO., INC., 2426 North Graham Street, P.O. Box

10497, Charlotte 1, N.C., and for acquisition by H. BEALE ROLLINS, 629 Title Building, Baltimore 2, Md., of control of such rights and property through the transaction. Applicants' attorney: Bryce Rea, Jr., 919 Munsey Building, Washington, D.C. Operating rights sought to be merged: *General commodities*, accepting, among others, household goods and commodities in bulk, as a *common carrier* over regular routes between Worcester, Mass., and Providence, R.I., between Uxbridge, Mass., and Boston, Mass., between New York, N.Y., and Boston, Mass., and between New London, Conn., and Danielson, Conn., serving certain intermediate and offroute points; three alternate routes for operating convenience only; *general commodities*, accepting, among others, household goods and commodities in bulk, over irregular routes, between New York, N.Y., on the one hand, and, on the other, certain points in New Jersey; *textile machinery, materials, supplies and equipment*, incidental to, are used in, the manufacture, sale, or distribution of textiles, between Uxbridge, Acton, Lawrence, and Lowell, Mass., between Uxbridge, Mass., and Westerly, R.I., between Putnam, Conn., on the one hand, and, on the other, points in Providence County, R.I., between Uxbridge, Mass., and points in Massachusetts within 15 miles of Uxbridge, on the one hand, and, on the other, points in Massachusetts and Rhode Island, and between Lowell, Mass., on the one hand, and, on the other, points in Providence County, R.I.; *textile machinery*, between Whitinsville, Mass., on the one hand, and, on the other, Albany and Amsterdam, N.Y.; *paper bags, twine, rope, and clothes pins*, between Boston, Mass., on the one hand, and, on the other, Pawtucket and Providence, R.I. JOHNSON MOTOR LINES, INC. is authorized to operate as a *common carrier* in Massachusetts, Connecticut, Rhode Island, New Jersey, Pennsylvania, New York, Maryland, Delaware, Virginia, North Carolina, South Carolina, Georgia, and the District of Columbia. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-8180. Authority sought for control by EDWARD L. MURPHY, JR., 965 Eustis Street, St. Paul 14, Minn., of E. L. MURPHY TRUCKING CO., 1924 University Avenue, St. Paul, Minn. Applicants' attorneys: Perry R. Moore and Clay R. Moore, Mackall, Crouse, Moore, Helmey & Holmes, 1000 First National Bank Building, Minneapolis 2, Minn. Operating rights sought to be controlled: *Safes and vault doors* weighing not less than 4,000 pounds each, as a *common carrier* over irregular routes between points in Iowa, Minnesota, North Dakota, South Dakota, and Wisconsin; and *commodities which, because of unusual size or weight, require special handling and the use of special equipment*, between points in Minnesota, on the one hand, and, on the other, points in Iowa, North Dakota, South Dakota, Wisconsin, and the Upper Peninsula of Michigan. EDWARD L. MURPHY, JR., holds no authority from this Commission. However, he is affiliated with MURPHY

MOTOR FREIGHT LINES, INC., 965 Eustis Street, St. Paul 4, Minn., which is authorized to operate as a *common carrier* in Minnesota, South Dakota, Iowa, Wisconsin, and Illinois. Application has been filed for temporary authority under section 210a(b).

No. MC-F-8181. Authority sought for control by EYRES TRANSFER & WAREHOUSE CO., 1762 Sixth Avenue South, Seattle 4, Wash., of ALLISON MITCHELL TRANSFER CO., 1400 Alaskan Way, Seattle 1, Wash., and for acquisition by EARL L. DEMPSEY and EVELYN J. DEMPSEY, both of 1762 Sixth Avenue South, Seattle, Wash., of control of ALLISON-MITCHELL TRANSFER CO., through the acquisition by EYRES TRANSFER & WAREHOUSE CO. Applicants' attorney: George H. Hart, 640 Central Building, Seattle 4, Wash. Operating rights sought to be controlled: *General commodities*, except those of unusual value, and except dangerous explosives, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities requiring special equipment (other than those requiring specialized handling or rigging because of weight or bulk), and those injurious or contaminating to other lading, as a *common carrier* over irregular routes between points in Seattle, Wash.; *lead covered telephone cable*, on reels, requiring special equipment for transportation, and *pole line construction materials* used in connection with such cable when moving in connection therewith, from Seattle, Wash., to points of construction or installation in Washington in and west of Whatcom, Skagit, Snohomish, King, Pierce, Thurston, Lewis, and Skamania Counties, Washington, and Cle Elum and Ellensburg, Washington. EYRES TRANSFER & WAREHOUSE CO. is authorized to operate as a *common carrier* in the State of Washington. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-8182. Authority sought for purchase by WHITFIELD TRANSPORTATION, INC., P.O. Box 9897, El Paso, Tex., of a portion of the operating rights of SOUTHERN PLAZA EXPRESS, INC., P.O. Box 10572, Dallas, Tex., and for acquisition by W. E. WHITFIELD, H. C. WHITFIELD and M. E. WHITFIELD, all of P.O. Box 9897, El Paso, Tex., of control of such rights through the purchase. Applicants' attorneys: David G. Macdonald, Suite 602, Solar Building, 1000 16th Street NW., Washington 6, D.C., and Castle W. Jordan, Ryder System, Inc., 2701 South Bayshore Drive, Miami, Fla. Operating rights sought to be transferred: *General commodities*, including Class A and B explosives, but not including commodities of unusual value, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, as a *common carrier*, over regular routes, between San Antonio, Tex., and El Paso, Tex., serving all intermediate points, and the offroute points of Royalty, Crane, and Iraan, Tex., and between Leon Springs, Tex., and Camp Stanley, Tex., serving no intermediate points. Vendee is au-

