

# FEDERAL REGISTER

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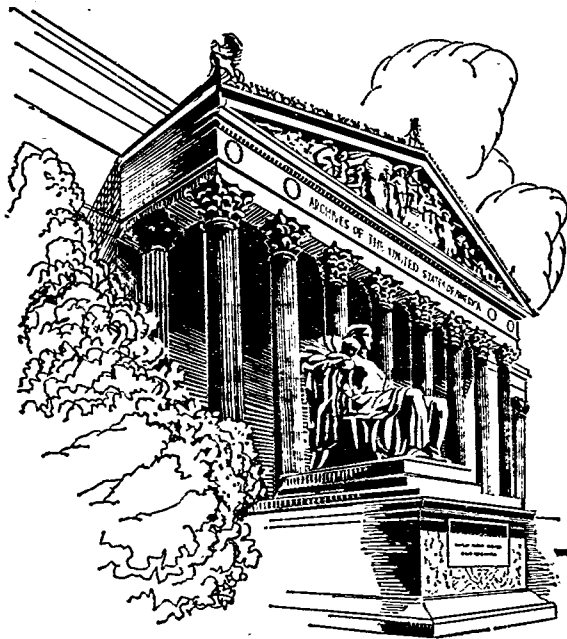
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Atomic Energy Commission  
Civil Service Commission  
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Now Available

## LIST OF CFR SECTIONS AFFECTED

1949-1963

This volume contains a compilation of the "List of Sections Affected" for all titles of the Code of Federal Regulations for the years 1949 through 1963. All sections of the CFR which have been expressly affected by documents published in the daily Federal Register are enumerated.

Reference to this list will enable the user to find the precise text of CFR provisions which were in force and effect on any given date during the period covered.

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**List of CFR Parts Affected**

(Codification Guide)

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A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1966, and specifies how they are affected.

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# Presidential Documents

## Title 3—THE PRESIDENT

### Proclamation 3732

#### CAPTIVE NATIONS WEEK, 1966

By the President of the United States of America

#### A Proclamation

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

WHEREAS freedom and justice are the inalienable rights of all peoples; and

WHEREAS these basic rights are presently denied to many peoples throughout the world; and

WHEREAS the United States of America, from its founding as a nation, has firmly subscribed to the principles of national independence and human liberty; and

WHEREAS, in keeping with this tradition, it remains an essential purpose and a fundamental policy of the United States of America to sustain these principles and to encourage their realization by all peoples:

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby designate the week beginning July 17, 1966 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 eighth day of July in the year of our Lord nineteen hundred and sixty-six, and of [SEAL] the Independence of the United States of America the one hundred and ninety-first.

LYNDON B. JOHNSON

By the President:

GEORGE W. BALL,  
*Acting Secretary of State.*

[F.R. Doc. 66-7714; Filed, July 12, 1966; 2:44 p.m.]



# Rules and Regulations

## Title 10—ATOMIC ENERGY

### Chapter I—Atomic Energy Commission

#### PART 1—STATEMENT OF ORGANIZATION, DELEGATIONS, AND GENERAL INFORMATION

##### Other Committees, Boards, and Panels

Notice is hereby given of the amendment of the Statement of Organization, Delegations, and General Information of the U.S. Atomic Energy Commission, 10 CFR Part 1, published in the FEDERAL REGISTER on December 29, 1961 (26 F.R. 12729-12745), as amended.

This document amends the section which identifies committees, boards, and panels established by the Commission pursuant to section 161a of the Atomic Energy Act of 1954, as amended.

Because this amendment relates to matters of internal management, general notice of proposed rule making and public procedure thereon are unnecessary.

Pursuant to the Atomic Energy Act of 1954, as amended, the Administrative Procedure Act of 1946, and 1 CFR 17.2, the following amendment of 10 CFR Part 1 is published as a document subject to codification to be effective upon publication in the FEDERAL REGISTER.

Section 1.242, paragraph (a)(11) is revised and paragraphs (a) (17), (18), and (19) are added. As amended section 1.242 reads as follows:

##### § 1.242 Other committees, boards, and panels.

(a) Additional committees, boards, and panels have been established by the Commission pursuant to section 161a of the Atomic Energy Act of 1954, as amended, as follows:

- (1) Advisory Committee on Isotopes and Radiation Development;
- (2) Advisory Committee of State Officials;
- (3) Advisory Committee for Standard Reference Materials and Methods of Measurement;
- (4) Advisory Committee on Medical Uses of Isotopes;
- (5) Advisory Committee on Plow-share;
- (6) Advisory Committee for Biology and Medicine;
- (7) Advisory Committee on Reactor Physics;
- (8) Committee of Senior Reviewers;
- (9) Nuclear Cross Sections Advisory Group;
- (10) Historical Advisory Committee;
- (11) Mathematics and Computer Sciences Research Advisory Committee;
- (12) Personnel Security Review Board;

(13) Labor Management Advisory Committee;

(14) Advisory Committee on Technical Information;

(15) Personnel Security Boards;

(16) The Technical Information Panel;

(17) Technical Advisory Panel on Peaceful Use Safeguards;

(18) Standing Committee on Controlled Thermonuclear Research;

(19) Advisory Panel on Safeguarding Special Nuclear Material.

(Sec. 161, 68 Stat. 948, as amended; 42 U.S.C. 2201; and sec. 3, 60 Stat. 238; 5 U.S.C. 1002)

Dated at Germantown, Md., this 7th day of July 1966.

For the Atomic Energy Commission.

W. B. McCool,  
Secretary.

[F.R. Doc. 66-7625; Filed, July 13, 1966; 8:45 a.m.]

## Title 5—ADMINISTRATIVE PERSONNEL

### Chapter I—Civil Service Commission

#### PART 213—EXCEPTED SERVICE

##### Department of Commerce

Section 213.3314 is amended to show that the position of the Patent Office is in Schedule C. Effective on publication in the FEDERAL REGISTER, subparagraph (4) is added under paragraph (h) of section 213.3314 as set out below.

##### § 213.3314 Department of Commerce.

\* \* \* \* \*

(h) *Patent Office.* \* \* \*

(4) *Solicitor.*

\* \* \* \* \*

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633; E.O. 10577, 19 F.R. 7521, 3 CFR, 1954-1958 Comp., p. 218)

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

[F.R. Doc. 66-7666; Filed, July 13, 1966; 8:48 a.m.]

#### PART 213—EXCEPTED SERVICE

##### Department of the Interior

Section 213.3312 is amended to show that an additional position of Associate Solicitor in the Office of the Solicitor, Department of the Interior, is excepted under Schedule C. Effective on publication in the FEDERAL REGISTER, subparagraph (4) of paragraph (b) of section 213.3312 is amended as set out below.

##### § 213.3312 Department of the Interior.

\* \* \* \* \*

(b) *Office of the Solicitor.* \* \* \*

(4) *Six Associate Solicitors.*

\* \* \* \* \*

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633; E.O. 10577, 19 F.R. 7521, 3 CFR, 1954-1958 Comp., p. 218)

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

[F.R. Doc. 66-7667; Filed, July 13, 1966; 8:48 a.m.]

## Title 12—BANKS AND BANKING

### Chapter V—Federal Home Loan Bank Board

#### SUBCHAPTER D—FEDERAL SAVINGS AND LOAN INSURANCE CORPORATION

[No. FSLIC-2,685]

#### PART 571—STATEMENTS OF POLICY

##### Hazard Insurance

JULY 7, 1966.

Resolved that, the Federal Home Loan Bank Board, upon the basis of consideration by it of the advisability of stating and codifying its policy concerning the maintenance by institutions insured by the Federal Savings and Loan Insurance Corporation of insurance policies insuring the property securing each loan made or purchased by such institution against the hazards to which improved real estate is commonly subject, hereby amends Part 571 of the rules and regulations for Insurance of Accounts (12 CFR Part 571) by adding immediately after § 571.3 a new § 571.4, to read as follows:

##### § 571.4 Hazard insurance.

(a) Each institution insured by the Federal Savings and Loan Insurance Corporation has been required to include in its loan contracts provisions which require the maintenance of such hazard insurance as will protect the institution from loss in the event of damage to or destruction of the real estate securing the institution's loans.

(b) It is incumbent upon the institution to determine that specific provisions of each hazard insurance contract insuring the security property name and protect the institution as mortgagee in an amount at least equal to its insurable interest in the security and cover such perils as are commonly covered in policies described as "Standard Fire and Extended Coverage" as well as such other perils as to which institutional lenders operating in the same area commonly require hazard insurance.

(c) In conducting examinations of insured institutions, examiners for the Board will review each institution's files for evidence, in the form of individual insurance policies, memoranda of insurance or blanket policies satisfactory to the institution, to determine that such insurance is in force.

(Secs. 402, 403, 48 Stat. 1256, 1257, as amended; 12 U.S.C. 1725, 1726. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1947 Supp.)

By the Federal Home Loan Bank Board.

[SEAL] HARRY W. CAULSEN,  
Secretary.

[F.R. Doc. 66-7649; Filed, July 13, 1966; 8:47 a.m.]

## Title 21—FOOD AND DRUGS

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

#### SUBCHAPTER A—GENERAL

#### PART 3—STATEMENTS OF GENERAL POLICY OR INTERPRETATION

##### Certain Hallucinogenic Drugs; Conditions for Investigational Use

There has been a marked increase in the illegal distribution and use of LSD (*d*-lysergic acid diethylamide). The misuse of this drug has been associated with serious side effects, including serious mental changes, psychotic manifestations, nervous breakdowns, and suicidal tendencies that have resulted in permanent physical and mental injuries to individuals. DMT (dimethyltryptamine), mescaline and its salts, psilocybin, and psilocyn have not been as extensively distributed, publicized, or used as LSD, but have the same potential for abuse and resultant harm. In view of the foregoing, the Food and Drug Administration considers that it is in the public interest to take additional steps to assure that the distribution and use of these drugs are limited to adequately justified research.

Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 505, 511(b), 701(a), 52 Stat. 1052, as amended, 1055; 79 Stat. 229; 21 U.S.C. 355, 360a(b), 371(a)) and under the authority delegated to the Commissioner of Food and Drugs by the Secretary of Health, Education, and Welfare (21 CFR 2.120; 31 F.R. 3008), Part 3 is amended by adding thereto the following new section:

§ 3.47 DMT, LSD, mescaline and its salts, psilocybin, and psilocyn; conditions for investigational use.

(a) No person may sell, deliver, or otherwise dispose of DMT (dimethyltryptamine), LSD (LSD-25, *d*-lysergic acid diethylamide), mescaline and its salts, psilocybin (psilocibin), and psilocyn (psilocin):

(1) For clinical testing in man until a proposal for such studies has had ad-

vance approval by the Commissioner of Food and Drugs on the basis of a Notice of Claimed Investigational Exemption for a New Drug (form FD 1571) justifying such studies.

(2) For tests in vitro or in laboratory research animals until a proposal for such studies has had advance approval by the Commissioner on the basis of the submission of complete information describing the purpose, design, and extent of the intended studies, the qualifications and facilities of the investigator, and the source and shipper of the drug.

(3) For clinical investigations in animals until a proposal for such studies has had advance approval by the Commissioner on the basis of information submitted pursuant to § 130.3a(b) of this chapter, including the qualifications and facilities of the investigator and the source and shipper of the drug.

(b) This statement of policy applies to all shipments, deliveries, or other dispositions of the drugs specified in paragraph (a) of this section after July 14, 1966.

(Secs. 505, 511(b), 701(a), 52 Stat. 1052, as amended, 1055; 79 Stat. 229; 21 U.S.C. 355, 360a(b), 371(a))

Dated: July 11, 1966.

JAMES L. GODDARD,  
Commissioner of Food and Drugs.

[F.R. Doc. 66-7711; Filed, July 13, 1966; 8:49 a.m.]

## Title 37—PATENTS, TRADE-MARKS, AND COPYRIGHTS

### Chapter I—Patent Office, Department of Commerce

#### PART 1—RULES OF PRACTICE IN PATENT CASES

##### Declaration in Lieu of Application Oath; Correction

To avoid confusion which may result from omission of the reference to applications for plant patents in § 1.68(b) as printed in the FEDERAL REGISTER of May 19, 1966 (31 F.R. 7284, F.R. Doc. 66-5448), the correct version of that section follows:

§ 1.68 Declaration in lieu of application oath.

(b) A written declaration by the applicant satisfying the foregoing conditions, may also be used in lieu of an oath when presenting a claim for matter not originally claimed (§ 1.67), when applying for a reissue patent (§§ 1.171 and 1.172), when applying for a patent for a design (§§ 1.151 and 1.153), when applying for a patent for a plant (§§ 1.161 and 1.162), and when filing a statement concerning the making or conception of the invention as required by 42 U.S.C. 2182, or by 42 U.S.C. 2457(c).

(Sec. 1, 66 Stat. 793, 35 U.S.C. 6; sec. 1, 78 Stat. 171, 35 U.S.C. 25)

Dated: June 29, 1966.

EDWARD J. BRENNER,  
Commissioner of Patents.

Approved: June 30, 1966.

J. HERBERT HOLLOMAN,  
Assistant Secretary for Science and Technology.

[F.R. Doc. 66-7627; Filed, July 13, 1966; 8:45 a.m.]

## Title 39—POSTAL SERVICE

### Chapter I—Post Office Department

#### PART 16—SECOND CLASS BULK MAILINGS

##### PART 24—THIRD CLASS

##### New Applicants for Original Entries

I. In § 16.3, the first paragraph of the note following paragraph (b) (9) is revised for clarification and to add a stipulation that extensions of time will not be granted to new applicants for original second-class entries filed after July 7, 1966. As so revised the first paragraph of the note following paragraph (b) (9) now reads:

§ 16.3 Mailing.

(b) Copies for same post office or State. \* \* \*

(9) Unauthorized labels. Sacks with unauthorized labels, tags or markings are not acceptable for dispatch.

NOTE: Effective January 1, 1967, paragraph (b) will read as set out in the next and succeeding paragraphs: (Under the condition set out in this paragraph, an appropriate extension of time will be granted a mailer in which to come into compliance with the new requirements of paragraph (b) which will be in effect on January 1, 1967. To obtain an extension, the mailer must show that: (1) He is unable without undue hardship and for causes not reasonably within his control to achieve compliance with these regulations, and (2) he has made a substantial and good faith effort to bring his mailings into compliance with these regulations. No application for extension will be accepted with respect to a publication for which application for original entry was made after July 7, 1966. The mailer's request in writing for an extension, accompanied with supporting documentation, must be submitted to the postmaster where mailings are made. The postmaster will submit the request to his Regional Director for a decision.)

NOTE: The corresponding Postal Manual section is 126.329.

II. In § 24.4, the first paragraph of the note following paragraph (b) (7) is revised for clarification and to add a stipulation that extensions of time will not be granted to new applicants for original second-class entries filed after July 7, 1966. As so revised the first paragraph of the note following paragraph (b) (7) now reads:



§ 24.4 Preparation—payment of postage.

(b) Bulk mailings. \* \* \*

(7) Special services. The registry, insurance, special delivery, certified, and COD services may not be used for third-class matter mailed at bulk rates.

NOTE: Effective January 1, 1967, § 24.4(b) (5) through (7) will be deleted and new paragraphs (c) and (d) will read as set out in the next and succeeding paragraphs: (Under the condition set out in this paragraph, an appropriate extension of time will be granted a mailer in which to come into compliance with the new requirements of new paragraph (c) which will be in effect on January 1, 1967. To obtain an extension, the mailer must show that (1) he is unable without undue hardship and for causes not reasonably within his control to achieve compliance with these regulations, and (2) he has made a substantial and good faith effort to bring his mailings into compliance with these regulations. No application for extension will be accepted in connection with a permit for which application was made after July 7, 1966. The mailer's request in writing for an extension, accompanied with supporting documentation, must be submitted to the postmaster where mailings are made. The postmaster will submit the request to his Regional Director for a decision.)

NOTE: The corresponding Postal Manual section is 134.427.

The foregoing regulations are being adopted effective upon their publication in the FEDERAL REGISTER. As time is of the essence in order to allow the maximum time for the making and processing of applications for extension, advanced notice and public rule making procedure, as well as a delayed effective date, are impracticable and contrary to the public interest.

(R.S. 161, as amended; 5 U.S.C. 22, 39 U.S.C. 501, 4451-4453)

TIMOTHY J. MAY,  
General Counsel.

JULY 13, 1966.

[F.R. Doc. 66-7736; Filed, July 13, 1966; 10:03 a.m.]

**Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT**

**Chapter 101—Federal Property Management Regulations**

**SUBCHAPTER E—SUPPLY AND PROCUREMENT**

**PART 101-26—PROCUREMENT SOURCES AND PROGRAMS**

**Subpart 101-26.3—Procurement From GSA Stores Stock**

**AGENCY USE OF GSA STOCK**

In the interest of simplification and conciseness of language, certain provisions in Subpart 101-26.3 have been combined and others have been eliminated. In addition, a statement has been added in § 101-26.301 to clarify that the section is applicable to agency requirements

originating outside the United States but which are required to be procured within the United States.

Sections 101-26.300, 101-26.301, and 101-26.303-3 are revised to read as follows:

**§ 101-26.300 Scope of subpart.**

This subpart prescribes policy and procedures governing the procurement by agencies of items of supply stocked by GSA, including reporting and obtaining adjustments for overages, shortages, and damages.

**§ 101-26.301 Applicability.**

All executive agencies within the United States (including Hawaii and Alaska) shall procure from GSA their requirements of stock items available from GSA supply distribution facilities, including requirements for items which originate outside the United States but which are required, by agency instruction or otherwise, to be procured in the United States, except as provided in this § 101-26.301 and as may be otherwise specifically authorized. (Items available from GSA stock, including GSA self-service stores, are listed or described in GSA stock catalogs which are promulgated by the Commissioner, FSS.) Federal agencies not required to procure stock items from GSA are encouraged to do so.

(a) Except for standard forms, the Department of Defense (DOD) will use this source of supply for all items which have been identified as GSA supply support items pursuant to GSA/DOD agreements. DOD requirements for standard forms are obtained as provided in § 101-26.302.

(b) Procurement may be made from other sources when the item is available only from regional offices other than the one serving the ordering activity or is in FSC Group 89 (subsistence) and required for use in Alaska or Hawaii.

(c) Procurement of items from other sources may be made in cases of public exigency. (See § 1-3.202 for examples of public exigency cases when time or circumstances may not permit obtaining the item from GSA.)

(d) Small purchases other than those made as a result of public exigency may be made at the site of work or point of need in satisfaction of day-to-day requirements that cannot be foreseen. Such purchases shall be made in accordance with § 1-3.6 and the quantities procured shall not exceed immediate needs.

(e) When the following sources are utilized, procurement may be made without recourse to GSA:

(1) Contracts for marginally punched forms issued by the Government Printing Office (GPO), or the GPO for blank paper and envelopes for delivery in the District of Columbia, as shown in the GPO catalog. (However, orders for marginally punched standard forms must be routed through GSA in accordance with § 101-26.302.)

(2) Federal Supply Schedule contracts.

**§ 101-26.303-3 Exceptions.**

Standards forms, office furniture, and blind- and prison-made items which are temporarily out-of-stock will be back-ordered in all cases and notification furnished as to the expected delivery date.

(Sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c))

*Effective date.* This regulation is effective upon publication in the FEDERAL REGISTER.

Dated: July 7, 1966.

J. E. MOODY,  
Acting Administrator  
of General Services.

[F.R. Doc. 66-7682; Filed, July 13, 1966; 8:49 a.m.]

**PART 101-27—INVENTORY MANAGEMENT**

**Subpart 101-27.1—Stock Replenishment**

**GSA HANDBOOK REFERENCE AND USE OF ECONOMIC PURCHASE QUANTITY PRINCIPLE**

Subpart 101-27.1 is amended to reflect a change in title and a revision of the handbook concerning the economic order quantity principle and to provide for the application of the economic purchase quantity principle in § 101-27.102.

Section 101-27.102 is amended by the revision of § 101-27.102-2 and the addition of § 101-27.102-3(c) as follows:

**§ 101-27.102-2 Guidelines.**

Guidelines for development of appropriate implementation of the EOQ principle of stock replenishment are described in the GSA Handbook, The Economic Order Quantity Principle and Applications, issued by the Commissioner, Federal Supply Service, GSA. The handbook is identified under Federal stock number 7610-543-6765 in the GSA General Stores Stock Catalog and copies may be ordered in the same manner as other items in that catalog. In addition, the handbook will be available to the public from the Government Printing Office, Superintendent of Documents, Washington, D.C. 20402.

**§ 101-27.102-3 Limitations on use.**

(c) When quantity purchase discounts or volume transportation rates will produce savings greater than the increased variable costs involved in procurement and possession, the economic purchase quantity (EPQ) principle shall be used as described in the GSA Handbook, The Economic Order Quantity Principle and Applications.

(Sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c))

*Effective date.* This regulation is effective upon publication in the FEDERAL REGISTER.

Dated: July 7, 1966.

J. E. MOODY,  
Acting Administrator  
of General Services.

[F.R. Doc. 66-7683; Filed, July 13, 1966; 8:49 a.m.]

SUBCHAPTER H—UTILIZATION AND DISPOSAL  
PART 101-45—SALE, ABANDONMENT, OR DESTRUCTION OF PERSONAL PROPERTY

Miscellaneous Amendments

Part 101-45 is amended by providing in § 101-45.105-3(b) a reference for the source of supply for GSA forms; by adding a new § 101-45.317 on noncollusive bids and proposals and providing for the use of a certificate of independent price determination in invitations for bids for sales of personal property; and by providing in § 101-45.4900 the source of supply for GSA and standard forms.

The table of contents for Part 101-45 is revised by the addition of new entries, as follows:

Sec.	
101-45.317	Noncollusive bids and proposals.
101-45.4926	Certificate of independent price determination clause.

Subpart 101-45.1—General

Section 101-45.105-3(b) is revised to provide a reference for the source of supply for GSA forms, as follows:

§ 101-45.105-3 Exemptions.

(b) GSA regional offices, after consultation with a holding activity, may on a case-by-case or blanket basis, authorize sale by such holding activity of perishable items or small lots of limited value property at isolated locations. In such cases, Optional Form 15, poster, Sale of Government Property (see § 101-45.4920) and Optional Form 16, Sales Slip, Sale of Government Personal Property (see § 101-45.4921) are prescribed for use by holding activities for the sale of such property. These forms may be obtained as stated in § 101-45.4900. Procedures for conducting such sales are set forth in § 101-45.304-3.

Subpart 101-45.3—Sale of Personal Property

Section 101-45.317 is added, as follows:

§ 101-45.317 Noncollusive bids and proposals.

(a) In order to promote full and free competition for Government contracts, a certificate of independent price determination (see § 101-45.4926) shall be included in the contract provisions as a condition of sale in all invitations for bids and requests for proposals or quotations providing for the sale of personal property, except fixed price sale under section 203(e) (5) of the Act.

(b) The authority to make determinations described in paragraph (d) of § 101-45.4926 shall not be delegated to an official below the level of the head of a selling activity of the agency.

(c) Where a certification is suspected of being false or there is an indication of collusion, the matter shall be referred

to the Department of Justice as provided in § 101-45.107-1.

Subpart 101-45.49—Illustrations

1. Section 101-45.4900 is revised to provide the source of supply for GSA, standard and optional forms, as follows:

§ 101-45.4900 Scope of subpart.

This subpart contains instructions, lists, and illustrations of the forms and formats prescribed in this Part 101-45. GSA forms in this Subpart 101-45.49 may be obtained by addressing requests to: General Services Administration Region 3, Office of Regional Manpower and Administration, OFA, Printing and Publications Division, Washington, D.C. 20407. Standard and optional forms may be obtained from the nearest GSA supply depot.

2. Section 101-45.4926 is added to provide for a certificate of independent price determination clause, as follows:

§ 101-45.4926 Certificate of independent price determination clause.

CERTIFICATE OF INDEPENDENT PRICE DETERMINATION

(a) By submission of this bid or proposal, each bidder or offeror certifies, and in the case of a joint bid or proposal each party thereto certifies as to its own organization, that in connection with this sale:

(1) The prices in this bid or proposal have been arrived at independently, without consultation, communication, or agreement, for the purpose of restricting competition, as to any matter relating to such prices, with any other bidder or offeror or with any competitor;

(2) Unless otherwise required by law, the prices which have been quoted in this bid or proposal have not been knowingly disclosed by the bidder or offeror and will not knowingly be disclosed by the bidder or offeror prior to opening, in the case of a bid, or prior to award, in the case of a proposal, directly or indirectly to any other bidder or offeror or to any competitor; and

(3) No attempt has been made or will be made by the bidder or offeror to induce any other person or firm to submit or not to submit a bid or proposal for the purpose of restricting competition.

(b) Each person signing this bid or proposal certifies that:

(1) He is the person in the bidder's or offeror's organization responsible within that organization for the decision as to the prices being bid or offered herein and that he has not participated, and will not participate, in any action contrary to (a)(1) through (a)(3), above; or

(2) (i) He is not the person in the bidder's or offeror's organization responsible within that organization for the decision as to the prices being bid or offered herein but that he has been authorized in writing to act as agent for the persons responsible for such decision in certifying that such persons have not participated, and will not participate, in any action contrary to (a)(1) through (a)(3), above, and as their agent does hereby so certify; and

(ii) He has not participated, and will not participate, in any action contrary to (a)(1) through (a)(3), above.

(c) This certification is not applicable to a foreign bidder or offeror submitting a bid

or proposal for a contract which requires performance or delivery outside the United States, its possessions, and Puerto Rico.

(d) A bid or proposal will not be considered for award where (a)(1), (a)(3), or (b), above, has been deleted or modified. Where (a)(2), above, has been deleted or modified, the bid or proposal will not be considered for award unless the bidder or offeror furnishes with the bid or proposal a signed statement which sets forth in detail the circumstance of the disclosure and the head of the agency, or his designee, determines that such disclosure was not made for the purpose of restricting competition.

(Sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c))

*Effective date.* These regulations are effective upon publication in the FEDERAL REGISTER.

Dated: July 7, 1966.

J. E. MOODY,  
Acting Administrator of  
General Services.

[F.R. Doc. 66-7684; Filed, July 13, 1966; 8:49 a.m.]

## Title 50—WILDLIFE AND FISHERIES

### Chapter II—Bureau of Commercial Fisheries, Fish and Wildlife Service, Department of the Interior

#### SUBCHAPTER G—PROCESSED FISHERY PRODUCTS, PROCESSED PRODUCTS THEREOF, AND CERTAIN OTHER PROCESSED FOOD PRODUCTS

#### PART 271—U.S. STANDARDS FOR GRADES OF FROZEN HEADLESS DRESSED WHITING

On pages 7244 and 7255 of the FEDERAL REGISTER of May 18, 1966, there was published a notice and text of a proposed new Part 271—U.S. Standards for Grades of Frozen Headless Dressed Whiting of Title 50, Code of Federal Regulations.

Interested persons were given 30 days to submit written comments, suggestions or objections with respect to the proposed new part. No responses to the proposal were received.

The new part is issued pursuant to sections 203 and 205 of Title II of the Agricultural Marketing Act of 1946, 60 Stat. 1087, 1090, as amended, 7 U.S.C. sections 1622 and 1624 (1958), as transferred to the Department of the Interior by section 6(a) of the Fish and Wildlife Act of 1956, 70 Stat. 1122 (1956), 16 U.S.C. section 742e (1958).

Accordingly, the new Part 271—U.S. Standards for Grades of Frozen Headless Dressed Whiting is hereby adopted without change and is set forth below. This part shall become effective at the beginning of the 30th calendar day following the date of this publication in the FEDERAL REGISTER.

DONALD L. MCKERNAN,  
Director,  
Bureau of Commercial Fisheries.

JULY 8, 1966.

**PART 271—U.S. STANDARDS FOR GRADES OF FROZEN HEADLESS DRESSED WHITING<sup>1</sup>**

- Sec.  
271.1 Description of the product.  
271.2 Grades of frozen headless dressed whiting.  
271.11 Determination of the grade.  
271.21 Definitions and methods of analysis.  
271.25 Tolerances for certification of officially drawn samples.

**AUTHORITY:** The provisions of this Part 271 are issued under sec. 6, 70 Stat. 1122; 16 U.S.C. § 742e; and secs. 203 and 205, 60 Stat. 1087, 1090, as amended; 7 U.S.C. 1624, 1624.

**§ 271.1 Description of the product.**

The product described in this part consists of clean, wholesome whiting (silver hake) *merluccius bilinearis*, *merluccius albidus*; completely and cleanly headed and adequately eviscerated. The fish are packaged and frozen in accordance with good commercial practice and are maintained at temperatures necessary for the preservation of the product.

**§ 271.2 Grades of frozen headless dressed whiting.**

(a) "U.S. Grade A" is the quality of frozen headless dressed whiting that (1) possess a good flavor and odor and that (2) for those factors that are rated in accordance with the scoring system outlined in this part, have a total score of 85 to 100 points.

(b) "U.S. Grade B" is the quality of frozen headless dressed whiting that (1) possess at least reasonably good flavor and odor and that (2) rate a total score of not less than 70 points for those factors of quality that are rated in accordance with the scoring system outlined in this part.

(c) "Substandard" or "Utility" is the quality of frozen headless dressed whiting that meet the requirements of § 271-1 but that otherwise fail to meet the requirements of "U.S. Grade B."

**§ 271.11 Determination of the grade.**

In a plan under Continuous USDI Inspection the grade is determined by examining the product for factors 1-10 in the thawed state and factor 11 in the cooked state. For lot inspection, examination of the product for factors 1, 2, and 3 is carried out in the frozen state and 4-10 in the thawed state. Factor 11 is examined in the cooked state.

(a) *Factors rated by score points.* Points are deducted for variations in the quality of each factor in accordance with the schedule in Table 1. The total of is 100; the minimum score is 0.

(b) *Factors not rated by score points.* points deducted is subtracted from 100 to obtain the score. The maximum score The factor of "flavor and odor" is evaluated organoleptically by smelling and tasting after the product has been cooked in accordance with § 278.21.

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

(1) Good flavor and odor (essential requirements for a U.S. Grade A product) means that the cooked product has the typical flavor and odor of the species and is free from rancidity, bitterness, staleness, and off-flavors and off-odors of any kind.

(2) Reasonably good flavor and odor (minimum requirements of a U.S. Grade B product) means that the cooked product is lacking in good flavor and odor, but is free from objectionable off-flavors and off-odors of any kind.

TABLE 1.—SCHEDULE OF POINT DEDUCTIONS PER SAMPLE  
FROZEN STATE (LOT INSPECTION ONLY)

Factor	Factors scored	Method of determining score	Deduct
1	Arrangement of product <sup>1</sup>	Small degree: 10 percent of fish twisted or bellies and backs not facing the same direction.	2
		Large degree: More than 10 percent of fish twisted, void present or some fish cross packed.	5
2	Condition of packaging (overall assessment).	Poor: Packaging material has been soaked, softened or deteriorated.	2
3	Dehydration	Small degree: Slight dehydration of the exposed surfaces.	2
		Large degree: Deep dehydration of the exposed surfaces.	5
THAWED STATE			
4	Minimum size: Fish 2 oz. or over are of acceptable size.	Number of fish less than 2 oz. per lb.	
		Over 0—not over 0.5.....	5
		Over 0.5—not over 1.0.....	10
		Over 1.0—not over 2.0.....	20
		Over 2.0.....	30
5	Uniformity: Weight ratio of fish remaining. The 10 percent largest fish divided by the 10 percent smallest fish. <sup>1</sup>	Weight ratio 10 percent smallest and 10 percent largest:	
		Over 2.0—not over 2.4.....	2
		Over 2.4—not over 2.8.....	5
		Over 2.8—not over 3.2.....	10
		Over 3.2—not over 3.6.....	20
6	Heading <sup>1</sup>	Small degree: 10 percent of fish carelessly cut.....	5
		Moderate degree: Over 10 percent of fish carelessly cut.....	15
7	Evisceration (overall assessment).	Small degree: Slight evidence of viscera.....	2
		Moderate degree: Moderate amounts of spawn, viscera, etc.	10
		Large degree: Large amounts of viscera, spawn, etc.....	30
8	Scaling <sup>1</sup>	Small degree: 10 percent of fish not well scaled.....	2
		Large degree: Over 10 percent of fish not well scaled.....	5
9	Color of the exposed surfaces (overall assessment).	Small degree: Minor darkening, dulling.....	2
		Large degree: Objectably dark, brown, dull.....	5
10	Bruises and split or broken skin.	Presence of bruises and/or broken or split skin per pound:	
		Over 0—not over 0.5.....	1
		Over 0.5—not over 1.0.....	2
		Over 1.0—not over 1.5.....	4
		Over 1.5—not over 2.0.....	7
Over 2.0.....	10		
11	Texture: (overall assessment)	Small degree: Moderately dry, tough, mushy, rubbery, watery, stringy.	5
		Large degree: Excessively dry, tough, mushy, rubbery, watery, stringy.	15

<sup>1</sup> 10 percent of fish refers to 10 percent by count rounded to nearest whole fish.

**§ 271.21 Definitions and methods of analysis.**

(a) *Selection of the sample unit.* The sample unit consists of the primary container and its entire contents. The whiting are examined according to Table 1. Definitions of factors for point deductions are as follows:

(b) *Examination of sample, frozen state.* When this product is examined under Continuous USDI Inspection, the samples are examined for factors 1, 2, and 3 in Table 1 in the thawed state. When the product is lot inspected, the samples are examined for factors 1, 2, and 3 in Table 1 in the frozen state.

(1) "Arrangement of product" refers to the packing of the product in a symmetrical manner, bellies or backs all facing in the same direction, fish neatly dovetailed.

(2) "Condition of the packaging material" refers to the condition of the cardboard or other packaging material of the primary container. If the fish is allowed to stand after packing and prior to freezing, moisture from the fish will soak into the packaging material and cause deterioration of that material.

(3) "Dehydration" refers to the presence of dehydrated (water-removed) tissue on the exposed surfaces of the whiting. Slight dehydration is surface

dehydration which is not color-masking. Deep dehydration is color-masking and cannot be removed by scraping with a fingernail.

(c) *Examination of sample, thawed state.* Thawed state means the state of the product after being thawed. Thawing the sample is best accomplished by enclosing the sample in a film type bag and immersing in an agitated water bath held at 68° F., ±2° F. Allow the product to remain immersed until thawed. Alternatively when the facilities are lacking for water thawing, the sample may be thawed by slacking it out at a temperature between 30° to 40° F. on an aluminum tray from 2 hours for a 1½-pound sample to 8 hours for a 10-pound sample.

(1) "*Minimum size*" refers to the size of the individual fish in the sample. Fish 2 ounces or over are considered acceptable. Smaller fish cannot be cooked uniformly with acceptable size fish. Separate the fish of unacceptable size, divide their number by the weight of the sample in pounds, and apply to Table 1. Example—four fish of unacceptable size in a 5-pound package is  $\frac{4}{5} = 0.8$ , a 10 point deduction.

(2) "*Uniformity.*" From the fish remaining, select by count 10 percent (minimum of one fish) of the largest and 10 percent (minimum of one fish) of the smallest and divide the largest weight by the smallest weight to get a weight ratio.

(3) "*Heading*" refers to the condition of the fish after they have been headed. The fish should be cleanly headed behind the gills and pectoral fins. No gills, gill bones, or pectoral fins should remain after the fish have been headed.

(4) "*Evisceration*" refers to the cleaning of the belly cavities of the fish. All spawn, viscera, and belly strings should be removed.

(5) "*Scaling*" refers to the satisfactory removal of scales from the fish.

(6) "*Color of the cut surfaces*" refers to the color of the cut surfaces of the fish after heading and other processing.

(7) "*Bruises and broken or split skin*" refers to bruises over one-half square inch in area and splits or breaks in the skin more than one-half inch in length which are not part of the processing.

(d) *Examination of sample, cooked state.* Cooked state means the state of the sample after being cooked. Cooking the sample is best accomplished by inserting the sample into a film type bag and submerging it into boiling water for from 18–20 minutes. A minimum of three fish per sample unit shall be cooked.

(1) "*Texture defects*" refers to the absence of normal textural properties of the cooked fish flesh, which are tenderness, firmness, and moistness without excess water. Texture defects are dryness, softness, toughness, and rubbery-ness.

(e) *General definitions.*

(1) *Small* (overall assessment) refers to a condition that is noticeable but is only slightly objectionable.

(2) *Moderate* (overall assessment) refers to a condition that is distinctly

noticeable but is not seriously objectionable.

(3) *Large* (overall assessment) refers to a condition which is both distinctly noticeable and seriously objectionable.

§ 271.25 Tolerances for certification of officially drawn samples.

The sample rate and grades of specific lots shall be certified in accordance with Part 260 of this chapter (Regulations Governing Processed Fishery Products).

[F.R. Doc. 66-7650; Filed, July 13, 1966; 8:47 a.m.]

## Title 7—AGRICULTURE

### Subtitle A—Office of the Secretary of Agriculture

#### PART 0—EMPLOYEE RESPONSIBILITIES AND CONDUCT

##### Subpart B—Conduct and Responsibilities of Employees

###### USE OF VEHICLES

Paragraph (b) of § 0.735-23 is revised to read as follows:

§ 0.735-23 Use of vehicles.

(b) An employee who wilfully uses or authorizes the use of a Government-owned or leased motor vehicle other than passenger carrying for other than official purposes is subject to disciplinary action up to and including removal.

\* \* \* \* \*

Effective date: Publication in the FEDERAL REGISTER.

JOSEPH M. ROBERTSON,  
Assistant Secretary  
for Administration.

JULY 11, 1966.

[F.R. Doc. 66-7680; Filed, July 13, 1966; 8:49 a.m.]

### Chapter III—Agricultural Research Service, Department of Agriculture

#### PART 331—EMERGENCY PLANT PEST REGULATIONS GOVERNING INTERSTATE MOVEMENT OF CERTAIN PRODUCTS AND ARTICLES

##### Subpart—Mediterranean Fruit Fly

Pursuant to the provisions of the Federal Plant Pest Act (7 U.S.C. 150 aa-150 jj), Chapter III, Title 7 of the Code of Federal Regulations, is hereby amended by adding thereto a new Part 331 to read as follows:

§ 331.1 Existence of emergency and regulations related thereto.

(a) Infestations of the Mediterranean fruit fly, a dangerous plant pest not widely prevalent or distributed within and throughout the United States, have been found in Cameron County, Tex.; and it has been determined that it is necessary to adopt as an emergency measure a rule imposing restrictions as

provided for in this section upon the interstate movement of certain products and articles in order to prevent the dissemination of said plant pest. Accordingly, the products and articles listed in paragraph (b) of this section may not be moved interstate from said Cameron County unless:

(1) Such products and articles have been treated to destroy Mediterranean fruit fly infestations in accordance with procedures prescribed by the Director of the Plant Pest Control Division, U.S. Department of Agriculture, under the direction of an inspector authorized by said Division, and the products and articles are accompanied by a certificate issued by such an inspector signifying that they are eligible for interstate movement; or

(2) Such products and articles originate in an area of said Cameron County which has been inspected by such an inspector and he has found that the interstate movement of the products and articles will not involve a risk of disseminating said infestations, and the products and articles are accompanied by a certificate issued by such an inspector signifying that they are eligible for interstate movement; or

(3) Such products and articles are moved under limited permit issued by such an inspector to an approved destination for consumption or processing in accordance with procedures prescribed by said Director.

(b) The following products and articles are subject to the emergency measures imposed under this regulation:

(1) Bell peppers, cantaloupes, eggplants, okra, squashes, pink and red ripe tomatoes, peaches, citrus and all other fruits, except lemons or sour limes when picked green and commercially packed, and coconuts, blackberries, dewberries, and strawberries: *Provided, however,* That said products are not subject to this regulation if they have been quick frozen or canned; and

(2) Soil whether independent of or associated with plants.

(Sec. 105, 71 Stat. 32, sec. 106, 71 Stat. 33, sec. 107, 71 Stat. 34; 7 U.S.C. 150 dd, 150 ee, 150 ff; 29 F.R. 16210, as amended)

*Effective date.* The foregoing regulation shall become effective upon publication in the FEDERAL REGISTER.

Under this regulation specific products and articles may be moved interstate from Cameron County, Tex., only if they have been treated, or originate in certain areas of said county, or are moved to an approved destination for consumption or processing. Such measures are necessary because an emergency exists as a result of recently discovered infestations of the Mediterranean fruit fly, a dangerous plant pest which is not now widely prevalent in the conterminous United States.

Inasmuch as such infestations must be controlled immediately to prevent the spread of the Mediterranean fruit fly, it is found upon good cause under section 4 of the Administrative Procedure Act (5 U.S.C. 1003) that notice and other public procedure regarding this regulation are

impracticable and contrary to the public interest, and good cause is found for making said regulation effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 11th day of July 1966.

R. J. ANDERSON,  
Deputy Administrator,  
Agricultural Research Service.

[F.R. Doc. 66-7678; Filed, July 13, 1966; 8:49 a.m.]

**Chapter IV—Federal Crop Insurance Corporation, Department of Agriculture**

[Amendment No. 85]

**PART 401—FEDERAL CROP INSURANCE**

**Subpart—Regulations for the 1961 and Succeeding Crop Years**

**GRAIN SORGHUM ENDORSEMENT**

Pursuant to the authority contained in the Federal Crop Insurance Act, as amended, the above-identified regulations are amended effective beginning with the 1967 crop year in the following respects:

1. The portion of the table following paragraph (a) of § 401.3 of this chapter under the heading "Grain Sorghum" is amended effective beginning with the 1967 crop year to read as follows:

	<i>Closing dates</i>
Texas:	
Childress, Cottle, King, Stonewall, Fisher, Scurry, Borden, Dawson, and Gaines Counties and all Texas counties lying north and west thereof.....	Apr. 30
Calhoun and Victoria Counties.....	Feb. 28
Nueces, Refugio, and San Patricio Counties.....	Jan. 31
All other Texas counties.....	Mar. 31
All other States.....	Apr. 30

2. Section 7 of the grain sorghum endorsement shown in § 401.23 of this chapter is amended effective beginning with the 1967 crop year to read as follows:

7. *Cancellation and termination for indebtedness dates.* For each year of the contract the cancellation date and termination date for indebtedness are the following applicable dates immediately preceding the beginning of the crop year for which the cancellation or termination is to become effective.

State	Cancellation date	Termination date for indebtedness
Texas:		
Childress, Cottle, King, Stonewall, Fisher, Scurry, Borden, Dawson, and Gaines Counties and all Texas counties lying north and west thereof.....	Dec. 31	Apr. 30
Calhoun and Victoria Counties.....	do.	Feb. 28
Nueces, Refugio, and San Patricio Counties.....	do.	Jan. 31
All other Texas counties.....	do.	Mar. 31
All other States.....	do.	Apr. 30

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516)

Adopted by the Board of Directors on July 7, 1966.

Approved on July 8, 1966.

[SEAL] EARL H. NIKKEL,  
Secretary, Federal Crop Insurance Corporation.

[F.R. Doc. 66-7648; Filed, July 13, 1966; 8:47 a.m.]

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

**SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS**

[Amdt. 1]

**PART 728—WHEAT**

**Subpart—Regulations Pertaining to Farm Acreage Allotments, Yields, Wheat Diversion and Wheat Certificate Programs for the Crop Years 1966 Through 1969**

**DETERMINATION OF PRELIMINARY ALLOTMENTS FOR OLD FARMS FOR 1967 AND SUBSEQUENT CROPS**

*Correction*

In F.R. Doc. 66-7302, appearing at page 9110 of the issue for Saturday, July 2, 1966, the date "1957" in the second sentence of the fourth paragraph of the document should read "1967".

**SUBCHAPTER C—SPECIAL PROGRAMS**

[Amdt. 2]

**PART 751—LAND USE ADJUSTMENT PROGRAM**

**Subpart—Cropland Adjustment Program for 1966 Through 1969**

**MISCELLANEOUS AMENDMENTS**

The regulations governing the 1966 Cropland Adjustment Program (31 F.R. 3483) are amended as follows:

Section 751.101(h) is amended by revising subparagraph (1) to read as follows: "(1) a hay crop need not have been harvested in each of the three years preceding the first year of the agreement period if such a stand of grasses or legumes has been seeded within the last 2 years and followed another crop which would have met the tame hay definition if the year of reseeding were considered to be the first year of the agreement period and".

Section 751.101(h) is further amended by adding at the end thereof, the following sentence: "'Tame hay' also means a stand of grasses or legumes on cropland which does not require annual tillage with respect to which a conservation reserve contract has expired and from which a hay crop other than hayseed was mechanically harvested in each of the years, if any, following the expiration of the contract."

Section 751.109(a)(1) is amended by changing the period at the end of the first sentence to a colon and adding the following proviso: "Provided, That if a producer diverts the cropland adjustment

program base for rice, the rice allotment shall not be allocated to any other farm during the agreement period."

Section 751.109(a) is amended by redesignating subparagraph (6) as subparagraph (7) and inserting a new subparagraph (6) as follows:

(6) In the case of a farm which is under the conservation reserve program or the cropland conversion program, the maximum acreage which may be accepted for diversion from cropland adjustment bases shall be the acreage which could be devoted to base crops under the conservation reserve program or cropland conversion program. In the case of a farm which is participating in the great plains conservation program or the Appalachian land stabilization and conservation program, the maximum acreage which may be accepted for diversion from cropland adjustment bases shall be the acreage which could be devoted to base crops during the cropland adjustment agreement period after the conservation measures prescribed under such programs have been carried out.

Section 751.115(b) is amended by inserting in the second sentence immediately after the word "Administrator" the following: "(Form ASCS-423-1)".

Section 751.116 is amended by adding the following new paragraph (i):

(i) Notwithstanding any other provision of this section, the total amount of cost-shares for an agreement shall not exceed an amount determined by multiplying the number of acres designated under the agreement by a per acre rate established by the State committee in accordance with instructions from the Deputy Administrator. This limitation shall not apply to reestablished measures carried out under (f) of this section or to practices specified on Form ASCS-423-1, except where a water retention or storage structure practice is involved.

Section 751.118(b)(2)(iv) is amended by inserting immediately after the word "reason" a comma and the following: "unless the county committee determines the condition is temporary and the producer is not otherwise receiving Federal agricultural payments other than cost-shares with respect to such land".

Section 751.118(b)(2)(xii) is amended by inserting immediately after the word "vineyard" a comma and the following: "except land on which the trees or vines were removed during the year preceding the first year of the agreement period and the county committee determines such land is suitable for row or grain crop production and is equal in productivity to other land on the farm".

Section 751.118(c) is amended by inserting immediately after the first sentence the following new sentence: "If the farm is approved for an increase in the annual adjustment payment rate per acre under § 751.115(b), the producer shall agree to carry out such additional practices as are specified in Form ASCS-423-1."

Section 751.118(c) is further amended by deleting "3 years" in subparagraph (2) and inserting in lieu thereof the word "year".