thorized to operate as a *common carrier* in Texas, New Mexico, Utah, Colorado, Arizona, California, Wyoming, Idaho, and Nevada. Application has been filed for temporary authority under section 210a(b).

No. MC-F-8183. Authority sought for purchase by TRANS-AMERICAN VAN SERVICE, INC., 7540 South Western Avenue, Chicago, Ill., of a portion of the operating rights of CLARK TRANSPORT COMPANY, Chicago Heights, Ill., and for acquisition by JOHN J. RAPP, 7540 South Western Avenue, Chicago, Ill., of control of such rights through the purchase. Applicants' attorney: John C. Bradley, 618 Perpetual Building, Washington 4, D.C. Operating rights sought to be transferred: *New passenger or property carrying golf buggies and commercial adaptations thereof* weighing not to exceed 1,500 pounds each, as a *common carrier* over irregular routes, from Oklahoma City, Okla., to points in the United States; *used passenger or property carrying golf buggies and commercial adaptations thereof* weighing not to exceed 1,500 pounds each, between points in the United States. Vendee is authorized to operate as a *common carrier* in all states and the District of Columbia. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-8184. Authority sought for merger into WARD TRANSPORT, INC., P.O. Box 133, Pueblo, Colo., of the operating rights and property of MELTON TRANSPORT COMPANY, P.O. Box 477, Adams City, Colo., and for acquisition by HAROLD B. WARD, also of Pueblo, Colo., of control of such rights and property through the transaction. Applicants' attorney: Marion F. Jones, Jones, Meiklejohn, Kilroy & Kehl, 526 Denham Building, Denver 2, Colo. Operating rights sought to be merged: *Petroleum products*, in bulk, in tank vehicles, as a *common carrier* over regular routes from Cheyenne, Wyo., to Martin, S. Dak., and Three-Way Station, Colo., from specified Wyoming points to specified points in Colorado, from Denver, Colo., to specified points in Wyoming, South Dakota, Nebraska, Idaho, and Utah, from Casper, Wyo., to the W. R. Book bulk storage plant located approximately 13 miles south of Ramah, Colo., and to certain specified points in Colorado and Nebraska, from Sinclair, Wyo., to Nephi, Thistle, Wellsville, Wendover, Helper, Price, Salina, and Monroe, Utah, from Cheyenne, Wyo., to Tremonton, Wellsville, Wendover, Park City, Heber, Duchesne, Roosevelt, Vernal, Helper, Price, Monroe, Salina, and Cedar City, Utah, between specified points in Wyoming and specified points in Colorado, between specified points in Wyoming, between specified points in Colorado, between specified points in Utah, between specified points in Wyoming and specified points in Nebraska, and between specified points in Nebraska, serving certain intermediate and offroute points; *liquid petroleum products*, in tank vehicles, over regular and irregular routes, from Superior, Nebr., to certain points in Colorado, from Casper, Lance Creek and Lusk, Wyo., to certain points in Colorado, serv-