Section 751.123 is amended by adding a new paragraph (d) to read as follows:  
 (d) The provisions of paragraph (a) (2) of this section shall not apply to a cash tenant, standing-rent tenant, or a fixed-rate tenant unless such tenant was living on the farm in the year immediately preceding the first year of the agreement period or received 50 percent or more of his income in such year from the farm.

Section 751.132(a) is amended by deleting the next to the last sentence.

Section 751.142(e) is amended by changing the period at the end thereof to a comma and adding the following: "except that an agency of the Federal Government shall not be eligible for cost-share assistance."

*Effective date.* Date of signature.

Signed at Washington, D.C., on July 7, 1966.

H. D. GODFREY,  
 Administrator, ASCS.

[F.R. Doc. 66-7645; Filed, July 13, 1966; 8:46 a.m.]

**Chapter VIII—Agricultural Stabilization and Conservation Service (Sugar), Department of Agriculture**

**SUBCHAPTER B—SUGAR REQUIREMENTS AND QUOTAS**

[Sugar Reg. 811, Amdt. 6]

**PART 811—CONTINENTAL SUGAR REQUIREMENTS AND AREA QUOTAS**

**Requirements, Quotas and Quota Deficits for 1966**

*Basis and purpose and statement of bases and considerations.* The purpose of this amendment to Sugar Regulation 811 (30 F.R. 15313, 31 F.R. 2776, 2895, 3283, 5681, 8536) is to revise the determination of sugar requirements for the calendar year 1966 and to establish quotas, prorations, and direct-consumption limits thereof consistent with such requirements pursuant to the Sugar Act of 1948, as amended (61 Stat. 922 as amended) hereinafter referred to as the Act.

Section 201 of the Act directs the Secretary to revise the determination of sugar requirements at such times during the calendar year as he deems necessary. On December 8, 1965, sugar requirements of consumers for the year 1966 were established at 9,800,000 short tons, raw value. It was then estimated that actual consumption during the year would approximate 10,100,000 short tons, raw value. On April 8, sugar requirements to consumers were increased 200,000 tons to 10 million short tons, raw value. Distribution of sugar so far this year has been running well ahead of last year and with the heavy sugar consuming season at hand additional supplies will be required to adequately serve the needs of the market. This action will also provide foreign countries lead time in planning their shipments for arrival in this country during the latter part of the year. Accordingly, total sugar requirements of consumers for the calendar year 1966 are hereby increased to a total of 10,100,000 short tons, raw value.

*Effective date.* This action increases the quotas for foreign countries by 100,000 short tons, raw value. To permit such countries to plan and to market this larger quantity of sugar in an orderly manner, it is essential at this time that all persons selling and purchasing sugar for consumption in the continental United States be promptly informed of the changes in marketing opportunities. Therefore, it is hereby determined and found that compliance with the notice, procedure, and effective date requirements of the Administrative Procedure Act is unnecessary, impracticable and contrary to the public interest and the amendment herein shall become effective upon publication in the FEDERAL REGISTER.

By virtue of the authority vested in the Secretary of Agriculture by the Act, Part 811 of this chapter is hereby amended by amending §§ 811.40, 811.41, and 811.43 as follows:

1. Section 811.40 is amended to read as follows:

**§ 811.40 Sugar requirements, 1966.**

The amount of sugar needed to meet the requirements of consumers in the continental United States for the calendar year 1966 is hereby determined to be 10,100,000 short tons, raw value.

2. Section 811.41 is amended by amending subparagraph (1) of paragraph (a) to read as follows:

**§ 811.41 Quotas for domestic areas.**

(a) (1) For the calendar year 1966 domestic area quotas limiting the quantities of sugar which may be brought into or marketed for consumption in the continental United States are established, pursuant to section 202(a) of the Act, in column (1) and the amounts of such quotas for offshore areas that may be filled by direct-consumption sugar are

established, pursuant to section 207 of the Act, column (2), as follows:

Area	Quotas (short tons, raw value) (1)	Direct-consumption limits (short tons, raw value) (2)
Domestic beet sugar.....	3,025,000	(1)
Mainland cane sugar.....	1,100,000	(1)
Hawaii.....	1,173,474	34,642
Puerto Rico.....	1,140,000	151,500
Virgin Islands.....	15,000	

<sup>1</sup> No limit.

3. Section 811.43 is amended by amending paragraphs (b) and (c) thereof to read as follows:

**§ 811.43 Quotas for foreign countries.**

(b) (1) For the calendar year 1966 the quota for the Republic of the Philippines is 1,093,440 short tons, raw value, and the quantity of such quota that may be filled by direct-consumption sugar is 59,920 short tons, raw value.

(2) In addition to the quantity of 1,093,440 short tons, raw value, for the Republic of the Philippines in subparagraph (1) of this paragraph, a quantity of 195,963 short tons, raw value, representing a proration of quota deficits as provided in § 811.42, is added to and established as a part of the quota for such country. Such quantity of 195,963 short tons, raw value, of sugar may be imported only as raw sugar in accordance with procedures set forth in Part 817 of this chapter.

(c) For the calendar year 1966, the prorations to individual foreign countries other than the Republic of the Philippines pursuant to paragraphs (c) and (d) of section 202 and paragraph (a) of section 204 of the Act are as follows:

[Short tons, raw value]

Country	Basic quotas	Temporary quotas and prorations pursuant to sec. 202(d) <sup>1</sup>	Deficit prorations	Total quotas and prorations
Mexico.....	196,940	200,777	41,889	439,606
Dominican Republic.....	192,609	196,362	40,968	429,939
Brazil.....	192,609	196,362	40,968	429,939
Peru.....	153,628	156,622	32,677	342,927
British West Indies.....	76,942	74,725	15,974	167,641
Ecuador.....	28,025	28,571	5,961	62,557
French West Indies.....	24,203	23,506	5,025	52,734
Argentina.....	23,694	24,157	5,040	52,891
Costa Rica.....	22,675	24,454	4,964	52,093
Nicaragua.....	22,675	24,454	4,964	52,093
Colombia.....	20,382	20,780	4,335	45,497
Guatemala.....	19,108	20,608	4,183	43,899
Panama.....	14,267	14,545	3,035	31,847
El Salvador.....	14,013	15,112	3,067	32,192
Haiti.....	10,700	10,909	2,276	23,885
Venezuela.....	9,631	9,870	2,059	21,610
British Honduras.....	5,605	5,444	1,164	12,213
Bolivia.....	2,293	2,337	488	5,118
Australia.....	91,718	88,509		180,227
Republic of China.....	38,216	36,879		75,035
India.....	36,687	35,404		72,091
South Africa.....	27,006	26,061		53,067
Fiji Islands.....	20,127	19,423		39,550
Thailand.....	8,408	8,113		16,521
Mauritius.....	8,408	8,113		16,521
Malagasy Republic.....	4,331	4,180		8,511
Swaziland.....	3,312	3,196		6,508
Ireland.....	5,351			5,351
Total.....	1,273,613	1,279,473	219,037	2,772,123

<sup>1</sup> Proration of quotas withheld from Cuba, Southern Rhodesia and the proration of the Honduran quota to Central American Common Market countries.

(Secs. 201, 202, 204, and 403; 61 Stat. 923 as amended, 924 as amended, 925 as amended and 932 as amended; 7 U.S.C. 1111, 1112, 1114, and 1153)

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

Signed at Washington, D.C., this 7th day of July 1966.

JOHN A. SCHNITTKER,  
*Acting Secretary.*

[F.R. Doc. 66-7679; Filed, July 13, 1966; 8:49 a.m.]

**Chapter IX—Consumer and Marketing Service (Marketing Agreements and Orders; Fruits, Vegetables, Nuts), Department of Agriculture**

[Peach Reg. 4]

**PART 919—PEACHES GROWN IN THE COUNTY OF MESA IN THE STATE OF COLORADO**

**Regulation by Grades and Sizes**

*Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 919, as amended (7 CFR Part 919), regulating the handling of peaches grown in the county of Mesa in the State of 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 the recommendations of the Administrative 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 such peaches, as hereinafter 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 hereof 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 July 15, 1966. A reasonable determination as to the supply of, and the demand for, such peaches must await the development of the crop and adequate information thereon was not available to the Administrative Committee until July 8, 1966; recommendations as to the need for, and the extent of, regulation of shipments of such peaches were made by said committee on July 8, 1966, after consideration of all information then available relative to the supply and demand conditions for such peaches, at which time the recommendations and support-

ing information were submitted to the Department, and made available to growers and handlers; shipments of the current crop of peaches are expected to begin shortly, and this regulation should be applicable, insofar as practicable, to all shipments of such peaches in order to effectuate the declared policy of the act; and compliance with this section will not require of handlers any preparation therefor which cannot be completed by the effective time hereof.

**§ 919.305 Peach Regulation 4.**

(a) *Order.* (1) During the period beginning at 12:01 a.m., m.s.t., July 15, 1966, and ending at 12:01 a.m., m.s.t., September 15, 1966, no handler shall ship:

(i) Any peaches of any variety which do not grade at least U.S. No. 1 grade except as follows: Not to exceed twenty (20) percent, by count, of such peaches in such lot may consist of peaches which do not meet the requirements of such grade, but not more than ten (10) percent, by count, of the peaches in any such lot may consist of peaches with defects causing serious damage of which not more than five (5) percent shall consist of such defects caused by twig borer, or oriental fruit moth, and not more than one (1) percent, by count, of the peaches in any such lot may consist of peaches which are not free from decay;

(ii) Any peaches of any variety which are of a size smaller than 2½ inches in diameter: *Provided*, That any lot of peaches shall be deemed to be of a size not smaller than 2½ inches in diameter (a) if not more than 10 percent, by count, of such peaches in such lot are smaller than 2½ inches in diameter; and (b) if not more than 15 percent, by count, of the peaches contained in any individual container in such lot are smaller than 2½ inches in diameter.

(2) *Definitions:* As used herein, "peaches," "handler," "ship," and "varieties" shall have the same meaning as when used in the aforesaid amended marketing agreement and order; "U.S. No. 1," "diameter," "count," and "serious damage" shall have the same meaning as when used in the U.S. Standards for Peaches (7 §§ 51.1210-51.1223 of this title).

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

Dated: July 13, 1966.

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

[F.R. Doc. 66-7755; Filed, July 13, 1966; 11:59 a.m.]

[Peach Reg. 4]

**PART 921—FRESH PEACHES GROWN IN DESIGNATED COUNTIES IN WASHINGTON**

**Limitation of Shipments**

*Findings.* (1) Pursuant to the marketing agreement, and Order No. 921 (7 CFR Part 921), regulating the handling

of fresh peaches grown in designated counties in Washington, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the recommendations of the Washington Fresh Peach Marketing Committee, established under the aforesaid marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of fresh peaches, 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 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 July 15, 1966. A reasonable determination as to the supply of, and the demand for, peaches must await the development of the crop and adequate information thereon was not available to the Washington Fresh Peach Marketing Committee until July 5, 1966; recommendation as to need for, and the extent of, regulation of shipments of such peaches was made at the meeting of said committee on July 5, 1966, after consideration of all available information relative to the supply and demand conditions for such peaches, at which time the recommendation and supporting information were submitted to the Department; shipments of the current crop of such peaches will begin on or about July 15, 1966, and this regulation should be applicable, insofar as practicable, to all shipments of such peaches in order to effectuate the declared policy of the act; 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.

**§ 921.304 Peach Regulation 4.**

(a) *Order.* During the period beginning at 12:01 a.m., P.s.t., July 15, 1966, and ending at 12:01 a.m., P.s.t., July 15, 1967, no handler shall handle any lot of peaches unless such peaches meet the following applicable requirements, or are handled in accordance with subparagraph (6) of this paragraph:

(1) *Minimum grade requirement:* Such peaches shall grade at least Washington No. 1.

(2) *Minimum size requirements:* Such peaches shall measure at least 2¾ inches in diameter except that peaches of the Golden Elberta, Red Elberta, or Gleason Elberta varieties may measure 2¼ inches in diameter if the producer

submits evidence satisfactory to the committee prior to August 1, 1966, that he is producing peaches of any of the aforesaid varieties: *Provided*, That any lot of peaches shall be deemed to meet such minimum diameter requirement if (i) not more than 10 percent, by count of the peaches in such lot are smaller than the applicable minimum diameter, or (ii) such peaches are not smaller than a size that will pack 65 peaches in a standard peach box, 72 peaches in a cascade lug box, or 72 peaches in a L.A. lug box, or other containers of a capacity at least equivalent to the L.A. lug box.

(3) Minimum maturity requirement: Such peaches shall be well matured: *Provided*, That any lot of peaches shall be deemed to meet such minimum maturity requirement if not more than 25 percent, by count, of the peaches in such lot are mature.

(4) Uniform firmness requirement: Such peaches in individual containers shall have a reasonably uniform degree of firmness.

(5) Pack requirements: Such peaches in loose or jumble packs shall be in containers of a capacity equal to or greater than that of the western lugs (boxes with inside dimensions of 7 inches by 11½ inches by 18 inches) and shall contain not less than 26 pounds net weight of peaches: *Provided*, That such containers

of peaches having less than 26 pounds net weight of peaches may be handled if such containers are well filled.

(6) Notwithstanding any other provision of this section, any individual shipment of peaches which meets each of the following requirements may be handled without regard to the provisions of subparagraphs (4) and (5) of this paragraph of § 921.41 (Assessments), and of § 921.55 (Inspection and certification):

(i) The shipment consists of peaches sold for home use and not for resale;

(ii) The shipment does not, in the aggregate, exceed 500 pounds, net weight, of peaches; and

(iii) Each container is stamped or marked with the handler's name and address and with the words "not for resale" in letters at least one-half inch in height.

(7) The terms "Washington No. 1," and "mature" shall have the same meaning as when used in the Washington State Department of Agriculture Standards for Peaches (1966); the term "well matured" shall mean peaches which are not hard, have shoulders and sutures well filled out, and have skin and flesh colored sufficiently that it will show the characteristic varietal color when ripe; the term "loose or jumble pack" shall mean that the peaches are not placed in the container in rows, cups, compart-

ments, or otherwise are not placed in the container in symmetrical order; the term "standard peach box" shall mean a wooden container with inside dimensions of 4½ to 5 by 11½ by 16 inches; the term "cascade lug box" shall mean a wooden container with inside dimensions of 6 by 11½ by 18 inches; the term "L.A. lug box" shall mean a wooden container with inside dimensions of 5¾ by 13½ by 16⅞ inches, except that the 1-layer L.A. lug shall have a depth of not less than 3½ inches; the term "diameter" shall mean the greatest distance, measured through the center of the peach at right angles to a line running from the stem to the blossom end; and terms used in the marketing agreement and order shall, when used herein have the same meaning as is given to the respective term in the marketing agreement and order.

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

Dated: July 13, 1966.

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

[F.R. Doc. 66-7756; Filed, July 13, 1966; 11:59 a.m.]



# Proposed Rule Making

## DEPARTMENT OF THE TREASURY

Internal Revenue Service

[ 26 CFR Part 1 ]

### TRANSFER TO CORPORATION CONTROLLED BY TRANSFEROR

#### Notice of Proposed Rule Making

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: CC:LR:T, Washington, D.C. 20224, 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] SHELDON S. COHEN,  
Commissioner of Internal Revenue.

Section 1.351-1 of the Income Tax Regulations (26 CFR Part 1) is amended by adding the following paragraph at the end thereof:

#### § 1.351-1 Transfer to corporation controlled by transferor.

(c) Section 351 does not provide non-recognition treatment to a transaction which is in substance a device, or the net effect of which is, to achieve an immediate or delayed market place sale or exchange of stock or securities. (Compare section 1031(a).) Thus, section 351 does not apply to the transfer by taxpayers of stock or securities to a corporation which is an investment company, in exchange for stock or securities (redeemable at the holder's option) in such corporation, if the transfer was solicited or arranged by a broker or similar intermediary and if the filing of a prospectus with the Securities and Exchange Commission (or any State agency performing similar functions) was re-

quired in connection with the transaction.

[F.R. Doc. 66-7653; Filed, July 13, 1966; 8:47 a.m.]

## FEDERAL AVIATION AGENCY

[ 14 CFR Part 71 ]

[Airspace Docket No. 66-SO-54]

### TRANSITION AREA

#### Proposed Alteration

The Federal Aviation Agency is considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the Myrtle Beach, S.C., 700-foot transition area.

The Myrtle Beach, S.C., transition area is described in § 71.181 (31 F.R. 2149 and 8909).

The Myrtle Beach 700-foot transition area would be redesignated as:

That airspace extending upward from 700 feet above the surface within an 8-mile radius of the Myrtle Beach AFB (latitude 33°40'45" N., longitude 78°55'45" W.); within an 8-mile radius of the Myrtle Beach/Crescent Beach Airport (latitude 33°48'40" N., longitude 78°43'30" W.); within 2 miles each side of the Myrtle Beach VORTAC 214° radial, extending from the 8-mile radius area to 14 miles SW of the VORTAC.

The existing 700-foot transition area was predicated on Criteria II operations. Current operations require a change in classification to Criteria III and necessitate an increase in dimension of the 700-foot transition area. The increase would provide controlled airspace protection for IFR aircraft during climb from 700 to 1,200 feet above the surface and during descent from 1,500 to 1,000 feet above the surface. When the Crescent Beach/Myrtle Beach control zone is not effective, it will provide airspace protection for arriving aircraft during descent from 1,500 to 700 feet above the surface.

Interested persons may submit such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Area Manager, Atlanta Area Office, Attention: Chief, Air Traffic Branch, Federal Aviation Agency, Post Office Box 20636, Atlanta, Ga. 30320. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Chief, Air Traffic Branch. 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 Southern Regional Office, Federal Aviation Agency, Room 724, 3400 Whipple Street, East Point, Ga.

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

Issued in East Point, Ga., on July 6, 1966.

WILLIAM M. FLENER,  
Acting Director, Southern Region.

[F.R. Doc. 66-7629; Filed, July 13, 1966; 8:45 a.m.]

[ 14 CFR Part 71 ]

[Airspace Docket No. 66-SO-55]

### CONTROL ZONE AND TRANSITION AREA

#### Proposed Alteration

The Federal Aviation Agency is considering amendments to Part 71 of the Federal Aviation Regulations that would alter the Goldsboro, N.C., control zone and 700-foot transition area.

The Goldsboro, N.C., control zone is described in § 71.171 (31 F.R. 2065).

The Goldsboro, N.C., control zone would be redesignated as:

Within a 5-mile radius of the Seymour Johnson AFB; within 2 miles each side of the ILS localizer W course, extending from the 5-mile radius zone to the LOM; within 2 miles each side of the 256° radial of the Seymour Johnson VOR, extending from the 5-mile radius zone to 8 miles W of the VOR.

The Goldsboro, N.C., transition area is described in § 71.181 (31 F.R. 2149 and 8679).

The Goldsboro, N.C., 700-foot transition area would be redesignated as:

That airspace extending upward from 700 feet above the surface within a 9-mile radius of Seymour Johnson AFB; excluding the airspace within a 1.5-mile radius of the Goldsboro Municipal Airport; within 2 miles each side of the ILS localizer W course, extending from the 9-mile radius area to 12 miles W of the LOM; within 2 miles each side of the Seymour Johnson TACAN 253° radial, extending from the 9-mile radius area to 14 miles W of the TACAN; within 2 miles each side of the Seymour Johnson VOR 256° radial extending from the 9-mile radius area to 12 miles W of the VOR.

The proposed alteration of the control zone would provide airspace protection for IFR operations during climb to 700 feet above the surface and during descent below 1,000 feet above the surface.

The proposed alteration of the 700-foot transition area would provide airspace protection for IFR operations during climb from 700 to 1,200 feet above the

surface and during descent from 1,500 to 1,000 feet above the surface.

Interested persons may submit such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Area Manager, Atlanta Area Office, Attention: Chief, Air Traffic Branch, Federal Aviation Agency, Post Office Box 20636, Atlanta, Ga. 30320. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Chief, Air Traffic Branch. 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 Southern Regional Office, Federal Aviation Agency, Room 724, 3400 Whipple Street, East Point, Ga.

These amendments are proposed under section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348(a)).

Issued in East Point, Ga., on July 6, 1966.

WILLIAM M. FLENER,  
Acting Director, Southern Region.

[F.R. Doc. 66-7630; Filed, July 13, 1966;  
8:45 a.m.]

## [ 14 CFR Part 71 ]

[Airspace Docket No. 66-AL-16]

### CONTROL ZONE AND TRANSITION AREA

#### Proposed Alteration

The Federal Aviation Agency is considering amendments to Part 71 of the Federal Aviation Regulations which would alter the Galena, Alaska, terminal airspace structure.

The following controlled airspace is presently designated in the Galena, Alaska, terminal area:

#### 1. GALENA, ALASKA, CONTROL ZONE

Within a 5-mile radius of the Galena Airport (latitude 64°44'10" N., longitude 156°56'00" W.); within 2 miles each side of the Galena TACAN 261° radial, extending from the 5-mile radius zone to 11 miles W of the TACAN; within 2 miles each side of the Galena TACAN 090° radial, extending from the 5-mile radius zone to 8 miles E of the TACAN, and within 2 miles each side of the 089° bearing from the Galena RR, extending from the 5-mile radius zone to 11.5 miles E of the RR.

#### 2. GALENA, ALASKA, TRANSITION AREA

That airspace extending upward from 700 feet above the surface within 2 miles each side of the Galena TACAN 261° radial, extending from 11 to 12 miles W of the TACAN; and that airspace extending upward from 1,200 feet above the surface within a 32-mile radius of the Galena RR.

Decommissioning of the military TACAN and establishment of instrument approach procedures using the Galena VORTAC require changes to the descriptions of the Galena control zone and transition area.

The Federal Aviation Agency, having completed a comprehensive review of the controlled airspace requirements in the Galena, Alaska, terminal area, proposes the following actions:

1. Alter the Galena, Alaska, control zone by redesignating it to comprise that airspace within a 5-mile radius of the Galena Airport (latitude 64°44'10" N., longitude 156°56'00" W.); within 2 miles each side of the Galena VORTAC 089° T (066° M) radial extending from the 5-mile radius zone to 8 miles E of the VORTAC; and within 2 miles each side of the Galena VORTAC 269° T (246° M) radial extending from the 5-mile radius zone to 14 miles W of the VORTAC.

2. Alter the Galena, Alaska, transition area by redesignating it to comprise that airspace extending upward from 700 feet above the surface within 2 miles each side of the Galena VORTAC 089° T (066° M) radial extending from the control zone extension east boundary to 12 miles E of the VORTAC; within 2 miles S and 5 miles N of the Galena VORTAC 269° T (246° M) radial extending from the control zone boundary to 19 miles W of the VORTAC; and that airspace extending upward from 1,200 feet above the surface within a 28-mile radius of the Galena VORTAC; within a 40-mile radius of the Galena VORTAC extending from the 240° T (217° M) radial clockwise to the 298° T (275° M) radial and extending from the 28-mile radius area to 40 miles W of the VORTAC; and within a 35-mile radius of the Galena VORTAC extending from the 089° T (066° M) radial clockwise to the 119° T (096° M) radial and extending from the 28-mile radius area to 35 miles E of the VORTAC.

The action proposed herein would alter the Galena control zone by increasing the extension length to the W by approximately 3 miles and by decreasing the extension length to the E by 3 miles. The proposed 700-foot transition area would provide protected airspace for aircraft executing portions of prescribed instrument approach procedures which authorize flight below 1,500 feet above the surface outside of the control zone. The proposed 1,200-foot transition area would provide protected airspace for aircraft executing portions of the prescribed instrument approach procedures, missed approaches, departures, and holding procedures conducted beyond the limits of the Galena control zone and 700-foot transition area; would reduce the 1,200-foot radius transition area by 4 miles; and would add extensions to the W and E to provide protected airspace for portions of prescribed high altitude instrument approach procedures conducted between the continental control area and the 28-mile radius transition area.

Interested persons may submit such written data, views, or arguments as they may desire. Communications

should be submitted in triplicate to the Chief, Air Traffic Division, Alaskan Region, Federal Aviation Agency, 632 Sixth Avenue, Anchorage, Alaska 99501. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendments. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Chief, Air Traffic Division. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The public Docket will be available for examination by interested persons at the office of the Regional Counsel, Federal Aviation Agency, 632 Sixth Avenue, Anchorage, Alaska 99501.

These amendments are proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued in Anchorage, Alaska, on July 5, 1966.

GEORGE M. GARY,  
Director, Alaskan Region.

[F.R. Doc. 66-7633; Filed, July 13, 1966;  
8:45 a.m.]

## FEDERAL COMMUNICATIONS COMMISSION

### [ 47 CFR Part 2 ]

[Docket No. 16743; FCC 66-598]

### FREQUENCY ALLOCATIONS AND RADIO TREATY MATTERS

#### Notice of Proposed Rule Making

In the matter of amendment of Part 2 of the Commission's rules to delete the restriction imposed by paragraph 167 of the international Radio Regulations (Geneva, 1959) on emissions in the band 90-160 kc/s, Docket No. 16743.

1. Notice is hereby given of proposed rule making in the above-entitled matter.

2. Pursuant to proceedings in Docket No. 13928 which amended Part 2 of the Commission's rules to align that part with the international Radio Regulations (Geneva, 1959) to the extent practicable, the footnote designator (167) was added to the frequency bands 90-110, 110-130, and 130-160 kc/s, in columns 3 and 7 of the table of frequency allocations to indicate its conditions, without change, were applicable to the national table. Footnote (167) refers to paragraph 167 of the international Radio Regulations (Geneva, 1959) which states, "Only class A1 or F1, A4 or F4 emissions are authorized in the band 90-160 kc/s for stations of the fixed and maritime mobile services."

3. In recent years Government agencies have found it necessary to employ, in the bands in question, types of emission other than those specified in the international limitation and reports of interference have not arisen from such operations. The office of the Director of Telecommunications Management has concluded therefore that the note need no longer be applied nationally to Government users of these bands and has suggested the Commission may wish to provide the same latitude with respect to its licensees.

4. The Commission is also of the view that footnote 167 may have outlived its usefulness and that it serves only to inhibit the efficient use of the frequency bands concerned. Accordingly, it is proposed that § 2.106 of the Commission's rules, the table of frequency allocations, be amended to delete the applicability of footnote 167 to the national table by deleting the footnote indicator in column 7 for the bands 90-110, 110-130, and 130-160 kc/s.

5. Deletion of footnote 167 would not, of course, relieve the United States of its treaty obligations. Stations using emissions other than A1, F1, A4, or F4 would not be permitted to cause harmful interference to, nor would they be afforded protection from, stations of other administrations which were operating in conformity with No. 167 of the Radio Regulations. In this regard, it should be noted that the United States expects to propose the deletion of No. 167 from the Radio Regulations at the Maritime Mobile World Administrative Radio Conference to be convened in 1967.

6. Authority for the proposed amendment is contained in sections 4(i) and 303 of the Communications Act of 1934, as amended.

7. Pursuant to the applicable procedures set forth in § 1.415 of the Commission's rules, interested persons may file comments on or before August 15, 1966, and reply comments on or before August 25, 1966. All relevant and timely filed comments and reply comments will be considered by the Commission before final action is taken in this proceeding. In reaching its decision in this proceeding, the Commission may also take into consideration other relevant information before it, in addition to the specific comments invited by this notice.

8. In accordance with the provisions set forth in § 1.419 of the Commission's rules, an original and 14 copies of all statements, briefs or comments shall be furnished the Commission.

Adopted: July 7, 1966.

Released: July 11, 1966.

FEDERAL COMMUNICATIONS  
COMMISSION,<sup>1</sup>

[SEAL] BEN F. WAPLE,  
Secretary.

[F.R. Doc. 66-7669; Filed, July 13, 1966;  
8:48 a.m.]

<sup>1</sup> Commissioner Johnson not participating.

[ 47 CFR Part 73 ]

[Docket No. 16586; FCC 66-612]

TABLE OF ASSIGNMENTS, TELEVISION  
BROADCAST STATIONS

Newport, Oreg.; Report and Order

In the matter of amendment of § 73.606, Table of Assignments, Television Broadcast Stations (Newport, Oreg.), Docket No. 16586, RM-869.

1. The Commission adopted a notice of proposed rule making in this proceeding on April 13, 1966 (FCC 66-319), based on a petition of Paul Kafoury and Ray T. Moe to assign a UHF channel to Newport, Oreg.

2. The notice specified that the petitioner, in accordance with paragraph 48 of the Fifth Report and Order in Docket No. 14229 (2 FCC 2d 527, 544), should make a showing of intention to apply for the channel, if assigned, and to proceed promptly with construction and operation, if a construction permit was authorized. The dates for filing comments and reply comments were May 23 and June 2, 1966, and no response has been received from petitioner. Our notice was published in the FEDERAL REGISTER (31 F.R. 6064), as required by § 1.412(a)(1); and petitioner was mailed a copy of the notice of proposed rule making on April 15, 1966.

3. Because of petitioner's failure to file comments, we are unable to take favorable action in this proceeding. Accordingly, for good cause shown, this proceeding is terminated.

Adopted: July 7, 1966.

Released: July 11, 1966.

FEDERAL COMMUNICATIONS  
COMMISSION,<sup>1</sup>

[SEAL] BEN F. WAPLE,  
Secretary.

[F.R. Doc. 66-7670; Filed, July 13, 1966;  
8:48 a.m.]

[ 47 CFR Part 73 ]

[Docket No. 16749; FCC 66-613]

TABLE OF ASSIGNMENTS, TELEVISION  
BROADCAST STATIONS

Fayetteville, Ark.; Notice of Proposed  
Rule Making

In the matter of amendment of the Table of Assignments for Television Broadcast Stations in § 73.606 of the Commission rules and regulations to add a channel to Fayetteville, Ark., Docket No. 16749, RM-926.

1. H. Weldon Stamps has filed a petition for rule making, dated February 24, 1966, requesting the assignment of a television broadcast channel to Fayetteville, Ark., for commercial use. The petitioner requests that we either delete Channel 9 from Arkadelphia, Ark., where it is currently reserved for educational use, and assign it to Fayetteville as a

<sup>1</sup> Commissioner Johnson not participating.

commercial channel, or that we assign a UHF television broadcast channel to Fayetteville for commercial use. The petitioner recommends that if the first alternative is adopted the current educational reservation at Arkadelphia be replaced with some other channel.

2. Fayetteville is located in the northwestern portion of Arkansas and is the county seat of Washington County. According to the 1960 U.S. Census, it had a population of 20,274. The petitioner is the licensee of aural broadcast stations KFAY and KFAY-FM in Fayetteville and asserts that he is aware of community needs which could be served by a local television broadcast station, having expended considerable time and money in assessing these needs, and that he is prepared to file an application for authority to construct and operate a new commercial television broadcast station in Fayetteville but is prevented from doing so because of the lack of a channel assignment.

3. Fayetteville is currently assigned only Channel 13 and that is reserved for educational use. No commercial assignments were provided in the corrected Table of Assignments adopted in the Fifth Report and Order because the 1960 population of Fayetteville was less than 25,000 and there were no outstanding authorizations or pending applications or petitions for a commercial assignment in Fayetteville. A CATV system operates in Fayetteville with 5,600 subscribers out of an estimated potential of 6,000 subscribers. Signals of VHF stations KOTV, KVOO-TV, and KTUL-TV, all located in Tulsa, Okla., as well as KFSA-TV, Fort Smith, Ark., KODE-TV, Joplin, Mo., and KOAM-TV, Pittsburg, Kans., are carried by the CATV. Some direct reception may be obtained from the nearest operating station, KFSA-TV, Fort Smith, approximately 50 miles away. The Joplin station is approximately 80 miles distant, the Tulsa station 105 miles and the Pittsburg station 115 miles.

4. In urging the assignment of Channel 9, the petitioner argues that neither the Fayetteville Channel 13 nor the Arkadelphia Channel 9 educational assignments are in operation and that although interest in the Fayetteville assignment had been expressed by the University of Arkansas, no interest had been manifest in the Arkadelphia assignment. It is further claimed that the assignment of Channel 9 to Fayetteville would make it possible to also use Channel 9 at a location southwest of Pine Bluff, Ark.

5. Channel 9 was assigned to Arkadelphia and reserved for educational use as the result of a proceeding in Docket No. 15691, in a report and order adopted in June 1965 (FCC 65-730). The fact that educational interests have not announced plans for the use of that channel in the short time that the channel has been available could hardly be interpreted as a lack of interest. We find no basis for changing our decision to reserve Channel 9 at Arkadelphia at this time.

6. On the other hand, Fayetteville is in an area where available UHF assignments are plentiful and the construction and operation of a new UHF television broadcast station at Fayetteville would contribute to the development of a truly nationwide television broadcasting system offering a choice of programs to the public and an outlet for local expression. As we pointed out in the Fifth Report and Order in Docket No. 14229, our failure to include communities of less than 25,000 population in the initial Table of Assignments was not to be construed as a determination that such communities should not have local assignments but that we were merely deferring a decision as to where such assignments should go until needs arose. In the light of the petitioners expressed intention to apply for a channel if it is made available and the implied intention to proceed diligently with the construction and operation of the new UHF facility if authorized to do so, we are hereby proposing to add a commercial UHF assignment to Fayetteville, Ark. Channel 36 was selected by means of the computer in accordance with the efficiency criteria used to create the overall Table of Assignments. If the assignment is made and the petitioner or some other applicant fails to act diligently, the assignment may be deleted so as to restore maximum flexibility to the reserve of unassigned channels.

7. Pursuant to the authority contained in sections 4(i), 303, and 307(b) of the Communications Act of 1934, as amended, it is proposed to amend the Table of Assignments in section 73.606(b) of the Commission rules insofar as the listed community is concerned, to read as follows:

City	Channel No.
Fayetteville, Ark.....	*13, 36

8. Pursuant to applicable procedures set out in § 1.415 of the Commission rules, interested parties may file comments on or before August 15, 1966, and reply comments on or before August 25, 1966. All submissions by parties to this proceeding or by persons acting in behalf of such parties must be made in written comments, reply comments, or other appropriate pleadings.

9. In accordance with the provisions of § 1.419 of the rules, an original and 14 copies of all written comments, replies, pleadings, briefs, or other documents shall be furnished the Commission.

Adopted: July 7, 1966.

Released: July 11, 1966.

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

[F.R. Doc. 66-7671; Filed, July 13, 1966;  
8:48 a.m.]

### [ 47 CFR Part 73 ]

[Docket No. 16222]

## STANDARD BROADCAST SERVICES

### Standard Method in Lieu of Existing MEOV Concept; Order Extending Time for Filing Comments

In the matter of amendment of Part 73 of the Commission rules to specify in lieu of the existing MEOV concept, a standard method for calculating radiation for use in evaluating interference, coverage and overlap of mutually prohibited contours in the Standard Broadcast Service.

1. The Association of Federal Communications Consulting Engineers (Association) and A. Earl Cullum, Jr. &

Associates (Cullum) have filed requests on June 29, 1966, and July 5, 1966, respectively, for an extension of time for filing comments in the above-captioned proceeding. Associates requests an extension of 6 months—from the present July 14, 1966, deadline to January 14, 1967, for filing comments. Cullum requests an extension to October 14, 1966, for comments, and for reply comments from the present deadline of August 15, 1966, to November 15, 1966.

2. The Association states that it has been working to resolve certain technical problems and also on an alternative method of computing MEOV and other methods of calculation, and says that additional time is needed for further studies and conferences with the FCC staff. Cullum outlines studies which they are in the process of making and which, he states will provide the Commission with extensive data and recommendations in this matter.

3. The Commission is of the view that the requested extension of time should be granted and accordingly: *It is ordered*, This 7th day of July 1966, that the time for filing comments herein is extended from July 16, 1966, to January 14, 1967, and the time for filing reply comments is extended from August 15, 1966, to February 17, 1967.

4. This action is taken pursuant to authority found in sections 4(i), 5(d) (1), and 303(r) of the Communications Act of 1934, as amended, and § 0.281(d) (8) of the Commission's rules.

Released: July 11, 1966.

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

[F.R. Doc. 66-7672; Filed, July 13, 1966;  
8:48 a.m.]

# Notices

## DEPARTMENT OF THE INTERIOR

### Bureau of Indian Affairs

[Minn. Area Office Redlegation Order 1, Amdt. 8]

### SUPERINTENDENT, RED LAKE AGENCY

#### Redlegation of Authority With Respect to Forestry Matters

Minneapolis Area Office Redlegation Order 1, as amended, is further amended as specified below:

Part 3, Authority of Specifically Designated Employees, is amended by the revision of section 3.233. As so revised, section 3.233 reads as follows:

Sec. 3.233. Sale of Forest Products, Red Lake Indian Mills. The Superintendent, Red Lake Agency, or his authorized representative, may exercise any and all authority of the Secretary set forth in 25 CFR Part 144.

ROBERT L. BENNETT,  
*Commissioner.*

JULY 8, 1966.

[F.R. Doc. 66-7639; Filed, July 13, 1966; 8:46 a.m.]

### Bureau of Land Management

[O 12]

### OREGON

#### Notice of Proposed Classification of Public Lands for Retention for Multiple Use Management

Pursuant to the Act of September 19, 1964 (43 U.S.C. 1411-18) and to the regulations in 43 CFR, Parts 2410 and 2411, it is proposed to classify the public lands described below for retention for multiple use management. Publication of this notice segregates the described lands from all forms of appropriation under the agricultural land laws (43 U.S.C., Chapter 7, 43 U.S.C., Chapter 9, and 25 U.S.C. 331), from sale under 2455 of the Revised Statutes as amended (43 U.S.C. 1171), and the Public Land Sale Act of September 19, 1964 (78 Stat. 988, 43 U.S.C. 1421-27).

Secs. 1, 12, T. 24 S., R. 22 E., W.M., Secs. 5, 6, 7, 8, T. 24 S., R. 23 E., W.M., and all public domain lands within the Glass Butte Unit which are situated in T. 23 S., R. 22 and 23 E., W.M., are segregated from location for obsidian and chalcedony minerals under the General Mining Laws of 1872, as amended. This segregation does not restrict access to, prospecting for, or casual collection of obsidian and chalcedony mineral specimens by the general public. Use of power driven equipment or explosives for obtaining and removing large quantities of obsidian and chalcedony mineral

specimens will not be considered "casual collection" and, therefore, will be considered in violation of this segregation.

This classification does not limit prospecting for, location, and mining of locatable metallic and industrial non-metallic minerals as provided in the General Mining Laws.

This classification does not limit or change present use of these lands for livestock grazing purposes as provided in the Taylor Grazing Act of June 28, 1934.

For a period of 60 days from the date of publication of this notice in the FEDERAL REGISTER, all persons who wish to submit comments, suggestions, or objections in connection with the proposed classification may present their views in writing to the Prineville District Manager, Bureau of Land Management, Post Office Box 550, Prineville, Oreg. 97754.

A public hearing on the proposed classification will be held on August 15, 1966 at 1 p.m. at the Prineville District Office, 185 East Fourth Street, Prineville, Oreg.

The lands proposed to be classified are located within the following described area and are shown on maps on file in the Prineville District Office, Bureau of Land Management, Prineville, Oregon and the Land Office, Bureau of Land Management, 729 Northeast Oregon Street, Portland, Oreg.

#### WILLAMETTE MERIDIAN, OREGON

##### DESCHUTES COUNTY

- T. 22 S., R. 21 E.,  
Secs. 11 to 14 inclusive, Secs. 18 to 35 inclusive.  
T. 22 S., R. 22 E.,  
Secs. 7, 18 to 20 inclusive, Secs. 25 to 35 inclusive.  
T. 22 S., R. 23 E.,  
Secs. 2 to 4 inclusive, Secs. 9, 10, 12, 14, 15, Secs. 21 to 35 inclusive.

##### LAKE COUNTY

- T. 23 S., R. 21 E.,  
Secs. 1 to 6 inclusive, Secs. 8 to 17 inclusive, Secs. 20 to 25 inclusive.  
T. 23 S., R. 22 E.,  
Secs. 1 to 15 inclusive, Secs. 17 to 35 inclusive.  
T. 23 S., R. 23 E.,  
Secs. 1 to 15 inclusive, Secs. 17 to 20 inclusive, Secs. 29 to 32 inclusive.  
T. 24 S., R. 21 E.,  
Secs. 1, 2, 11, 12, 13 and 14.  
T. 24 S., R. 22 E.,  
Secs. 1 to 6 inclusive, Secs. 8 to 14 inclusive, Secs. 19 and 20, Secs. 23 to 28 inclusive, Sec. 30, Secs. 32 to 35 inclusive.  
T. 24 S., R. 23 E.,  
Secs. 5 to 8 inclusive, Secs. 17 to 20 inclusive, Secs. 28 to 33 inclusive.

These lands aggregate 89,708 acres near Glass Butte in Deschutes and Lake Counties, Oreg.

DONALD Z. ROBINS,  
*Acting State Director.*

[F.R. Doc. 66-7640; Filed, July 13, 1966; 8:46 a.m.]

## IDAHO

### Notice of Filing of Idaho Protraction Diagrams

JULY 6, 1966.

Notice is hereby given that effective at and after 10 a.m. on August 10, 1966, the following protraction diagrams are officially filed of record in the Idaho Land Office, Room 327, Federal Building, Boise, Idaho 83701. In accordance with Title 43, Code of Federal Regulations, these protractions will become the basic record for describing the lands for all authorized uses. Until this date and time the diagrams have been placed in open files and are available to the public for information only.

#### IDAHO PROTRACTION DIAGRAMS

Nos. 54, 55, 56, 57, 58, 62, 63

##### BOISE MERIDIAN

Approved June 14, 1966

No. 54

Ts. 19 and 20 N., Rs. 11, 12 and 13 E.

No. 55

T. 19 N., R. 10 E.

T. 20 N., Rs. 8 and 10 E.

##### BOISE MERIDIAN

Approved June 23, 1966

No. 56

Ts. 17 and 18 N., Rs. 18 and 19 E.

No. 57

T. 17 N., R. 16 E.

T. 18 N., Rs. 16 and 17 E.

No. 58

T. 17 N., Rs. 14 and 15 E.

T. 18 N., Rs. 13, 14 and 15 E.

No. 62

Ts. 15 and 16 N., Rs. 16, 17 and 18 E.

No. 63

T. 15 N., Rs. 13, 14 and 15 E.

T. 16 N., Rs. 14 and 15 E.

Copies of these diagrams are for sale at one dollar (\$1.00) each by the Cadastral Engineering Office, Bureau of Land Management, Post Office Box 2237, Boise, Idaho 83701.

ORVAL G. HADLEY,  
*Manager, Land Office, Boise, Idaho.*

[F.R. Doc. 66-7651; Filed, July 13, 1966; 8:47 a.m.]

### Fish and Wildlife Service

#### "MARGARET F." CORP.

[Docket No. C-246]

#### Notice of Loan Application

"Margaret F." Corp., 3107 Jarvis Street, San Diego, Calif. 92106, has applied for a loan from the Fisheries Loan Fund to aid in financing the purchase of a used 53.9-foot registered

length wood vessel to engage in the fishery for tuna.

Notice is hereby given pursuant to the provisions of Public Law 89-85 and Fisheries Loan Fund Procedures (50 CFR Part 250, as revised Aug. 11, 1965) that the above entitled application is being considered by the Bureau of Commercial Fisheries, Fish and Wildlife Service, Department of the Interior, Washington, D.C. 20240. Any person desiring to submit evidence that the contemplated operation of such vessel will cause economic hardship or injury to efficient vessel operators already operating in that fishery must submit such evidence in writing to the Director, Bureau of Commercial Fisheries, within 30 days from the date of publication of this notice. If such evidence is received it will be evaluated along with such other evidence as may be available before making a determination that the contemplated operations of the vessel will or will not cause such economic hardship or injury.

DONALD L. MCKERNAN,  
Director,  
Bureau of Commercial Fisheries.

JULY 8, 1966.

[F.R. Doc. 66-7624; Filed, July 13, 1966;  
8:45 a.m.]

## DEPARTMENT OF STATE

### Agency for International Development

#### LIST OF INELIGIBLE SUPPLIERS

The following "List of Ineligible Suppliers" under AID Regulation 8 (29 F.R. 9534; 30 F.R. 12941) is currently in effect. All persons who anticipate AID financing for a transaction involving any person whose name appears on this List should take special notice of its contents.

**SECTION 1. Purpose of this List.** This List implements the provisions of AID Regulation 8, "Suppliers of Commodities and Commodity-Related Services Ineligible for AID Financing" (29 F.R. 9534). Subject to the conditions described below AID will not make funds available to finance the cost of commodities or commodity-related services furnished by any supplier whose name appears on this List. A supplier whose name appears in section 3 of this List has been placed thereon for the causes specified in § 208.5 of Regulation 8; a supplier whose name appears in section 4 of this List has been placed thereon for the causes specified in § 208.7 of Regulation 8. AID has taken such action in accordance with the procedures described in Subpart D of Regulation 8.

With respect to the interest of any U.S. bank which holds an AID Letter of Commitment, special attention is called to the fact that this List constitutes a special amendment to every Letter of Commitment to the effect that AID will not provide reimbursement to a bank for payment to any supplier whose name appears on this List, excepting only (a) a payment made to a supplier on or before the suspension or debarment date indicated for that supplier in section 3 or

section 4 of this List under an AID Letter of Commitment issued prior to that date, and (b) a payment made to a supplier under an irrevocable Letter of Credit opened or confirmed on or before the suspension or debarment date indicated for that supplier in section 3 or section 4 of this List under an AID Letter of Commitment issued prior to that date. A bank which receives a copy of this List shall be held in its relationship with AID to the standard of care described in § 201.73(f) of Regulation 1 (29 F.R. 12895-12908) with respect to every transaction governed by an AID Letter of Commitment issued to that bank.

**SEC. 2. Contents kept current.** AID will keep the contents of this List current by means of superseding or supplementing issuances which will indicate additions to and deletions from the contents of prior issuances of this List. AID will bring all such changes to the immediate attention of every U.S. bank holding an AID Letter of Commitment and shall provide for such other distribution as appears proper under the circumstances.

No prejudice with respect to the availability of AID financing shall attach to any supplier whose name has been removed from this List.

**SEC. 3. Suppliers debarred from AID financing.** None.

**SEC. 4. Suppliers suspended from AID financing.** The following persons have been suspended from AID financing until further notice pending completion of an AID investigation of facts which may lead to the eventual debarment of such persons:

Name and address	Suspension date
Aadai, Manoutchehr, 150 Broadway, New York, N.Y.	May 23, 1964
All American Fabrics Co., 277 Broadway, New York, N.Y.	Do.
Ameriapex Trading Co., 277 Broadway, New York, N.Y.	Do.
American Asian Lines, 150 Broadway, New York, N.Y.	Do.
Aqua International Corp., 29 Broadway, New York, N.Y.	Mar. 31, 1965
Cheng Feng Trading Co., Ltd., Chung Shan North Road 18, Lane 11, Section 2, Taipei, Taiwan.	June 24, 1966
Chi, Chu-Hu, Chung Shan North Road 18, Lane 11, Section 2, Taipei, Taiwan.	Do.
Chie, C. F., Chung Shan North Road 18, Lane 11, Section 2, Taipei, Taiwan.	Do.
Chie Ho Industrial Co., Ltd., Chang Teh Road 9-1, Lane 57, Taipei, Taiwan.	Do.
Darab, Nasrollah, 277 Broadway, New York, N.Y.	May 23, 1964
En Am Machinery Works, 43-3 Chung Hsiao Street, Feng Yuan, Taichung Hsien, Taiwan.	June 24, 1966
Greene, Roy, 415 East 52d Street, New York, N.Y.	Nov. 18, 1965
Haria Commercial Co., 170 Broadway, New York, N.Y.	May 23, 1964
Monarch Processing Corp., 150 Broadway, New York, N.Y.	Do.
Monarch Trading Co., 150 Broadway, New York, N.Y.	Do.