ing certain intermediate and offroute points; *petroleum products*, in bulk in tank trucks, from Arkansas City, Eldorado, and Shallow Water, Kans., to certain points in Colorado, and from specified points in Texas to specified points in Colorado serving certain intermediate points; *petroleum*, in bulk, in tank vehicles, *petroleum products*, in bulk, in tank vehicles, *crude petroleum*, in bulk, in tank vehicles, *liquid petroleum products*, in tank vehicles, petroleum products other than crude oil in its natural state, and *petroleum products*, in bulk, in tank vehicles, as described in appendix XIII to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, over irregular routes from, to and between points and areas, varying with the commodity transported, in Wyoming, Colorado, Nebraska, Kansas, Texas, Utah, and South Dakota; *petroleum and petroleum products*, in bulk, in tank vehicles, as described in Appendix XIII to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, between points in Colorado, on the one hand, and, on the other, points in Nebraska; *anhydrous ammonia*, in bulk, in tank vehicles, from the plant site of Consumers Cooperative Association near Hastings, Nebr., to points in Colorado and Wyoming. WARD TRANSPORT, INC., is authorized to operate as a *common carrier* in Colorado, New Mexico, Kansas, Oklahoma, Texas, Wyoming, Nebraska, and Utah. Application has not been filed for temporary authority under section 210a(b).

By the Commission.

[SEAL] HAROLD D. McCoy,
Secretary.

[F.R. Doc. 62-6993; Filed, July 17, 1962;
8:50 a.m.]

[Notice 664]

MOTOR CARRIER TRANSFER PROCEEDINGS

JULY 13, 1962.

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 general rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 30 days from the date of service of the order. 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 65052. By order of July 11, 1962, Division 3, acting as an Appellate Division, approved the transfer to Fox & Ginn Moving & Storage Co., a corporation, Bangor, Maine, of Certificates Nos. MC 35438 and MC 35438 Sub-4, issued August 25, 1955, and February 15, 1961, to Edwin B. Prout, doing business as W. F. Prout & Sons, Dorchester,

Mass., authorizing the transportation of household goods, over irregular routes, between Boston, Mass., on the one hand and, on the other, points in Connecticut, Maine, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, and the District of Columbia; between points in that part of Massachusetts (except Boston, Mass.) on and east of a line beginning at the Massachusetts-New Hampshire State line and extending along U.S. Highway 3 to Chelmsford, Mass., and thence along Massachusetts Highway 126 to the Massachusetts-Rhode Island State line on the one hand, and, on the other, points in Connecticut, Maine, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, and Vermont; such commodities as are dealt in by retail furniture and department stores when transported on the delivery instructions of such stores, from Boston, Mass., to points in Vermont, New Hampshire, Maine, Rhode Island, and Connecticut; uncrated new furniture when transported on the delivery instructions of a retail furniture or department store, from Portland, Maine, to points in Massachusetts, Connecticut, Rhode Island, Vermont, and New Hampshire, rejected, returned or refused shipments of the above-described commodities, from the above-specified destination points to Boston, Mass., and Portland, Maine; refrigerators, refrigerating units, ranges, washing machines, water coolers, water-cooling equipment, electrical appliances, air-conditioning units, and display and show materials pertaining to such commodities, between Boston, Mass., and points within 25 miles of Boston, on the one hand, and, on the other, points in Connecticut, Maine, Massachusetts, Rhode Island, and Vermont, commodities specified above, or materials pertaining thereto when solely for display and show purposes, between Boston, Mass., and points within 25 miles of Boston, on the one hand, and, on the other, points in New Hampshire; new furniture, crated and uncrated, other than new furniture included in household goods description as defined by the Commission, from Boston, Mass., to points in Massachusetts and New Hampshire; new furniture, between Nashua, N.H., and Boston, Mass., and points within 5 miles of Boston, on the one hand, and on the other, Baltimore, Md., Washington, D.C., Richmond, Va., points in Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, Rhode Island, and Vermont, those in Pennsylvania within 25 miles of Philadelphia, Pa., including Philadelphia, and those in New York within 20 miles of New York, N.Y., including New York; and general commodities, excluding household goods and commodities in bulk, between Boston, Mass., on the one hand, and, on the other, points in Massachusetts within 25 miles of Boston. Mary E. Kelley, 10 Tremont Street, Boston 8, Mass., attorney for transferee. Samuel Rosen, 100 State Street, Boston 9, Mass., attorney for trustees in bankruptcy.

[SEAL] HAROLD D. McCoy,
Secretary.

[F.R. Doc. 62-6994; Filed, July 17, 1962;
8:50 a.m.]