Name and address	Suspension date
Monarch Trading Co., Inc., 150 Broadway, New York, N.Y.	Do.
Namdar, Faizollah, 277 Broadway, New York, N.Y.	Do.
Rafati, Hassen, 277 Broadway, New York, N.Y.	Do.
Transasia Marine Corp., 150 Broadway, New York, N.Y.	Do.
Transasia Steamship Co. Inc., 150 Broadway, New York, N.Y.	Do.
Transasia Transportation Corp., 150 Broadway, New York, N.Y.	Do.
United Steel & Wire Corp., 375 Park Avenue, New York, N.Y.	Nov. 18, 1965
Western National Fabric Co., 277 Broadway, New York, N.Y.	May 23, 1964
Worldwide Export Co., 79 Wall Street, New York, N.Y.	Do.

Dated: July 6, 1966.

WILLIAM O. HALL,  
Assistant Administrator  
for Administration.

[F.R. Doc. 66-7631; Filed, July 13, 1966;  
8:45 a.m.]

## CIVIL SERVICE COMMISSION

### GEOPHYSICS SERIES

#### Revision of Prescribed Minimum Educational Requirements

In accordance with section 5 of the Veterans' Preference Act of 1944, as amended, the Civil Service Commission has decided that the previously approved minimum educational requirements for positions in the Geophysics Series, GS-1313, should be superseded by revised requirements. Identification of the superseded requirements, the revised requirements; the duties of the positions, and the reasons for the Commission's decision that these requirements are necessary are set forth below.

#### THE GEOPHYSICS SERIES, GS-1313 (ALL GRADES)

**Superseded requirements.** The following material supersedes that previously appearing in 5 CFR 24.127 (published in 20 F.R. 9380, Dec. 15, 1955, as amended at F.R. 9076, Nov. 7, 1959) and 5 CFR 24.132 (published in 21 F.R. 3080, May 9, 1956).

**Minimum educational requirements.** For all grades candidates must show successful completion of the requirements prescribed in either paragraph A or B:

A. A full 4-year or longer curriculum in an accredited college or university leading to a bachelor's or higher degree. The course work must have included at least 30 semester hours in mathematics and the physical sciences (geophysics, physics, engineering, geology, astronomy, meteorology, electronics, etc.). At least 20 of the 30 semester hours must be in a combination of geophysics, physics, and mathematics which included a minimum of 8 semester hours in geophysics and/or physics and a minimum of 8 semester hours in mathematics including differential and integral calculus.

In addition, for positions which require geological interpretation of data, the course work must have included or been supplemented by at least two courses from among the following: Structural geology, regional geology, stratigraphy, economic geology (metals, nonmetals, mining, fuels, ground water, engineering), field geology.

B. 30 semester hours of course work of the type and quality described in "A" above, in an accredited college or university, plus additional appropriate experience and education in scientific fields which when combined with the specified course work will total 4 years of experience and education and give the candidate a technical and professional knowledge comparable to that which would have been acquired through the successful completion of a 4-year college or university curriculum as described in "A" above.

For positions which require application of highly developed scientific knowledge in research, development, evaluation or similar creative activities, or which involve training for the performance of such work, candidates must have successfully completed the full college curriculum as prescribed in paragraph A.

**Duties.** Geophysicists plan, direct, perform, or assist in performance of scientific research, investigative, or developmental work dealing with:

- (1) The electric, magnetic, and gravitational fields of the earth,
- (2) Deformation of the earth,
- (3) The motion and constitution of the earth,
- (4) Cosmic physics in its relation to the earth and its atmosphere, and
- (5) Response of the earth to artificially applied fields of force.

Duties include making observations in the field or in the laboratory; compiling data and performing related computations; analyzing and interpreting observations and phenomena; designing or assisting in constructing specialized apparatus and equipment for use in making geophysical measurements, and for testing and calibrating such equipment; making reports and preparing articles for publication.

**Justification for requirements.** A sound basic knowledge of the principles and techniques of geophysics, and for physics and mathematics is needed for performance of geophysicist duties. Some positions also require a sound basic knowledge of geology. Appointees must have the ability to apply scientific knowledges to the work in order to solve problems, interpret and apply the results of research in geophysics and related sciences, and to perform research in geophysics.

The only method by which the necessary knowledge and training may be attained is through a directed course of study in an accredited college or university where there are adequate scientific libraries, where competent instruction and guidance are available, where the course work is arranged in a systematic, progressive schedule and where progress in the acquisition of professional

and scientific knowledge and skill may be competently evaluated.

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

[F.R. Doc. 66-7668; Filed, July 13, 1966;  
8:48 a.m.]—

## DELAWARE RIVER BASIN COMMISSION

### COMPREHENSIVE PLAN

#### Notice of Public Hearing

Notice is hereby given that the Delaware River Basin Commission will hold a public hearing on July 20, 1966. The hearing will take place in the top floor conference room of the Pennsylvania State Office Building, Broad and Spring Garden Streets, Philadelphia, Pa., beginning at 2 p.m. The hearing will be on proposals to amend the Comprehensive Plan so as to include the following projects:

1. *Mount Penn Borough Municipal Authority.* A new well to be developed for public water supply purposes in the Borough of Mount Penn, Berks County, Pa. The new facility, designated as Well No. 5, is expected to yield approximately 200 gallons per minute.

2. *Glen Alsace Water Co.* A new well to be developed for public water supply purposes in the franchise area of the Glen Alsace Water Co. in Exeter Township, Berks County, Pa. Yield from the new facility, designated as Well No. 7, is expected to be about 180 gallons per minute.

3. *West Bradford Water Co.* A new well to be developed by the West Bradford Water Co. to serve a real estate development in the village of Marshallton, West Bradford Township, Chester County, Pa. Designated as Well No. 1, the new facility is expected to yield about 180 gallons per minute.

4. *Upper Southampton Municipal Authority.* A new well to provide a supplemental source of public water supply to meet the needs of Upper Southampton Township, Bucks County, Pa. Designated as Well No. 10, the new facility is expected to yield about 125 gallons per minute.

5. *City of New Castle.* A new well to be developed for public water supply purposes by the Board of Water and Light Commissioners, city of New Castle, Del. To be designated as Schoolhouse Lane Well No. 1, the new facility is expected to yield about 500 gallons per minute.

6. *Penn Argyl Municipal Authority.* Additions and improvements to the sewage treatment facilities of the Penn Argyl Municipal Authority in the Borough of Penn Argyl, Northampton County, Pa. The new facilities will provide for a maximum flow of 1.5 million gallons per day and a reduction of 90 percent of BOD and suspended solids.

Treated effluent will be discharged through an existing outfall sewer to the East Branch of Waltz Creek, a tributary of Martins Creek.

7. *Caln Township-Chester County Municipal Authority.* A new sewage treatment plant to be constructed in Caln Township, Chester County, Pa. The new facility will have a design flow of 500,000 gallons per day and will effect a 94 percent reduction of BOD and suspended solids. Treated effluent will discharge into Beaver Creek, a tributary of the East Branch of Brandywine Creek.

8. *East Caln Township.* East Caln Township, Chester County, Pa., proposes to acquire an existing sewage treatment plant and to improve and enlarge its facilities. The new plant will provide treatment for an average flow of 100,000 gallons per day. It will achieve a 95-percent reduction of BOD and suspended solids. Treated effluent will discharge to Park Run, a tributary of the East Branch of Brandywine Creek.

9. *Leesport Borough Authority.* Development of a sewage collection system and treatment plant to serve the Borough of Leesport, Berks County, Pa. The new facility will provide secondary treatment for an average daily flow of 200,000 gallons. Treated effluent will discharge to the Schuylkill River.

10. *Borough of Brookhaven.* Enlargement and improvements to the sewage treatment facilities of the Borough of Brookhaven, Delaware County, Pa. A new interceptor sewer and pumping station will be constructed together with improvements to an existing sewage treatment plant. Secondary treatment will be provided to an average daily flow of 385,000 gallons. Treated effluent will discharge to Shepard Run, a tributary of Chester Creek.

11. *Borough of Souderton.* Enlargement of the existing sewage treatment facilities in the Borough of Souderton, Montgomery County, Pa. New facilities will enable the plant to treat an average daily flow of 675,000 gallons, and effect an 85-percent removal of BOD and suspended solids. Treated effluent will discharge to Little Skipack Creek, a tributary of the Perkiomen Creek.

12. *New Jersey Turnpike Authority.* A project to rehabilitate and expand the New Jersey Turnpike Authority's sewage treatment plant located in Oldmans Township, Salem County, N.J. Capacity of the plant would be increased to 250,000 gallons per day. Secondary treatment will be provided to effluent prior to discharge to Game Creek, a tributary of Salem River.

13. *New Jersey Highway Department.* A project by the New Jersey Highway Department to construct retaining walls along Assumpink Creek from Peace Street to the Delaware River, and along the easterly bank of the Delaware River from Assumpink Creek to Falls Street, in the city of Trenton, N.J. The proposed retaining walls are required to facilitate construction of the improvements to New Jersey Route 29 and the highway interchange for the Trenton-Morrisville toll bridge.

Documents relating to the above projects may be examined at the Commission's offices. All persons wishing to testify are requested to register in advance with the Secretary to the Commission.

W. BRINTON WHITALL,  
Secretary.

JULY 8, 1966.

[F.R. Doc. 66-7628; Filed, July 13, 1966;  
8:45 a.m.]

## FEDERAL COMMUNICATIONS COMMISSION

[FCC 66-604]

### STANDARD BROADCAST APPLICATION READY AND AVAILABLE FOR PROCESSING

JULY 11, 1966.

In accordance with the Commission's action of July 7, 1966, granting a waiver of § 1.571(c) of its rules to permit expeditious processing of the below-described application, notice is hereby given that on August 16, 1966, the following application

WJRZ Hackensack, N.J.  
WJRZ, Inc.  
Has: (cp) 970 kc, 5 kw, DA-N, U.  
Req: 970 kc, 5 kw, DA-2, U.

will be considered as ready and available for processing, and pursuant to § 1.227 (b) (1) and § 1.591(b) of the Commission's rules, an application, in order to be considered with this application, or with any other application on file by the close of business on August 15, 1966, which involves a conflict necessitating a hearing with this application, must be substantially complete and tendered for filing at the offices of the Commission in Washington, D.C., by whichever date is earlier: (a) The close of business on August 15, 1966, or (b) the earlier effective cutoff date which this application or any other conflicting application may have by virtue of conflicts necessitating a hearing with applications appearing on previous lists.

The attention of any party in interest desiring to file pleadings concerning the above application pursuant to section 309(d) (1) of the Communications Act of 1934 as amended, is directed to § 1.580(i) of the Commission's rules for the provisions governing the time of filing and other requirements relating to such pleadings.

Adopted: July 7, 1966.

FEDERAL COMMUNICATIONS  
COMMISSION,<sup>1</sup>  
[SEAL] BEN F. WAPLE,  
Secretary.

[F.R. Doc. 66-7673; Filed, July 13, 1966;  
8:48 a.m.]

[Docket No. 16125; FCC 66-619]

### TINKER, INC.

#### Memorandum Opinion and Order

In the matter of revocation of the license of Tinker, Inc., for standard broad-

<sup>1</sup> Commissioner Johnson not participating.

cast station WEKY, Richmond, Ky., Docket No. 16125.

1. This is a proceeding for revocation of a broadcast license which comes before us now on the issue of the authority of the Hearing Examiner to require disclosure of exhibits and the names of witnesses in advance of the hearing.

2. By an order of March 28, 1966, Hearing Examiner Naumowicz directed exchange by the Broadcast Bureau and the respondent on specified dates of a statement identifying all nonstipulated exhibits which either party intended to offer in evidence, and a list of witnesses which each party proposed to call together with a brief statement as to the scope of testimony of each. The order provided that additional exhibits or witnesses would not be received or heard except for good cause and that each party should notify the other and the Examiner if he decided not to produce an exhibit or witness listed. By a memorandum opinion and order of April 25, 1966, the Review Board set aside the Examiner's order. The case comes to the Commission on respondent's petition for review of the Review Board's order and an opposition to such petition by the Chief of the Broadcast Bureau.

3. The trend of modern development in trials and hearings, both judicial and administrative, is toward the early informal disclosure of all relevant evidence and information and away from the view of trials and hearings as a sport or game in which the skill and strategy of counsel may be determinative. Thus the Administrative Conference of the United States approved the principle of discovery for adjudicatory administrative proceedings and recommended the adoption of discovery rules by each agency.<sup>1</sup> The Commission has taken steps to implement this recommendation by instituting a rule making proceeding looking toward the adoption of discovery procedures.<sup>2</sup>

We do not now intend to anticipate the result of that proceeding. We here decide only the issue presented by the instant case, although we note that the Examiner's order is consistent with recommendations of the Administrative Conference and our own more recent actions.

4. The disclosure of the names of trial witnesses in advance of trial is a practice widely followed in Federal courts in recent years.<sup>3</sup> Although some authorities suggest that this power arises under the discovery rules,<sup>4</sup> there is also substantial authority that the power is part of the inherent power of the judge to control the course and conduct of proceedings.<sup>5</sup> In any event it is clear that the trial judge has ample authority to exercise discretion to protect informers and to

limit disclosure for protection of the legitimate interests of the Government in civil proceedings.<sup>6</sup>

5. The precedents of the Federal courts are neither controlling nor decisive here and we do not hold the Federal Rules of Civil Procedure to be controlling. However the analogy of Federal civil proceedings is helpful and the experience of the Federal courts in similar proceedings is instructive. The Commission has delegated to its Hearing Examiners full authority to control the course and conduct of adjudicatory proceedings that have been referred to them, with the exception of particular matters specified in the rules to be acted upon by the Commission, the Review Board, or the Chief Hearing Examiner, 47 CFR 0.341. Pursuant to this general authority, we hold that the Hearing Examiner in the proceeding has the power to enter the order in issue here in his discretion. If the Broadcast Bureau believes that the names or identities of any witnesses should be withheld under the informer's privilege, or for other valid reasons, it may make an ex parte application to the Examiner for an appropriate order upon a proper showing. Similarly, if the Broadcast Bureau finds it necessary to call witnesses not now known to it, as in the event of the need to authenticate documents, it may make application to the Examiner as late as the time of hearing. Having authority to enter the order, the Examiner has full authority to modify it and to adapt it to the exigencies of the proceeding and the hearing.

6. This ruling does not constitute a holding that each party in every Commission proceeding has a right to secure the names of witnesses of adverse parties in advance of hearing, or that the names of witnesses should be exchanged in advance of hearing in all adjudicatory proceedings. Whether or not such disclosure is appropriate, will expedite the proceeding and conduce to the ends of justice, and therefore should be ordered is a matter resting in the sound discretion of the Hearing Examiner in each proceeding, to be exercised upon a full consideration of all circumstances and after hearing the parties. We hold only that the Hearing Examiner in an adjudicatory proceeding which has been referred to him has the power to make such an order and that such an order rests in his sound discretion. While the Review Board understandably applied what it deemed to be controlling Commission precedent in a situation such as this, we believe the new approach here followed by the Hearing Examiner to be the preferable one from the standpoint of more effective agency process.<sup>7</sup> It is commendable for a Hearing Examiner to exercise firm control of the course and conduct of a proceeding and to adopt such innovations in procedure as are consistent with the statutes, the rules of

<sup>6</sup> *Wirtz v. Continental Finance & Loan Co.*, 326 F. 2d 561 (CA 5th 1964).

<sup>7</sup> As stated in our notice in Docket No. 16473, we are considering the question of rule revisions with respect to prehearing procedures; such revisions, which we hope to consider in the near future, would be consistent with the present holding.

<sup>1</sup> Selected Reports of the Administrative Conference of the United States, 88th Cong., 1st sess., S. Doc. No. 24, p. 63, Recommendation No. 30.

<sup>2</sup> Notice of proposed rule making (FCC 66-173), Docket No. 16473, Feb. 28, 1966.

<sup>3</sup> *IA Barron and Holtzoff*, Federal Practice and Procedure 840, sec. 472.

<sup>4</sup> *Moore's Federal Practice* 1075, sec. 26.19.

<sup>5</sup> *Wirtz v. Hooper-Holmes Bureau, Inc.*, 327 F. 2d 939 (CA 5th 1964); *Barron and Holtzoff*, op. cit. supra.



the Commission, the rights of the parties, and adapted to achieve expedition of proceedings, the full disclosure of facts and the attainment of justice.

7. *Accordingly, it is ordered.* That the Petition for Review filed May 2, 1966, by respondent herein is granted; the memorandum opinion and order of the Review Board, released April 25, 1966, is reversed; and the provisions of Paragraph 4 of the order of Examiner Naumowicz, of March 28, 1966, are reinstated, subject to the provisions of this memorandum opinion and order.

Adopted: July 8, 1966.

Released: July 11, 1966.

FEDERAL COMMUNICATIONS  
COMMISSION,<sup>8</sup>

[SEAL] BEN F. WAPLE,  
Secretary.

[F.R. Doc. 66-7674; Filed, July 13, 1966;  
8:48 a.m.]

[Docket No. 16678; FCC 66M-946]

### BAY BROADCASTING CO.

#### Order Continuing Prehearing Conference

In re application of Bay Broadcasting Co., San Francisco, Calif., Docket No. 16678, File No. BPCT-3621; for construction permit for new television broadcast station (Channel 38).

*It is ordered.* This 8th day of July 1966, by the Hearing Examiner on his own motion, that the prehearing conference in the above-entitled matter now scheduled for July 12, 1966, is rescheduled to commence at 9 a.m., September 2, 1966, in the Commission's offices in Washington, D.C.

Released: July 11, 1966.

FEDERAL COMMUNICATIONS  
COMMISSION,

[SEAL] BEN F. WAPLE,  
Secretary.

[F.R. Doc. 66-7675; Filed, July 13, 1966;  
8:49 a.m.]

[Docket Nos. 16667, 16668; FCC 66M-945]

### LUNDE CORP. AND KASI IOWA, INC.

#### Order Continuing Hearing

In re applications of Lunde Corp., Ames, Iowa, Docket No. 16667, File No. BPH-5016; Kasi Iowa, Inc., Ames, Iowa, Docket No. 16668, File No. BPH-5118; for construction permits.

To formalize the agreements and rulings made on the record at a prehearing conference held on July 8, 1966, in the above-entitled matter concerning the future conduct of this proceeding;

*It is ordered.* This 8th day of July 1966 that:

<sup>8</sup> Concurring statement of Commissioner Cox filed as part of original document; Commissioner Johnson absent.

Mailing date for exchange of exhibits is August 16, 1966;

Decision date for Broadcast Bureau's participation is September 2, 1966;

Notification of witnesses for cross-examination is scheduled for September 7, 1966; and

Hearing presently scheduled for September 8, 1966 is continued to September 14, 1966.

Released: July 11, 1966.

FEDERAL COMMUNICATIONS  
COMMISSION,

[SEAL] BEN F. WAPLE,  
Secretary.

[F.R. Doc. 66-7676; Filed, July 13, 1966;  
8:49 a.m.]

## FARM CREDIT ADMINISTRATION

[Farm Credit Administration Order 708]

### GOVERNOR OF FCA

#### Officials To Act in His Stead

JULY 8, 1966.

Authority of officers of Farm Credit Administration to act as Governor in event that Governor is absent or not able to perform duties of his office for any other reason (revocation of FCA Order No. 699).

1. In the event that the Governor is absent or is not able to perform the duties of his office for any other reason, the officer who is the highest on the following list and who is available to act is hereby authorized to exercise and perform all functions, powers, authority, and duties pertaining to the office of Governor of the Farm Credit Administration:

- (1) Harold T. Mason, Deputy Governor.
- (2) Glenn E. Heitz, Deputy Governor and Director of Cooperative Bank Service.
- (3) F. Vernon Wright, Deputy Governor and Director of Short-Term Credit Service.
- (4) Glenn G. Browne, Deputy Governor and Director of Land Bank Service.
- (5) Harold A. Miles, Assistant to the Governor.
- (6) Paul O. Ritter, General Counsel.
- (7) Any Deputy Director of one of the above-named Services designated by the Governor.

2. This order shall be effective July 8, 1966, and supersedes Farm Credit Administration Order No. 699, dated July 28, 1964 (29 F.R. 11167).

R. B. TOOTELL,  
Governor,  
Farm Credit Administration.

[F.R. Doc. 66-7652; Filed, July 13, 1966;  
8:47 a.m.]

## DEPARTMENT OF AGRICULTURE

### Agricultural Stabilization and Conservation Service

#### DIRECTOR OR ACTING DIRECTOR, KANSAS CITY ASCS COMMODITY OFFICE

#### Delegation of Authority

Pursuant to the authority vested in me by the Processor Wheat Marketing Certificate Regulations (29 F.R. 6271, as amended), I hereby delegate to the individual designated below the responsibility which is described below. The authority herein delegated shall be exercised in conformity with the requirements of the Processor Wheat Marketing Certificate Regulations and may not be redelegated.

Delegation 1. *Change in reporting period; industrial users of flour second clears.* The Director or Acting Director, Kansas City ASCS Commodity Office may, for good cause shown, approve a change in the reporting period established for use by the industrial user of flour second clears.

(Sec. 379(a) to 379(j), 52 Stat. 31, as amended; 7 U.S.C. 1379a to 1379j)

Signed at Washington, D.C., on July 7, 1966.

H. D. GODFREY,  
Administrator, ASCS.

[F.R. Doc. 66-7646; Filed, July 13, 1966;  
8:47 a.m.]

### Consumer and Marketing Service CERTAIN HUMANELY SLAUGHTERED LIVESTOCK

#### Identification of Carcasses; List of Establishments

Pursuant to section 4 of the Act of August 27, 1958 (7 U.S.C. 1904), and the statement of policy thereunder in 9 CFR 381.1, the following table lists the establishments operated under Federal inspection pursuant to the Meat Inspection Act (21 U.S.C. 71 et seq.) which were officially reported on June 1, 1966, as humanely slaughtering and handling on that date the species of livestock respectively designated for such establishments in the table. Additions to and deletions from this list will be made from time to time, as the facts may warrant, by notices published in the FEDERAL REGISTER. The establishment number given with the name of establishment is branded on each carcass of livestock inspected at that establishment. The table should not be understood to indicate that all species of livestock slaughtered at a listed establishment are slaughtered and handled by humane methods unless all species are listed for that establishment in the table. Nor should the table be understood to indicate that the affiliates of any listed establishment use only humane methods:

ESTABLISHMENTS SLAUGHTERING HUMANELY

Table with columns: Name of establishment, Establishment No., Cattle, Calves, Sheep, Goats, Swine, Horses. Lists establishments such as Armour & Co., Swift & Co., Lykes Bros, Inc., Pauly Packer Co., Inc., Everage Food Products Corp., etc.

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ESTABLISHMENTS SLAUGHTERING HUMANELY—Continued

Table with columns: Name of establishment, Establishment No., Cattle, Calves, Sheep, Goats, Swine, Horses. Lists establishments such as J. L. Whisler & Sons, Inc., Sunnyside Packing Co., Stark Wetzel & Co., Inc., Idaho Meat Packers, etc.

ESTABLISHMENTS SLAUGHTERING HUMANELY—Continued

Name of establishment	Establishment No.	Cattle	Calves	Sheep	Goats	Swine	Horses
John Morrell & Co.	196						
Hynes Packing Co.	197					(C)	
United Fryer & Stillman, Inc.	198					(C)	
George A. Hornel & Co.	199					(C)	
Do.	199A					(C)	
Do.	199D					(C)	
Do.	199H					(C)	
Do.	199I					(C)	
Do.	199N					(C)	
Watkins Packing Co.	200					(C)	
Cudaly Packing Co.	202					(C)	
Platte Valley Packing Co.	203					(C)	
Emgo Packing Co., Inc.	205					(C)	
National Packing Co., Inc.	208					(C)	
Heliz's Riverside Abattoir, Inc.	210					(C)	
Keen Packing Co.	212					(C)	
Eiburn Packing Co.	213					(C)	
Knap Packing Co.	214					(C)	
Dold Packing Co., Inc.	215					(C)	
Universal Meat Products, Inc.	216					(C)	
Lincoln Meat Co.	217					(C)	
York Packing Co., Inc.	220					(C)	
Gwaltney, Inc.	221A					(C)	
Dejean Packing Co.	222					(C)	
Dejean Packing Co.	223					(C)	
Byrds Food Products Corp.	224					(C)	
Do.	224B					(C)	
Contra Packing Co.	227					(C)	
Gald Merit Packing Co., Inc.	228					(C)	
Wald Schuller & Co., Inc.	229					(C)	
Animal Husbandry Department Texas Technological College.	230					(C)	
Baskin Packing Co.	237					(C)	
P. D. & J. Meats	240					(C)	
Glenworthy Packing Co.	241					(C)	
Greenwood Packing Plant	242					(C)	
I. Klayman & Co.	243					(C)	
Blue Ribbon Beef Packing, Inc.	244					(C)	
Iowa Beef Packers, Inc.	245					(C)	
Do.	245A					(C)	
Do.	245O					(C)	
John Morrell & Co.	246					(C)	
Harget Realty Corp.	247					(C)	
Federal Packing Co., Inc.	249					(C)	
Frosty Morn Meats, Inc.	250					(C)	
Prarie Packing Co.	251					(C)	
Sellers, Inc.	252					(C)	
Plute Packing Co.	257					(C)	
Hyplains Dressed Beef, Inc.	262					(C)	
The Jones Dairy Farm.	263					(C)	
Farm Pac Kitchens, Inc.	266					(C)	
Pacific Meat Co., Inc.	270					(C)	
Snyder Packing Co.	271					(C)	
Golden Valley Packing Co.	273					(C)	
Tog Packing Co., Inc.	274					(C)	
Elliott Packing Co.	276					(C)	
Acme Markets, Inc.	278					(C)	
Rea Serum Co.	280					(C)	
San Angelo Packing Co., Inc.	281					(C)	
Agat Packing Co.	282					(C)	
Do.	282B					(C)	
Solano Meat Co.	285					(C)	
Western Packing Co.	288					(C)	
Arbogast & Bastian Co.	289					(C)	
The H. H. Meyer Packing Co.	290					(C)	
San Jose Meat Co.	291					(C)	
Sony Quality Packers, Inc.	292					(C)	
Wild Packing Co.	292A					(C)	
Chis Jumping & Son, Inc.	298					(C)	
Yadcock Packing Co.	299					(C)	
Great Falls Meat Co.	301					(C)	
Orman Meat Packing Co., Inc.	302					(C)	
Union Packing Co.	305					(C)	
Do.	305A					(C)	
Star Packing Co.	306					(C)	
Survall Packing Co.	307					(C)	
Kaufman Meat Packers, Inc.	310					(C)	

ESTABLISHMENTS SLAUGHTERING HUMANELY—Continued

Name of establishment	Establishment No.	Cattle	Calves	Sheep	Goats	Swine	Horses
Melton Provision Co.	311						
Ideal Packing Co., Inc.	312						
Rudy's Farm Co.	315					(C)	
Dutterler's of Manchester, Inc.	316					(C)	
Austin's Packing Co.	317					(C)	
Estes Packing Co.	319					(C)	
Stadler Packing Co., Inc.	320					(C)	
Rudnick Packing Co.	325					(C)	
Frisco Packing Co.	327					(C)	
C. & M. Meat Packing Corp.	330					(C)	
Royal Packing Co.	331A					(C)	
Shapiro Packing Co., Inc.	332					(C)	
Great Western Packing Co., Inc.	334					(C)	
Noble's Independent Meat Co.	335					(C)	
China Valley Meat Packing Co., Inc.	336					(C)	
Sam Kane Packing	337					(C)	
Green & Oliver Sausage Co.	338					(C)	
Midland Empire Packing Co., Inc.	339					(C)	
Des Moines Packing Co.	340					(C)	
Peters Packing Co., Inc.	341					(C)	
Puckett Packing Co.	343					(C)	
State Packing Co., Inc.	344					(C)	
Anza Packing Co.	345					(C)	
Union Packing Co.	351					(C)	
Samuels E. Tex Packing Co.	353					(C)	
Fresno Meat Packing Co.	354					(C)	
Hernando Packing Co., Inc.	355					(C)	
Marks Meat Co.	362					(C)	
Meyer's Packing Co.	363					(C)	
Montebello Meat Packing Co.	364					(C)	
James Allan & Sons	365					(C)	
Bowling Provision Co., Inc.	372					(C)	
Fischer Packing Co.	374					(C)	
Cross Bros. Meat Packers, Inc.	376					(C)	
Shimas Meat Co.	378					(C)	
Emgo Packing Co., Inc.	380					(C)	
Smithfield Packing Co., Inc.	382					(C)	
Acme Markets, Inc.	384					(C)	
City Custom Packing Co., Inc.	387					(C)	
Laborman Packing Co.	388					(C)	
Durand's Packing Co.	390					(C)	
Chidman's Farm Sausage Co., Inc.	392					(C)	
Chidman's Packing Co.	394					(C)	
Robert L. Frazier, Inc.	396					(C)	
Palmer Packing Co.	397					(C)	
Wagonville Dressed Beef, Inc.	398					(C)	
Sunrider Packing Co.	400					(C)	
Los Banos Abattoir	403					(C)	
Owens Country Sausages, Inc.	404					(C)	
South Chicago Packing Co.	405A					(C)	
Williston Packing Co., Inc.	405					(C)	
Nemhoff Bros.	406					(C)	
Badloch Packing Co., Inc.	410					(C)	
Alpha Packing Co.	412					(C)	
The Lundy Packing Co.	413					(C)	
Do.	413A					(C)	
Frosty Morn Meats	414					(C)	
Minden Beef Co.	417					(C)	
Philadelphia Boneless Beef Co.	418					(C)	
Murray Packing Co., Inc.	421					(C)	
E. W. Kneip, Inc. of Iowa	422					(C)	
The Collins Packing Co.	423					(C)	
Do.	423A					(C)	
Hebron Packing Co., Inc.	425					(C)	
Queen Packing Corp.	426					(C)	
Schneider Packing Co.	436					(C)	
Omahas Dressed Beef Co., Inc.	441					(C)	
Del Curto Meat Co.	445					(C)	
Peerless Packing Co., Inc.	448					(C)	
Standard Meat Co.	451					(C)	
Dewitt Packing Corp.	456					(C)	
Swift & Co.	459					(C)	
Morris Rifkin & Sons, Inc.	460					(C)	
Pioneer Boneless Beef, Inc.	461					(C)	
Lancaster Packing Co.	462					(C)	

ESTABLISHMENTS SLAUGHTERING HUMANELY—Continued

Name of establishment	Establishment No.	Cattle	Calves	Sheep	Goats	Swine	Horses
E. A. Miller & Sons Packing Co.	625	☺☺☺☺☺☺☺☺☺☺☺☺☺	☺	☺		☺	
H. H. Kelm Co.	630					☺	
General Meat Co.	632					☺	
Ebner Bros. Packers	633					☺	
United Packing Co., Inc.	635					☺	
Autburn Packing Co., Inc.	636					☺	
Flanery Sausage Co., Inc.	643					☺	
Long Creek Meat Co.	645					☺	
Bravo Foods, Inc.	646					☺	
Bird Provision Co.	647					☺	
Spencer Packing Co.	648	☺☺☺☺☺☺☺☺☺☺	☺	☺		☺	
Schluenderberg Kirdle Co., Inc.	649					☺	
John Morrill & Co.	650					☺	
Nagle Packing Co.	653					☺	
Milwaukee Dressed Beef Co.	654					☺	
Wilson & Co., Inc.	655					☺	
Baum's Bologna, Inc.	657					☺	
McCook Packing Corp.	660					☺	
Quality Meat Packing Co.	661					☺	
Western Meat Packers, Inc.	662					☺	
Globe Packing Co.	663					☺	
Webber Sausage Co., Inc.	668					☺	
Crown Packing Co.	669					☺	
Seelysburt Packing Co.	669					☺	
San Joaquin Packing Co.	671					☺	
E. S. Read & Sons, Inc.	672					☺	
Union Packing Co., Inc.	673					☺	
Caviness Packing Co., Inc.	675					☺	
Jacob Bauer's Sons, Inc.	676					☺	
Armour & Co. Packing Co.	678					☺	
Dundas Meat Packing Co.	681					☺	
Boas Dairy Packing Co., Inc.	682					☺	
Chadwick Packing Co., Inc.	683					☺	
Nichols Bros. Packing Co., Inc.	684					☺	
The Walker Meat Packing Co.	685					☺	
The Suggs Packing Co.	686					☺	
Pierce Packing Co.	691					☺	
Bell Packing Co.	692					☺	
Bryan Meat Co.	693					☺	
Animal Husbandry Department, Kansas State University	694					☺	
Kramer Beef Co.	695					☺	
Gulf Packing Co.	696					☺	
Garter Packing Co.	698					☺	
Triolo Bros	705					☺	
Central Nebraska Packing Co.	E713					☺	
Davenport Packing Co., Inc.	716					☺	
Farmbest, Inc.	717					☺	
Do.	718					☺	
A. Darlington Strode	718					☺	
K-M Co.	719					☺	
Swift & Co.	722					☺	
Decker & Son	727					☺	
Roode Packing Co., Inc.	729					☺	
Veget Packing Co.	730					☺	
Frosty Morn Meats	731					☺	
Eller & Son, Inc.	732					☺	
Western Packers	733					☺	
The Quaker Oats Co.	E734					☺	
Purnell's Packing Co.	736					☺	
The Jacob Schlachter's Sons Co.	738					☺	
Mid State Meat Co.	741					☺	
Pioneer Boneless Beef Co.	742					☺	
Highland Packers, Inc.	743					☺	
Howard Pancero & Co.	747					☺	
Ruchti Bros.	748					☺	
Luck Bros. Cooperative Packing Co.	753					☺	
Monroe Packing Co., Inc.	755					☺	
Salty Packing Co., Inc.	766A					☺	
Consolidated Dressed Beef Co., Inc.	768					☺	
The American Meat Packing Corp.	769					☺	
Schlake Packing Co., Inc.	781					☺	
Karler Packing Co.	787					☺	
Sheridan Meat Co., Inc.	788					☺	
Earl Gibbs, Inc.	783					☺	
	770					☺	

ESTABLISHMENTS SLAUGHTERING HUMANELY—Continued

Name of establishment	Establishment No.	Cattle	Calves	Sheep	Goats	Swine	Horses
Lotvak Packing Co.	465	☺☺☺☺☺☺☺☺☺☺	☺				
Beovar Packing Co.	467					☺	
Cornhusker Packing Co.	468					☺	
Eckert Packing Co.	471					☺	
Oriskany Beef & Veal Corp.	472					☺	
Missouri Beef Packers, Inc.	473					☺	
Armour & Co.	477					☺	
Edridge Packing Co., Inc.	478					☺	
Midlertown Beef Co., Inc.	483					☺	
St. Cloud Meat Packing Co.	485					☺	
East Tennessee Packing Co.	487					☺	
Memphis Butchers Association, Inc.	488					☺	
Nebraska Beef Co.	489					☺	
Golding Packing Co., Inc.	490					☺	
Farbank Farms, Inc.	492					☺	
Mid State Meat Packers, Inc.	494					☺	
Heim Bros. Packing Co., Inc.	499					☺	
Greenlee Packing Co.	601					☺	
Swift & Co.	605					☺	
Keenan Meat Packing Co., Inc.	607					☺	
Armour & Co.	608					☺	
The Hill & Dillon Packing Co.	610					☺	
Shen Valley Meat Packers, Inc.	611					☺	
Sluder Bros., Inc.	612					☺	
Capital Packing Co.	613					☺	
Western Food Service, Inc.	615					☺	
Charles Miller & Co.	616					☺	
Illiana Packing Co.	617					☺	
Peam Packing Co.	621					☺	
Armour & Co.	624					☺	
Smallwood Packing Co., Inc.	628					☺	
Omaha Packing Co.	630					☺	
Pepper Packing Co.	637A					☺	
Do.	637B					☺	
Do.	637C					☺	
Do.	638					☺	
Wholesale Cooperative Meat Dealers Association	641					☺	
Greendell Packing Corp.	642					☺	
United Dressed Meat, Inc.	646					☺	
Priddy Packing Co., Inc.	648					☺	
Pluta Packing Co.	650					☺	
Salter Packing Co.	651					☺	
Black Hills Packing Co.	654					☺	
Mid South Packers, Inc.	657					☺	
Cudahy Co.	659					☺	
D. & W. Packing Co.	660					☺	
Emery Land Co.	661					☺	
Packeland Packing Co., Inc.	662					☺	
John Morrill & Co.	664					☺	
Texas Meat Packers, Inc.	665					☺	
Elmer-Bender & Son, Inc.	669					☺	
Ferretta Packing Co., Inc.	671					☺	
Frosty Morn Meats, Inc.	676					☺	
Armour & Co.	679					☺	
Kingsford Packing Co., Inc.	681					☺	
Colleyville Packing Co., Inc.	683					☺	
Stoppenbach Sausage Co.	685					☺	
Dawson Baker Packing Co., Inc.	688					☺	
Austin Community Livestock Processors, Inc.	690					☺	
Swift & Co.	691					☺	
Harman Packing Co.	696					☺	
Elk Grove Meat Co.	699					☺	
San Antonio Packing Co.	702					☺	
Wright Packing Co., Inc.	703					☺	
Swift & Co.	708					☺	
Eastern Oregon Meat Co., Inc.	811					☺	
National Tea Co.	813					☺	
Danner Packing Co.	814					☺	
Kummer Meat Co., Inc.	817					☺	
Aamo Meat Co., Inc.	818					☺	
Doscooil Sausage, Inc.	823					☺	
Empire Packing Co.	825					☺	
Spar Provision Co.	830					☺	
Big Foot Packing Co., Inc.	837					☺	

ESTABLISHMENTS SLAUGHTERING HUMANELY—Continued

Name of establishment	Establishment No.	Cattle	Calves	Sheep	Goats	Pigs	Horses
Cadwell Martin Meat Co.	773	⊕					
Modern Meat Packing Co.	774	⊕					
Atlas Packing Co.	775	⊕					
The Cudahy Co.	776	⊕					
Bryan Bros. Packing Co.	777	⊕					
Diamond Meat Co., Inc.	780	⊕					
Granite State Packing Co.	783	⊕					
M. Jacobson Sons Co., Inc.	786	⊕					
Aurora Packing Co., Inc.	788	⊕					
Western Iowa Pork	806	⊕					
Aces's Meat Co., Inc.	809	⊕					
The G. Ehrhardt Sons, Inc.	810	⊕					
Castle Brands, Inc.	817	⊕					
Wenger Independent Packer, Inc.	817	⊕					
J. H. Austin Packing Co.	817	⊕					
Stearns Caver's Sons, Inc.	822	⊕					
Stearns Packing Co.	822	⊕					
Stearns Packing Co., Inc.	825	⊕					
Erstel Packing Co.	828	⊕					
Bereborn's Meat Co.	830	⊕					
White Packing Co., Inc.	835	⊕					
John Morrill & Co.	839	⊕					
Nat Burling Packing Co. of Arkansas.	837B	⊕					
Federick County Products, Inc.	838	⊕					
Herman Kemper's Sons, Inc.	839	⊕					
Reelfoot Packing Co.	840	⊕					
G. Bartsch Packing Co.	843	⊕					
Arena Dressed Beef Co.	853	⊕					
Stouff Oily Dressed Beef Co.	857	⊕					
Stouffland Dressed Beef Co.	857F	⊕					
Needham Packing Corp. of Montana.	877G	⊕					
Stouff Beef Co., division of Needham.	877O	⊕					
Jordan Meat & Livestock Co., Inc.	868	⊕					
Bunker Hill Packing Corp.	869	⊕					
Wells & Davis, Inc.	890	⊕					
Sierra Meat Co.	892	⊕					
Tennessee Dressed Beef Co.	895	⊕					
Fort Morgan Dressed Beef, Inc.	896	⊕					
Genesee Packing Co.	898	⊕					
Hardy & Co., Inc.	899	⊕					
Long Creek Meat Co.	870	⊕					
Santa Ana Packing Co.	874	⊕					
Samuels & Co., Inc.	878	⊕					
Fahler Packing Corp.	880	⊕					
Vermont Dressed Beef Co., Inc.	883	⊕					
Alco Packing Co.	885	⊕					
Walden Packing Co., Inc.	886	⊕					
Sambol Packing Co.	892	⊕					
Tobin Packing Co., Inc.	893	⊕					
Vernon Calhoun Packing Co.	897	⊕					
Meats, Inc.	899	⊕					
Sigman Meat Co., Inc.	901	⊕					
Do.	901B	⊕					
Purdy Packing Corp.	902	⊕					
Kane's Dressed Beef	907	⊕					
Rooster Veterinary Laboratories, Inc.	912	⊕					
National Meat Packers, Inc.	917	⊕					
D. Constantino & Sons Co.	918	⊕					
Alco Packing Co.	921	⊕					
Valley Packers, Inc., of Bristol	922	⊕					
South Plain Pelphus Willowbrook, Inc.	924	⊕					
Wagon Wheel Packing Co.	925	⊕					
People's Packing Co.	929	⊕					
Kearney Packing Co.	931	⊕					
Trapp Packing Co.	932	⊕					
McKeaney Meat Co.	934	⊕					
E. B. Manning & Son.	934	⊕					
Volz Packing Co.	938	⊕					
Carrollino Abattoir, Inc.	939	⊕					
Centner Packing Co., Inc.	941	⊕					
Hell Provision Co.	943	⊕					
Whitehall Packing Co.	946	⊕					
Do.	946A	⊕					
M. Briker & Co.	948	⊕					
Joe Doctorman & Son Packing Co., Inc.	949	⊕					
Kennedy's Sausage Co.	970	⊕					

ESTABLISHMENTS SLAUGHTERING HUMANELY—Continued

Name of establishment	Establishment No.	Cattle	Calves	Sheep	Goats	Pigs	Horses
Bob Evans Farms Michigan, Inc.	932	⊕					
Armour & Co.	936	⊕					
Reliable Packing Co., Inc.	939	⊕					
Greater Omaha Packing Co., Inc.	940	⊕					
Virginia Packing Co., Inc.	943	⊕					
Earl Fleck Wholesale Meats, Inc.	949	⊕					
Lay Packing Co.	967	⊕					
Alonfort Packing Co.	970	⊕					
Layman Meat Co., Ltd.	971	⊕					
Nethin Packing Co., Inc.	971	⊕					
National Food Stores, Inc.	981	⊕					
Retzlaff & Sons Co.	982	⊕					
Hessers Packing Co.	982	⊕					
Shinnick Packing Co.	987	⊕					
Shinnick & Herben & Son, Inc.	988	⊕					
Summover Packing Co., Inc.	992	⊕					
Johnson Meat Products Co., Inc.	994	⊕					
Klauer of Kentucky, Inc.	995	⊕					
Do.	995A	⊕					
Do.	995B	⊕					
Glover Packing Co., Inc.	1005	⊕					
Valley Meat Co.	1009	⊕					
The Home Pride Provisions, Inc.	1020	⊕					
Armour & Co.	1085	⊕					
Jordan's Ready To Eat Meats, Inc.	1130A	⊕					
Landy Packing Co.	1171	⊕					
The Harris Packing Co.	1175	⊕					
Wayne Packing Co.	1303	⊕					
A. F. Moyer & Sons, Inc.	1311	⊕					
McCabe Packing Plant.	1312	⊕					
Swift & Co.	1315	⊕					
Nebraska Iowa Dressed Beef Co.	1318	⊕					
Stevens Meat Co., Inc.	1486	⊕					
James Sausage Co.	1718	⊕					

Done at Washington, D.C., this 6th day of July 1966.

R. K. SOMERS,  
Deputy Administrator, Consumer Protection,  
Consumer and Marketing Service.

[F.R. Doc. 66-7544; Filed, July 13, 1966; 8:45 a.m.]

Office of the Secretary

GEORGIA

Designation of Areas for Emergency Loans

Georgia—Continued

Coffee, Ethingham.  
Evans, Jeff Davis.  
Lanier, Pierce.  
Tattall, Ware.  
Wayne, Wayne.

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

GEORGIA

Appling, Bryan.  
Atkinson, Bulloch.  
Bacon, Candler.  
Berrien, Charlton.  
Brantley, Clinch.

Pursuant to the authority set forth above, emergency loans will not be made in the above-named counties after June 30, 1967, except to applicants who previously received emergency or special livestock loan assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 11th day of July 1966.

ORVILLE L. FREEMAN,  
Secretary.

[F.R. Doc. 66-7681; Filed, July 13, 1966; 8:49 a.m.]

# FEDERAL MARITIME COMMISSION

[Docket No. 68-40]

## ADMISSION, WITHDRAWAL AND EXPULSION PROVISIONS OF CEYLON/ U.S.A. CONFERENCE AGREEMENT

### Order To Show Cause

Agreement 8050, originally approved January 22, 1953, entered into in New York, N.Y., between the member lines of the Ceylon/U.S.A. Conference, which is based in Colombo, Ceylon, covers the trade from Ceylon to U.S. Atlantic and Gulf ports by direct call or transshipment. The agreement provides, inter alia, for the establishment and maintenance of just and reasonable rates, charges and practices, for and in connection with the transportation of all cargo in vessels owned, controlled, chartered or operated by the members in the trade covered by the agreement.

The Conference refuses to amend its agreement to comport with the provisions of the Commission's General Order 9 in respect to the admission, withdrawal and expulsion provisions of steamship conference agreements on the premise that it is precluded from doing so because it cannot obtain the unanimity of consent of its members to amend the agreement as required by Clause 5 thereof.

Common carriers operating by water in the foreign commerce of the United States under their basic Conference agreement are subject as such to the Shipping Act, 1916, as amended, and therefore to the jurisdiction of the Commission. Section 43 of the Act empowers the Commission to make such rules and regulations as may be necessary to carry out the provisions of the Act.

Section 2 of Public Law 87-346, effective October 3, 1961, amended section 15 of the Act to provide that no conference agreement shall be approved, nor shall continued approval be permitted for any conference agreement "which fails to provide reasonable and equal terms and conditions for admission and readmission to conference membership of other qualified carriers in the trade, or fails to provide that any member may withdraw from membership upon reasonable notice without penalty for such withdrawal."