DONALD LEROY MANION

Statement of Appointment

Pursuant to subsection 302(a), Part III, Executive Order No. 10647 (20 F.R. 8769), "Providing for the Appointment of Certain Persons Under the Defense Production Act of 1950, as amended," the following information is furnished for publication in the FEDERAL REGISTER:

1. Name of appointee: Donald Leroy Manion.
2. Name of employing agency: Interstate Commerce Commission.
3. Date of appointment: July 2, 1962.
4. Title of appointee's position: Consultant.
5. Name of appointee's private employer: The American Short Line Railroad Association.

Dated at Washington, D.C., this 12th day of July 1962.

RUPERT L. MURPHY,
Chairman,

Interstate Commerce Commission.

[F.R. Doc. 62-6983; Filed, July 17, 1962; 8:48 a.m.]

DONALD LEROY MANION

Statement of Financial Interests

Pursuant to subsection 302(b), Part III, Executive Order No. 10647, dated November, 28 1955 (20 F.R. 8769), "Providing for the Appointment of Certain Persons under the Defense Production Act of 1950, AS AMENDED", I hereby furnish the following information for filing with the Division of the Federal Register for publication in the FEDERAL REGISTER:

(1) The names of each corporation of which I am, or within sixty days preceding my said appointment have been, an officer or director, are as follows:

None.

(2) The names of each corporation in which I own, or within sixty days preceding my said appointment have owned, stocks, bonds, or other financial interests, are as follows:

None.

(3) The names of each partnership of which I am, or within sixty days preceding my said appointment have been, a partner, are as follows:

None.

(4) The names of other businesses in which I own, or within sixty days preceding my said appointment have owned, any similar interest are as follows:

None.

Dated at Washington, D.C., June 29, 1962.

D. L. MANION.

[F.R. Doc. 62-6995; Filed, July 17, 1962; 8:50 a.m.]

EUGENE S. ROOT

Statement of Changes in Financial Interests

Pursuant to subsection 302(c), Part III, Executive Order 10647 (20 F.R. 8769) "Providing for the Appointment of Certain Persons under the Defense Production Act of 1950, as amended," I hereby furnish for filing with the Division of the Federal Register for publication in the FEDERAL REGISTER the following information showing any changes in my financial interests and business connections as heretofore reported and published (20 F.R. 10086; 21 F.R. 3475; 21 F.R. 9198; 22 F.R. 3777; 22 F.R. 9450; 23 F.R. 3798; 23 F.R. 9501; 24 F.R. 4187; 24 F.R. 9502; 25 F.R. 102; 26 F.R. 1693; 26 F.R. 6405 and 27 F.R. 684) for the period from January 1 through June 30, 1962.

Elected Director, Railway Express Agency, Inc.

Elected Director, The New Jersey and New York Railroad Company.

Elected Director, The Buffalo Creek Railroad Company.

Dated: July 9, 1962.

EUGENE S. ROOT.

[F.R. Doc. 62-6996; Filed, July 17, 1962; 8:50 a.m.]

FOURTH SECTION APPLICATIONS FOR RELIEF

July 13, 1962.

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

LONG-AND-SHORT HAUL

FSA No. 37830: *Sugar beet or cane to points in Arkansas and Oklahoma.* Filed by Western Trunk Line Committee, Agent (No. A-2259), for interested rail carriers. Rates on sugar, beet or cane, in bulk in covered hopper cars, as more fully described in the application, in carloads, from points in Colorado, Idaho, Nebraska, Oregon, South Dakota, Utah, and Wyoming, also Scalley, Sugar Spur, and Toppenish, Wash., to Ft. Smith and Springdale, Ark., Muskogee, Oklahoma City and Tulsa, Okla.

Grounds for relief: Market competition.

Tariffs: Supplement 92 to Western Trunk Line Committee tariff I.C.C. A-4099 and supplement 22 to Trans-Continental Freight Bureau tariff I.C.C. 1667.

FSA No. 37831: *Substituted service—MP & T&P for T.I.M.E. Freight, Inc.* Filed by J. D. Hughett, Agent (No. 39), for interested carriers. Rates on property loaded in highway trailers and transported on railroad flat cars, between El Paso, Tex., on the one hand, and Memphis, Tenn., and Little Rock, Ark., on the other, on traffic originating at or destined to such points or points beyond as described in the application.

Grounds for relief: Motor-truck competition.

Tariff: Supplement 6 to J. D. Hughett's tariff MF-I.C.C. 351.

By the Commission.

[SEAL]

HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 62-6990; Filed, July 17, 1962; 8:50 a.m.]

CUMULATIVE CODIFICATION GUIDE—JULY

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CFR SUPPLEMENTS

(As of January 1, 1962)

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