To implement the above provision of section 2 of Public Law 87-346, the Commission by virtue of its authority under section 43 of the Act, issued General Order 9 (46 CFR Part 523) on April 21, 1964, outlining the requirements for conferences and other rate-making groups in connection with the admission to and withdrawals and expulsions of carriers from conference membership. July 20, 1964, was the deadline set for the filing of amendments to agreements made necessary by General Order 9. (§ 523.10). The order states that:

\* \* \* no conference agreement shall be approved, nor shall continued approval be permitted for any agreement, which fails to provide reasonable and equal terms and conditions for admission and readmission to conference membership of other qualified carriers in the trade, or fails to provide that any member may withdraw from membership

upon reasonable notice without penalty for such withdrawal.

(b) It is the responsibility of the Federal Maritime Commission under the Shipping Act, 1916, to determine that all conference agreements contain reasonable and equal terms and conditions for admission and readmission to conference membership of qualified carriers according to the requirements set forth in paragraph (a) of this section.

§ 523.2 Provisions of conference agreements.

In effectuation of the policy set forth in § 523.1, conference agreements, whether in effect on October 3, 1961, or initiated after that date, shall contain provisions substantially as follows:

(a) Any common carrier by water which has been regularly engaged as a common carrier in the trade covered by this agreement, or who furnishes evidence of ability and intention in good faith to institute and maintain such a common carrier service between ports within the scope of this agreement, and who evidences an ability and intention in good faith to abide by all the terms and conditions of this agreement, may hereafter become a party to this agreement by affixing its signature thereto.

NOTE: The above Provision will not preclude the conference from imposing legitimate conditions on membership, including but not necessarily limited to, the payment of an admission fee, payment of any outstanding financial obligations arising from prior membership, or the posting of a security bond or deposit. All such conditions must be made expressed terms of the Conference agreement, filed with and approved by the Commission pursuant to section 15 of the Shipping Act, 1916.

(c) No carrier which has complied with the conditions set forth in paragraph (a) of this section shall be denied admission or readmission to membership.

(d) Prompt notice of admission to membership shall be furnished to the Federal Maritime Commission and no admission shall be effective prior to the postmark date of such notice.

(e) Advice of any denial of admission to membership, together with a statement of the reasons therefor, shall be furnished promptly to the Federal Maritime Commission.

(f) Any party may withdraw from the conference without penalty by giving at least 30 days' written notice of intention to withdraw to the conference: *Provided, however,* That action taken by the conference to compel the payment of outstanding financial obligations by the resigning member shall not be construed as a penalty for withdrawal.

(g) Notice of withdrawal of any party shall be furnished promptly to the Federal Maritime Commission.

(h) No party may be expelled against its will from this conference except for failure to maintain a common carrier service between the ports within the scope of this agreement (said failure to be determined according to the minimum sailing requirements set forth in this agreement) or for failure to abide by all the terms and conditions of this agreement.

(i) No expulsion shall become effective until a detailed statement setting forth the reason or reasons therefor has been furnished the expelled member and a copy of such notification submitted to the Federal Maritime Commission.

Agreement 8050 is deficient in relation to every section of General Order 9 set forth above. Specifically, it fails to comport with such sections of the said General Order in the following respects:

1. "Just and reasonable cause" for denial of admission to membership does

not comply with the requirements of General Order 9 (§ 523.2(a)).

2. There is no provision that applications for membership shall be acted upon promptly (§ 523.2(b)).

3. Admission to membership conditioned upon approval of conference members in accordance with the voting provisions of Clause 5 of the Conference agreement is contrary to General Order 9 (§ 523.2(c)).

4. There is no provision for "prompt notification to the Commission of the admission of new members" (§ 523.2(d)).

5. There is no provision for promptly furnishing the Commission advice of any denial of admission to membership, together with a statement of the reasons therefor (§ 523.2(e)).

6. The agreement does not provide that a member may withdraw from the Conference without penalty (§ 523.2(f)).

7. The agreement does not provide that the Commission shall be promptly notified of the withdrawal of any party from the conference (§ 523.2(g)).

8. The provision that "any member may be expelled for just and reasonable cause by unanimous action of the other members" does not comply with the requirements of General Order 9 (§ 523.2(h)).

9. The agreement does not contain a provision that no expulsion shall become effective until a detailed statement setting forth the reason or reasons therefor has been furnished the expelled member and a copy of such notification submitted to the Commission (§ 523.2(i)).

In the exchange of correspondence between the Commission and the Conference in regard to this matter, the Conference has never contended that Agreement 8050 conforms with the requirements of General Order 9. Rather, it has declined to comply with said General Order for the reason that it has not been able to obtain the unanimity of consent of its members to amend the agreement as required by Clause 5 of the agreement.

In a letter dated April 12, 1966, addressed to MacKinnon, MacKenzie & Co., of Ceylon, Secretaries Ceylon/U.S.A. Conference, Post Office Box 94, Colombo 1, Ceylon, the Commission's staff advised the Conference inter alia that "Complete compliance with the provisions of General Order 9 is mandatory and is not affected by the above-mentioned Clause 5."

By telegram dated May 12, 1966, signed "MacKinnons" the Conference informed the Commission as follows: "RYL twelfth April Ceylon USA Conference Agreement number 8050. At meeting today with exception one member conference willing comply General Order number nine. However view constitution requires unanimity conference compliance precluded."

The issues raised herein do not involve any disputed issues of fact requiring an evidentiary hearing and require a prompt determination by the Commission.

Now, therefore, pursuant to sections 15 and 22 of the Shipping Act, 1916:

*It is ordered,* That the Ceylon/U.S.A. Conference and the member lines thereof

show cause why the Agreement No. 8050, as amended, should not be disapproved by the Commission pursuant to section 15 of the Shipping Act, 1916, as amended, because of the Conference's failure to comply with the requirements of section 15 of the Act, and with the Commission's General Order No. 9, issued April 21, 1964. This proceeding shall be limited to the submission of affidavits and memoranda and oral argument. The affidavits of fact and memoranda of law shall be filed by respondents no later than close of business August 8, 1966. Replies thereto shall be filed by Hearing Counsel and interveners, if any, no later than close of business August 23, 1966. An original and 15 copies of affidavits of fact, memoranda of law, and replies are required to be filed with the Secretary, Federal Maritime Commission, Washington, D.C. 20573. Copies of any papers filed with the Secretary should also be served upon all parties hereto. Oral argument will be heard in Room 114, 1321 H Street NW., Washington, D.C., at a time and date to be announced later.

*It is further ordered, That the Ceylon/U.S.A. Conference and its member lines as indicated in Appendix A attached are hereby made respondents in this proceeding.*

*It is further ordered, That this order be published in the FEDERAL REGISTER and a copy of such order be served upon each respondent.*

Persons other than respondents and Hearing Counsel who desire to become a party to this proceeding shall file a petition for leave to intervene in accordance with rule 5(1) (46 CFR 502.72) of the Commission's rules of practice and procedure no later than the close of business July 25, 1966, with copy to respondent Conference.

By the Commission.

[SEAL]

THOMAS LISI,  
Secretary.

JULY 6, 1966.

APPENDIX A

James C. Pendleton, Secretary, New York Committee, Ceylon/U.S.A. Conference, 11 Broadway, New York, N.Y. 10004.  
American Export Isbrandtsen Lines, Inc., 26 Broadway, New York, N.Y. 10004.  
American President Lines, Ltd., 29 Broadway, New York, N.Y. 10006.  
Hellenic Lines, Ltd., 39 Broadway, New York, N.Y. 10006.  
Hoegh Lines, Joint Service, Kerr Steamship Co., Inc., Agents, 29 Broadway, New York, N.Y. 10006.  
Shipping Corp. of India, Ltd. (The), Norton, Lilly & Co., Inc., General Agents, 26 Beaver Street, New York, N.Y. 10004.  
Isthmian Lines, Inc., 90 Broad Street, New York, N.Y. 10004.  
Scindia Steam Navigation Co., U.S. Navigation Co., Agents, 17 Battery Place, New York, N.Y. 10004.  
Barber-Fern Lines, Joint Service, Barber Steamship Lines, Inc., General Agents, 17 Battery Place, New York, N.Y. 10004.  
Moller-Maersk Line A.P., Joint Service, Moller Steamship Co., Inc., Agents, 67 Broad Street, New York, N.Y. 10004.  
Thos. & Jno. Brocklebank, Ltd., Cunard Building, Liverpool 3, England.

MacKinnon, MacKenzie & Co. of Ceylon, Secretaries Ceylon/U.S.A. Conference, Post Office Box 94, Colombo 1, Ceylon.

[F.R. Doc. 66-7664; Filed: July 13, 1966; 8:48 a.m.]

[Independent Ocean Freight Forwarder License 817]

**PRESTO SHIPPING AGENCY, INC.**

Notice is hereby given that Presto Shipping Agency, Inc., 52 Broadway, New York, N.Y. 10004, has complied with the Commission's order to show cause, dated June 22, 1966, and published in the FEDERAL REGISTER (31 F.R. 8888), by reinstating its surety bond on file with the Commission.

Dated: July 8, 1966.

THOMAS LISI,  
Secretary.

[F.R. Doc. 66-7665; Filed, July 13, 1966; 8:48 a.m.]

**FEDERAL POWER COMMISSION**

[Docket No. CP-66-424]

**EL PASO NATURAL GAS CO.**

**Notice of Application**

JULY 6, 1966.

Take notice that on June 24, 1966, El Paso Natural Gas Co. (Applicant), Post Office Box 1492, El Paso, Tex. 79999, filed in Docket No. CP66-424 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain natural gas facilities and the sale and delivery of natural gas to the Washington Water Power Co. (Water Power) for transportation to and resale and distribution in the communities of Kettle Falls, Colville, Chewelah, Colton, Uniontown, and Spangle, Wash., and their respective environs, and to California-Pacific Utilities Co. (Cal-Pac) for transportation and resale and distribution in the community of Union, Oregon, and environs, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to construct and operate four measuring and regulating stations, one of which is to provide service for Kettle Falls, Colville, and Chewelah, Wash., and the remaining three of which are to provide service to Colton and Uniontown, Washington, and Union, Oregon. Applicant states that service to Spangle, Wash., will be provided by means of an existing measuring and regulating station owned and operated by Pacific Gas Transmission Co. and with gas transported by Pacific Gas Transmission Co. for the account of Applicant. Applicant also proposes to construct and operate approximately 4,700 feet of 4½-inch O.D. branch transmission pipeline, and necessary appurtenances, in conjunction with the measuring and regulating station to provide service for Union, Oregon.

Applicant states that Water Power will transport the gas received by it, through facilities which it proposes to construct, to points of resale and distribution in the communities of Kettle Falls, Colville,

Chewelah, Colton, Uniontown, and Spangle, Wash. Applicant further states that Cal-Pac will transport the gas received by it, through facilities which it proposes to construct, to points of resale and distribution in the community of Union, Oregon, and environs.

The application states that the estimated maximum daily and annual gas requirements of Water Power during the third full year of proposed natural gas service will be 5,095 Mcf and 1,223,005 Mcf, respectively, and of Cal-Pac during the third year of natural gas service will be 404 Mcf and 55,970 Mcf, respectively. The sales and deliveries which are the subject of the instant application are proposed to be made in accordance with the rates contained in Applicant's Rate Schedules DS-1, DS-4, and DL-1, FPC Gas Tariff Original Volume No. 3.

Applicant states that if the instant application is approved prior to the grant of authorizations sought by it in its application filed in Docket No. CP66-27<sup>1</sup> the facilities and services embraced by the instant application will be divested by Applicant to Northwest Pipeline Corporation in accordance with said authorizations.

The total estimated cost of Applicant's proposed facilities is \$87,982, which cost will be financed by means of working funds.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (§ 157.10) on or before August 5, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

JOSEPH H. GUTRIDE,  
Secretary.

[F.R. Doc. 66-7634; Filed, July 13, 1966; 8:45 a.m.]

<sup>1</sup> See notice of applications, consolidation of proceedings and requirement to file testimony, 30 F.R. 11003, Aug. 25, 1965, regarding application of Applicant and applications of Northwest Pipeline Corporation in Docket Nos. CP66-28, CP66-29, and CP66-30, relating to the divestiture by Applicant of its Northwest Division System.

[Docket No. CP66-430]

**SOUTH GEORGIA NATURAL GAS CO.****Notice of Application**

JULY 7, 1966.

Take notice that on June 30, 1966, South Georgia Natural Gas Co. (Applicant), Post Office Box 1279, Thomasville, Ga. 31792, filed in Docket No. CP66-430 an application pursuant to section 7(b) of the Natural Gas Act for permission and approval to abandon approximately 16,000 feet of its 6 $\frac{1}{2}$  inch transmission pipeline which is now serving the city of Tallahassee, Fla., and for authority to move its existing metering and regulating station in a northerly direction approximately 16,000 feet, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant proposes to sell to the city of Tallahassee approximately 16,000 feet of its 6 $\frac{1}{2}$  inch O.D. Line No. 18 and to move its metering and regulating station in a northerly direction so that the city of Tallahassee will own the right of way and the approximately 16,000 feet of gas transmission pipeline which will become a part of that city's distribution system.

The application states that the city of Tallahassee has advised Applicant of its plans to develop the potential gas load of its residential area which would require duplication of facilities presently owned and operated by Applicant. The application further states that the proposed transfer to the city of Tallahassee of the aforementioned portion of Applicant's Line No. 18 would eliminate the need for construction of such duplicate facilities.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (§ 157.10) on or before August 8, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of permission and approval for the proposed abandonment is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

JOSEPH H. GUTRIDE,  
*Secretary.*

[F.R. Doc. 66-7636; Filed, July 13, 1966; 8:46 a.m.]

[Docket No. CP66-198]

**UNITED FUEL GAS CO.****Notice of Petition To Amend Application**

JULY 7, 1966.

Take notice that on June 30, 1966, United Fuel Gas Co. (Petitioner), Post Office Box 1273, Charleston, W. Va. 25325, filed in Docket No. CP66-198 a petition to amend its application filed in said docket on December 17, 1965 (31 F.R. 164), requesting authorization for additional construction of facilities consisting of approximately 4.2 miles of 30-inch loop pipeline extending eastward from a point approximately 12.8 miles east of its Ceredo compressor station located in Wayne County, W. Va., and one 2,700 horsepower compressor unit at its Lanham compressor station in Kanawha County, W. Va., all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

By its original application filed in the instant docket, Petitioner requested authorization for the construction and operation of: (1) One 10,500 horsepower compressor unit at its existing Ceredo compressor station, located in Wayne County, W. Va.; (2) approximately 12.8 miles of 30-inch loop pipeline in Wayne and Cabell Counties, W. Va., immediately east of said Ceredo compressor station; and (3) one 2,000 horsepower compressor unit at its existing Glenville compressor station, located in Gilmer County, W. Va. Petitioner also requested permission and approval for the abandonment of one 1,350 horsepower high-pressure compressor unit at said Glenville compressor station.

By the instant filing, Petitioner seeks authority to increase the proposal to construct 12.8 miles of loop pipeline east of Ceredo compressor station, as set forth in the original application, to approximately 17.0 miles and to include a new proposal to install one 2,700 horsepower unit at Lanham compressor station.

The total estimated cost of constructing the facilities proposed in Petitioner's application, as amended, is \$6,444,700, which Petitioner proposes to finance through the issuance and sale of promissory notes and common stock to its parent company, the Columbia Gas System, Inc.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before August 8, 1966.

JOSEPH H. GUTRIDE,  
*Secretary.*

[F.R. Doc. 66-7637; Filed, July 13, 1966; 8:46 a.m.]

[Docket Nos. RI66-430 etc.]

**SUN OIL CO. ET AL.****Order Providing for Hearings on and Suspension of Proposed Changes in Rates<sup>1</sup>**

JULY 5, 1966.

The Respondents named herein have filed proposed increased rates and charges of currently effective rate schedules for sales of natural gas under Commission jurisdiction, as set forth in Appendix A hereof.

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders:

(A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto (18 CFR, Ch. I), and the Commission's rules of practice and procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas Act.

(C) Until otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before August 15, 1966.

By the Commission.

[SEAL]

GORDON M. GRANT,  
*Acting Secretary.*

<sup>1</sup> Does not consolidate for hearing or dispose of the several matters herein.



Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf		Rate in effect subject to refund in docket Nos.
									Rate in effect	Proposed increased rate	
RI6-430	Sun Oil Co., Post Office Box 2880, Dallas, Tex. 75221.	122	19	Transwestern Pipeline Co. (North Follett Field, Lipscomb County, Tex.) (R.R. District No. 10).	\$90	6-7-66	7-8-66	12-8-66	\$17.0	***19.0	
	do	122	20	Transwestern Pipeline Co. (Parsell Field, Roberts County, Tex.) (R.R. District No. 10).	9,000	6-17-66	7-18-66	12-18-66	\$17.0	***19.0	
RI6-431	The Shamrock Oil & Gas Corp., Post Office Box 631, Amarillo, Tex. 79103.	18	3	Natural Gas Pipeline Co. of America (Quinduno Field, Roberts County, Tex.) (R.R. District No. 10).	15,000	6-13-66	8-1-66	1-1-67	\$13.0	***14.0	RI61-533
RI6-432	Petroleum Corp. of Texas, Post Office Box 762, Breckenridge, Tex. 76024.	3	6	Kansas-Nebraska Natural Gas Co., Inc. (Hugoton Field, Texas County, Okla.) (Panhandle Area).	6,300	6-16-66	7-17-66	12-17-66	\$10 11.0	***10 12.0	
RI6-433	M. F. Powers Estate, Post Office Box 1733, Tulsa, Okla.	7	13	Natural Gas Pipeline Co. of America (Quinduno Field, Roberts County, Tex.) (R.R. District No. 10).	273	6-10-66	7-11-66	12-11-66	\$11.0	***12.0	

1 Laubhan Unit A.  
 2 The stated effective date is the effective date proposed by Respondent.  
 3 "Fractured" rate increase. Contractually due rate is 19.5 cents per Mcf.  
 4 Pressure base is 14.65 p.s.l.a.  
 5 Subject to a downward B.t.u. adjustment.  
 6 Parsell lease.

7 Periodic rate increase.  
 8 The stated effective date is the 1st day after expiration of the statutory notice.  
 9 Production from above the Hugoton Formation or Sea Level, whichever is the greater depth.  
 10 For Weber, Powers, Steen, and Roderick Gas Units.

APPENDIX A

Petroleum Corporation of Texas (Petroleum) requests that its proposed rate increase be permitted to become effective as of June 1, 1966. M. F. Powers Estate (Powers) requests an effective date of June 23, 1966. Good cause has not been shown for waiving the 30-day notice requirement provided in section 4(d) of the Natural Gas Act to permit earlier effective dates for Petroleum and Powers' rate filings and such requests are denied.

All of the producers' proposed increased rates and charges exceed the applicable area price levels for increased rates as set forth in the Commission's statement of general policy No. 61-1, as amended (18 CFR, Ch. I, Pt. 2, Sec. 2.56).

[F.R. Doc. 66-7638; Filed, July 13, 1966; 8:46 a.m.]

[Docket Nos. G-6832 etc.]

PAN AMERICAN PETROLEUM CORP., ET AL.

Notice of Applications for Certificates, Abandonment of Service and Petitions To Amend Certificates; Correction

JULY 1, 1966.

Pan American Petroleum Corp., et al., Docket Nos. G-6832, etc.; Clarence Kenyon, Docket No. CI66-1039.

In the notice of applications for certificates, abandonment of service and petitions to amend certificates, issued May 11, 1966, and published in the FEDERAL REGISTER May 19, 1966 (F.R. Doc. 66-5375, 31 F.R. 7295), in the chart after Docket No. CI66-1039 insert footnote "4" after price "15.0" and add footnote "5" to read as follows:

4 Plus 1.75 cents per Mcf tax reimbursement as to wells which are capable of producing 250 Mcf or more per day and 1.3 cents per Mcf tax reimbursement as to gas wells which are incapable of producing such volume.

JOSEPH H. GUTRIDE,  
 Secretary.

[F.R. Doc. 66-7635; Filed, July 13, 1966; 8:46 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 1-3421]

CONTINENTAL VENDING MACHINE CORP.

Order Suspending Trading

JULY 8, 1966.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock, 10-cent par value of Continental Vending Machine Corp., and the 6 percent convertible subordinated debentures due September 1, 1976, otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to section 15(c) (5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period July 11, 1966, through July 20, 1966, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS,  
 Secretary.

[F.R. Doc. 66-7677; Filed, July 13, 1966; 8:49 a.m.]

[File No. 24D-2658]

THE CISCO GROUP, INC.

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

JULY 7, 1966.

I. The Cisco Group, Inc. (issuer), formerly Colorado Insurance Service Co., with offices at 320 Guaranty Bank Building, Denver, Colo., filed with the Commission on March 16, 1964, a notification on Form 1-A and an offering circular relating to a public offering of 20,315

shares of its no par value common stock to be issued on or before August 31, 1964, upon exercise of outstanding options at \$1.25 per share and 120,000 shares of its no par value common stock on behalf of selling stockholders at the current market price for the purpose of obtaining an exemption from the registration requirements of the Securities Act of 1933, as amended, pursuant to the provisions of section 3(b) thereof, and Regulation A promulgated thereunder. According to information filed by the issuer and selling stockholders, said offering commenced on or about August 20, 1964, none of the options were exercised prior to the expiration date and 60,000 shares were sold by selling stockholders for an aggregate of \$30,716. On March 18, 1966, the issuer filed an amended notification and offering circular which have not been cleared. Subsequent to this amendment the issuer indicated that it did not intend to continue the offering. However, issuer has made no attempt to withdraw the amended notification and offering circular filed March 18, 1966, nor has the offering been reduced by the filing of an appropriate report of sales.

II. The Commission has reasonable cause to believe that:

A. The terms and conditions of Regulation A have not been complied with in that:

1. The issuer and its president failed to cooperate with the Commission in an investigation regarding the affairs of the issuer.

2. The issuer has not filed Form 2-A reports as required by Rule 260 under Regulation A.

B. The offering was and would be made in violation of section 17 of the Securities Act of 1933 since the notification and offering circular and amendments thereto filed pursuant to Rules 255 and 256 of Regulation A of the general rules and regulations under the Securities Act of 1933, as amended, contain untrue statements of material facts and omit to state material facts necessary in order to make the statements

made, in the light of the circumstances under which they were made, not misleading, particularly with respect to:

1. The representation that the net tangible value per share of the issuer's stock was 92 cents;

2. The failure to disclose the concurrent offering of securities in violation of section 17 of the Securities Act of 1933 by the issuer in addition to those covered by the Regulation A filing and the possible contingent liability resulting therefrom.

3. The representation that premiums are financed for a maximum period of 9 months.

4. The failure to disclose the true financial condition of the issuer and particularly premium financing contracts receivable, unearned interest, interest income, net income, earned surplus, and stockholders investment.

5. The failure to disclose that a Complaint for an Injunction and for the Appointment of a Receiver, naming the issuer as defendant, was filed in the District Court in and for the city and county of Denver, State of Colorado, on June 8, 1966, alleging, among other things, that defendant has borrowed from and owes to plaintiff, the First National Bank of Denver, the sum of \$2,563,000 together with accrued interest and costs of collection in accordance with the terms and conditions of two certain promissory notes dated April 13, 1966, and underlying loan agreement between said plaintiff and defendant dated May 29, 1964; that defendant has borrowed from and owes to plaintiff S. R. Langsam & Co. the sum of \$500,000 together with accrued interest and costs of collection in accordance with the terms and provisions of a certain note dated February 1, 1966, and plaintiff and defendant dated January 31, 1966; that commencing at a time or times unknown to the plaintiffs and continuing over an extended period of time until the present, the defendant has issued certain documents purporting to evidence accounts receivable, which documents were false and fictitious and did not represent genuine or existing accounts receivable; that said false and fictitious documents and accounts receivable were utilized to secure fraudulently, directly or indirectly, the funds of plaintiffs and to misrepresent the condition of defendant to its stockholders; and that the total amount of such defalcation and false and fictitious documents and accounts receivable is approximately \$1,000,000.

6. The failure to disclose that a consent order appointing a receiver of all the funds, property and assets of the issuer was entered by the Court on June 8, 1966.

7. The failure to disclose, adequately and accurately, that the issuer has sustained losses from operations and the reasons therefor.

8. The representation that due to the type of financing and the experience of Cisco, bad debts have not arisen except

in extremely rare occasions for Cisco's operations.

9. The representation that no offering will be made on terms other than those disclosed in the offering circular until an appropriate amendment has been filed.

III. It appearing to the Commission that it is in the public interest and for the protection of investors that the exemption of the issuer under Regulation A be temporarily suspended,

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

Notice is hereby given that any persons having any interest in the matter may file with the Secretary of the Commission a written request for hearing within 30 days after the entry of this order; that within 20 days after receipt of such request, the Commission will, or at any time upon its own motion may, set the matter down for hearing at a place designated by the Commission for the purpose of determining whether this order of suspension should be vacated or made permanent, without prejudice, however, to the consideration and presentation of additional matters at the hearing; and that notice of the time and place for said hearing will be promptly given by the Commission. If no hearing is requested and none is ordered by the Commission, the order shall become permanent on the 30th day after its entry and shall remain in effect unless it is modified or vacated by the Commission.

By the Commission.

[SEAL] NELLYE A. THORSEN,  
Assistant Secretary.

[F.R. Doc. 66-7641; Filed, July 13, 1966;  
8:46 a.m.]

[File No. 1-3782]

### GREAT AMERICAN INDUSTRIES, INC.

#### Order Suspending Trading

JULY 7, 1966.

The common stock, 10-cent par value, of Great American Industries, Inc., being listed and registered on the American Stock Exchange, pursuant to provisions of the Securities Exchange Act of 1934 and the 6 percent cumulative preferred stock, Series A, \$10 par value, being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such Exchange and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

*It is ordered*, Pursuant to sections 15(c)(5) and 19(a)(4) of the Securities Exchange Act of 1934, that trading in such securities on the American Stock Exchange and otherwise than on a national securities exchange be summarily suspended, this order to be effective for

the period July 8, 1966, through July 17, 1966, both dates inclusive.

By the Commission.

[SEAL] NELLYE A. THORSEN,  
Assistant Secretary.

[F.R. Doc. 66-7642; Filed, July 13, 1966;  
8:46 a.m.]

### PINAL COUNTY DEVELOPMENT ASSOCIATION

#### Order Suspending Trading

JULY 7, 1966.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the 5½ percent Industrial Development Revenue Bonds of Pinal County Development Association due April 15, 1989, otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

*It is ordered*, Pursuant to section 15(c)(5) of the Securities Exchange Act of 1934 that trading in such bonds be summarily suspended this order to be effective for the period July 8, 1966, through July 17, 1966, both dates inclusive.

By the Commission.

[SEAL] NELLYE A. THORSEN,  
Assistant Secretary.

[F.R. Doc. 66-7643; Filed, July 13, 1966;  
8:46 a.m.]

### ATOMIC ENERGY COMMISSION

[Docket No. 50-252]

#### UNIVERSITY OF NEW MEXICO

#### Issuance of Construction Permit

Please take notice that no request for a formal hearing having been filed following publication of the notice of proposed action in the FEDERAL REGISTER, the Atomic Energy Commission has issued Construction Permit No. CPRR-92 authorizing the University of New Mexico to receive, possess and construct the Model AGN-201, Serial No. 112, nuclear reactor which is presently covered by Facility License No. R-30 and located on the campus of the University of California at Berkeley, Calif. The reactor is to be disassembled by the University of California, transferred from its present location at Berkeley, Calif., to Albuquerque, N. Mex., and constructed on the campus of the University of New Mexico in Albuquerque, N. Mex.

The permit, as issued, is set forth in the notice of proposed issuance of construction permit published in the FEDERAL REGISTER on June 22, 1966 (31 F.R. 8647).

Dated at Bethesda, Md., this 8th day of July 1966.

For the Atomic Energy Commission.

R. L. DOAN,  
Director,

Division of Reactor Licensing.

[F.R. Doc. 66-7626; Filed, July 13, 1966;  
8:45 a.m.]

# INTERSTATE COMMERCE COMMISSION

[Notice No. 945]

## MOTOR CARRIER, BROKER, WATER CARRIER, AND FREIGHT FOR- WARDER APPLICATIONS

JULY 8, 1966.

The following applications are governed by Special Rule 1.247<sup>1</sup> of the Commission's general rules of practice (49 CFR, as amended), published in the FEDERAL REGISTER issue of April 20, 1966, effective May 20, 1966. These rules provide, among other things, that a protest to the granting of an application must be filed with the Commission within 30 days after date of notice of filing of the application is published in the FEDERAL REGISTER. Failure seasonably to file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest under these rules should comply with section 1.247(d)(3) of the rules of practice which requires that it set forth specifically the grounds upon which it is made, contain a detailed statement of protestant's interest in the proceeding (including a copy of the specific portions of its authority which protestant believes to be in conflict with that sought in the application, and describing in detail the method—whether by joinder, interline, or other means—by which protestant would use such authority to provide all or part of the service proposed), and shall specify with particularity the facts, matters, and things relied upon, but shall not include issues or allegations phrased generally. Protests not in reasonable compliance with the requirements of the rules may be rejected. The original and one (1) copy of the protest shall be filed with the Commission, and a copy shall be served concurrently upon applicant's representative, or applicant if no representative is named. If the protest includes a request for oral hearing, such request shall meet the requirements of § 1.247(d)(4) of the special rule, and shall include the certification required therein.

Section 1.247(f) of the Commission's rules of practice further provides that each applicant shall, if protests to its application have been filed, and within 60 days of the date of this publication, notify the Commission in writing (1) that it is ready to proceed and prosecute the application, or (2) that it wishes to withdraw the application, failure in which the application will be dismissed by the Commission.

Further processing steps (whether modified procedure, oral hearing, or other procedures) will be determined generally in accordance with the Commission's general policy statement concerning motor carrier licensing procedures, published in the FEDERAL REGISTER, issue of May 3, 1966. This assignment

will be by Commission order which will be served on each party of record.

The publications hereinafter set forth reflect the scope of the applications as filed by applicants, and may include descriptions, restrictions, or limitations which are not in a form acceptable to the Commission. Authority which ultimately may be granted as a result of the applications here noticed will not necessarily reflect the phrasology set forth in the application as filed, but also will eliminate any restrictions which are not acceptable to the Commission.

No. MC 7099 (Sub-No. 2), filed June 27, 1966. Applicant: FLASH MOTOR SERVICE, INC., 2221 South 12th Street, St. Louis, Mo. 63104. Applicant's representative: Claude C. Hitchison (same as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Special communications equipment* for account of Southwestern Bell Telephone Co. as directed by the White House Communications Agency, Washington, D.C., between St. Louis, Mo., on the one hand, and, on the other, points in Kansas, Arkansas, Oklahoma, and Texas. NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 7920 (Sub-No. 8), filed June 30, 1966. Applicant: HERRIOTT TRUCKING COMPANY, INC., Alice and Sumner Streets, East Palestine, Ohio. Applicant's representative: Robert N. Krier, 88 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel, iron and steel articles, machinery, equipment, materials, and supplies, used in the manufacturing and processing of iron and steel and iron and steel articles*, between points in Putnam County, Ill., on the one hand, and, on the other, Chicago, Ill., and points in the Chicago, Ill., commercial zone, points in Summit, Portage, Mahoning, Trumbull, Columbiana, Jefferson, and Belmont Counties, Ohio, points in West Virginia on and north of U.S. Highway 40, points in Chautauqua, Cattaraugus, Erie, and Niagara Counties, N.Y., and points in Pennsylvania. NOTE: If a hearing is deemed necessary, applicant requests it be held at Pittsburgh, Pa., Washington, D.C., or Chicago, Ill.

No. MC 29988 (Sub-No. 103), filed June 24, 1966. Applicant: DC INTERNATIONAL, INC., East 45th at Jackson, Denver, Colo. 80216. Applicant's representative: David Axelrod, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except dangerous explosives and commodities in bulk), serving points in Putnam County, Ill., as off-route points in connection with applicant's presently authorized regular route operations. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 30530 (Sub-No. 8), filed June 27, 1966. Applicant: NORTH EASTERN MOTOR FREIGHT, INC., 5231 Monroe Street, Denver, Colo. 80216. Applicant's

representative: Alvin J. Meiklejohn, Jr., 420 Denver Club Building, Denver, Colo. 80202. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, and except livestock, dangerous explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), (1) between Fort Morgan, Colo., and Cheyenne, Wyo., (a) from Fort Morgan, over U.S. Highway 34 to Greeley, Colo., thence over U.S. Highway 85 to Cheyenne; and (b) from Fort Morgan, over Colorado Highway 52 to junction Colorado Highway 14 (approximately 2 miles east of New Raymer, Colo.), thence westerly over Colorado Highway 14 to junction unnumbered highway (approximately 2 miles northwest of Buckingham, Colo.), thence over unnumbered highway via Keota, Grover, and Hereford, Colo., to junction U.S. Highway 30 (approximately 5 miles west of Egbert, Wyo.), thence over U.S. Highway 30 to Cheyenne; and (2) between Sterling, Colo., and Cheyenne, Wyo.: (a) From Sterling, over Colorado Highway 14 to junction U.S. Highway 85 (near Ault, Colo.), thence over U.S. Highway 85 to Cheyenne; and (b) from Sterling, over Colorado Highway 14 to junction unnumbered highway (approximately 2 miles northwest of Buckingham, Colo.), thence northwesterly over unnumbered highway via Keota, Grover, and Hereford, Colo., to junction U.S. Highway 30 (approximately 5 miles west of Egbert, Wyo.), thence over U.S. Highway 30 to Cheyenne; and return over the same routes, serving no intermediate points, as alternate routes for operating convenience only. NOTE: If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 35484 (Sub-No. 67), filed June 27, 1966. Applicant: VIKING FREIGHT COMPANY, 1525 South Broadway, St. Louis, Mo. 63104. Applicant's representative: G. M. Rebman, 314 North Broadway, St. Louis, Mo. 63102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel, iron and steel articles, steelmill materials, supplies, and equipment, and building materials*, between points in Putnam County, Ill., on the one hand, and, on the other, points in Arkansas, Indiana, Kentucky, Louisiana, Mississippi, Missouri, Ohio, Oklahoma, Tennessee, and Texas. NOTE: Applicant states it holds regular route authority through the States of which it here seeks authority. It does not, however, have authority to serve points in Putnam County, Ill., nor does it have authority to serve over irregular routes all points in the named States. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 40456 (Sub-No. 14), filed June 29, 1966. Applicant: JOHN BENKART & SONS CO., a corporation, 2500 North Charles Street, Pittsburgh, Pa. 15214. Applicant's representative: Jerome Solomon, 1302 Grant Building, Pittsburgh,

<sup>1</sup> Copies of special rule 1.247 (as amended) can be obtained by writing to the Secretary, Interstate Commerce Commission, Washington, D.C. 20423.

Pa., 15219. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel, iron and steel articles, steel-mill materials, supplies and equipment, and building materials*, between points in Putnam County, Ill., on the one hand, and, on the other, points in the United States (except Alaska and Hawaii). NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 52458 (Sub-No. 210), filed June 30, 1966. Applicant: T. I. McCORMACK TRUCKING COMPANY, INC., U.S. Highway 9 at Green Street, Woodbridge, N.J. 07095. Applicant's representative: Frank B. Hand, Jr., 921 17th Street NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Liquid chemicals*, in bulk, in tank vehicles, and (2) *urea*, dry, in bulk, from Olean, N.Y., to points in Delaware, Maryland, Indiana, Kentucky, Maine, Massachusetts, Michigan, New Hampshire, New Jersey, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, and West Virginia, and ports of entry on the international boundary line between the United States and Canada, located in New York. NOTE: Applicant states that it intends to tack the proposed authority with presently held authority, in which it is authorized to operate in the States of New York, New Jersey, Connecticut, Rhode Island, Maryland, Pennsylvania, and Delaware. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or New York, N.Y.

No. MC 52709 (Sub-No. 287), filed June 24, 1966. Applicant: RINGSBY TRUCK LINES, INC., 3201 Ringsby Court, Denver, Colo. 80216. Applicant's representative: Eugene Hamilton (same 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, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), serving points in Putnam County, Ill., as off-route points in connection with carrier's regular route operation between Chicago, Ill., and Omaha, Nebr. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant does not specify a location.

No. MC 52979 (Sub-No. 14), filed June 27, 1966. Applicant: HUNT TRUCK LINES, INC., West High Street, Rockwell City, Iowa 50579. Applicant's representative: William A. Landau, 1307 East Walnut Street, Des Moines, Iowa 50306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, as described in appendix V to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, from points in Putnam County, Ill., to points in Iowa, Minnesota, Nebraska, North Dakota, and South Dakota. NOTE: If a hearing is deemed necessary,

applicant requests it be held at Chicago, Ill.

No. MC 64932 (Sub-No. 415), filed June 27, 1966. Applicant: ROGERS CART-AGE CO., a corporation, 1439 West 103rd Street, Chicago, Ill. 60643. Applicant's representative: David Axelrod, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Corn syrup*, unmixed (glucose), *corn syrup and blends thereof, starch, dextrine, steepwater, corn oil, and corn flour*, in bulk in tank- or hopper-type vehicles, from Lafayette, Ind., to points in the United States (except Alaska and Hawaii). NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or St. Louis, Mo.

No. MC 82841 (Sub-No. 21), filed June 27, 1966. Applicant: R. D. TRANSFER, INC., 801 Livestock Exchange Building, Omaha, Nebr. Applicant's representative: Donald L. Stern, 630 City National Bank Building, Omaha, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Agricultural implements, farm machinery, grain wagons, power vehicle loading equipment, and towing machines and attachments*, from points in Woodbury County, Iowa, to points in the United States (excluding Alaska and Hawaii). NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 82841 (Sub-No. 22), filed June 29, 1966. Applicant: R. D. TRANSFER, INC., 801 Livestock Exchange Building, Omaha, Nebr. Applicant's representative: Donald L. Stern, 630 City National Bank Building, Omaha, Nebr. 68102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wood shavings, wood chips, sawdust, and lumber*, from points in Saunders County, Nebr., to points in Iowa, South Dakota, Kansas, Missouri, and those in Minnesota on and south of U.S. Highway 12. NOTE: Applicant states that it will tack the proposed authority with existing authority in which it is authorized to operate in the States of Wyoming, Utah, Colorado, and Arizona. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 83539 (Sub-No. 190), filed June 27, 1966. Applicant: C & H TRANSPORTATION CO., INC., 1935 West Commerce Street, Dallas, Tex. 75222. Applicant's representative: W. T. Brunson, 419 Northwest Sixth Street, Oklahoma City, Okla. 73102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Transformers and switches, which because of size require the use of special equipment*, and, (2) *transformers and switches, other than those described above*, when transported in mixed loads with shipments of transformers and switches requiring special equipment, from the plantsite of General Electric Co. at or near Rome, Ga., to points in Wisconsin, Iowa, and Missouri. NOTE: If a hearing is deemed necessary, appli-

cant requests it be held at Washington, D.C., Atlanta, Ga., or Chicago, Ill.

No. MC 87103 (Sub-No. 5), filed June 29, 1966. Applicant: JOSEPH H. SHAW, doing business as MILLER TRANSFER AND STORAGE, Clarion, Pa. Applicant's representative: Jerome Solomon, 1302 Grant Building, Pittsburgh, Pa. 15219. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel, iron and steel articles, steelmill materials, supplies and equipment, and building materials*, between points in Putnam County, Ill., on the one hand, and, on the other, points in the United States (excluding Alaska and Hawaii). NOTE: Applicant is also authorized to conduct operations as contract carrier in permit No. MC 119302, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant does not specify a location.

No. MC 89723 (Sub-No. 41), filed June 15, 1966. Applicant: MISSOURI PACIFIC TRUCK LINES, INC., 210 North 13th Street, St. Louis, Mo. 63103. Applicant's representative: Robert S. Davis (same address as above). Applicant is authorized in certificate No. MC 89723, Sub-No. 4 to transport, over regular routes, between named points therein, in Texas, general commodities, without exceptions, but subject to restrictions, including certain key points. The purpose of the subject application is to seek authority to operate over the routes contained in MC 89723, Sub-No. 4 by removal of Waco, Tex., as a key point in said certificate. The proposed authority is to be subject to the remaining key point restrictions and other restrictions contained in said certificate. NOTE: Applicant is a wholly owned subsidiary of Missouri Pacific Railroad Co.; therefore, common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Houston or Dallas, Tex.

No. MC 102567 (Sub-No. 112), filed May 17, 1966. Applicant: EARL CLARENCE GIBBON, doing business as EARL GIBBON PETROLEUM TRANSPORT, 235 Benton Road, Bossier City, La. Applicant's representative: Jo E. Shaw, Bettis Building, Houston, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Tall oil*, in bulk, in tank vehicles, from Monroe, La., to Picayune, Miss., and (2) *naval stores, naval stores products, tall oil and tall oil products*, in bulk, in tank vehicles, from Picayune, Miss., and DeRidder, La., to points in Alabama, Arkansas, Connecticut, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, New Jersey, New York, North Carolina, Oklahoma, Ohio, Tennessee, Texas, Virginia, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at New Orleans, La.

No. MC 103993 (Sub-No. 261), filed June 24, 1966. Applicant: MORGAN DRIVE-AWAY, INC., 2800 West Lexington Avenue, Elkhart, Ind. 46515. Applicant's representative: James E. Lesh,

3737 North Meridian Street, Indianapolis, Ind. 46208. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers* designed to be drawn by passenger automobiles, in initial movements, from points in Baltimore County, Md., to points in the United States (excluding Hawaii). NOTE: If a hearing is deemed necessary, applicant requests it be held at Baltimore, Md., or Washington, D.C.

No. MC 105461 (Sub-No. 73), filed June 28, 1966. Applicant: HERRER'S MOTOR EXPRESS, INC., Box 8, Quarryville, Pa. 17566. Applicant's representative: Robert R. Herr (same address). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used empty containers*, 5 gallons or over in capacity, made of metal, fiberboard, and metal and fiberboard combined, from points in Maine, New Hampshire, and Vermont, to Philadelphia, Pa., and Paulsboro, N.J. NOTE: If a hearing is deemed necessary, applicant requests it be held in Washington, D.C., or Philadelphia, Pa.

No. MC 105813 (Sub-No. 144), filed June 23, 1966. Applicant: BELFORD TRUCKING CO., INC., 3500 Northwest 79th Avenue, Miami, Fla. 33144. Applicant's representative: David Axelrod, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, and meat byproducts*, from Lemont, Ill., to points in Alabama, Florida, Georgia, North Carolina, South Carolina, Mississippi, and Louisiana. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 107403 (Sub-No. 686), filed June 28, 1966. Applicant: MATLACK, INC., 10 West Baltimore Avenue, Lansdowne, Pa. 19050. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coal tar and coal tar products*, in bulk, in tank vehicles, from Toledo, Ohio, to points in Michigan. NOTE: Applicant states its operating authority in its Sub 147 could or would be tacked with the authority sought herein at Toledo, Ohio, to permit service from Philadelphia, Pa., to points in Michigan. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 107527 (Sub-No. 44), filed June 27, 1966. Applicant: POST TRANSPORTATION COMPANY, a corporation, 3152 East 26th Street, Los Angeles, Calif. 90023. Applicant's representative: John C. Allen, 1210 West Fourth Street, Los Angeles, Calif. 90017. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Contaminated residue acid*, of no commercial value, in bulk, in tank vehicles, from Torrance, Calif., to Garfield, Utah, under contract with Stauffer Chemical Co. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif.

No. MC 107983 (Sub-No. 9), filed June 27, 1966. Applicant: COLD-WAY EX-

PRESS, INC., Box 26, Morton, Ill. 61550. Applicant's representative: George S. Mullins, 4704 West Irving Park Road, Chicago, Ill. 60641. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Dairy products, including butter, powdered milk, condensed milk, ice cream mix, and oleomargarine*, between Litchfield and Minonk, Ill., on the one hand, and, on the other, Indianapolis, Ind., Louisville, Ky., and Knoxville, Tenn., under a continuing contract or contracts with Sugar Creek Foods, division of National Dairy Products Corp. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 108119 (Sub-No. 12), filed June 27, 1966. Applicant: E. L. MURPHY TRUCKING CO., a corporation, 2330 West County Road C, St. Paul, Minn. 55113. Applicant's representative: Donald A. Morken, 1000 First National Bank Building, Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel articles*, between points in Putnam County, Ill., on the one hand, and, on the other, points in the United States (excluding Alaska and Hawaii). NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 110420 (Sub-No. 527), filed June 27, 1966. Applicant: QUALITY CARRIERS, INC., 100 South Calumet Street, Burlington, Wis. 53105. Applicant's representative: Fred H. Figge (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid sugars, and blends of liquid sugars and corn syrup*, in bulk, in tank vehicles, from Detroit, Mich., to Johnstown, Pa. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 111401 (Sub-No. 200), filed June 29, 1966. Applicant: GROENDYKE TRANSPORT, INC., 2510 Rock Island Boulevard, Post Office Box 632, Enid, Okla. 73701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia and fertilizer solutions*, in bulk, in tank vehicles, from the plantsite of Phillips Petroleum Co. at or near Hoag, Nebr., to points in Missouri, east of U.S. Highway 63. NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr., or Kansas City, Kans.

No. MC 111594 (Sub-No. 30), filed June 27, 1966. Applicant: CENTRAL WISCONSIN MOTOR TRANSPORT COMPANY, a corporation, 610 High Street, Wisconsin Rapids, Wis. Applicant's representative: David Axelrod, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, and commodities in bulk, in tank vehicles), between points in Putnam

County, Ill., on the one hand, and, on the other, points in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, Ohio, Oklahoma, North Dakota, South Dakota, Tennessee, Texas, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 112009 (Sub-No. 3), filed June 29, 1966. Applicant: REID SMITH, doing business as STAR VALLEY EXPRESS SERVICE, 1013 Third West Avenue, Kemmerer, Wyo. 83101. Applicant's representative: Ronald N. Cobert, 600 Madison Building, Washington, D.C. 20005. 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, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), between Kemmerer, Wyo., and Alpine, Wyo., as follows: From Kemmerer over U.S. Highway 30N to junction Wyoming Highway 89, thence over Wyoming Highway 89 to junction U.S. Highway 89, thence over U.S. Highway 89 to Alpine, and return over the same route, serving all intermediate points, and the off-route points of Fairview, Auburn, Bedford, and Turnerville, Wyo. NOTE: Applicant states that one of the purposes of the instant application is to enable the applicant to provide the proposed service on traffic, which will have a prior movement by rail or motor carrier. Applicant further states that the latter instance contemplates an interchange or interline arrangement with shipments either originating at or destined to points in other States including the States of Colorado and Utah. If a hearing is deemed necessary, applicant requests it be held at Afton, Wyo., or Idaho Falls, Idaho.

No. MC 112893 (Sub-No. 38), filed June 27, 1966. Applicant: BULK TRANSPORT COMPANY, a corporation, 100 South Calumet Street, Burlington, Wis. 53105. Applicant's representative: Fred H. Figge (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel, iron and steel articles and materials, equipment and supplies*, used in the manufacture and distribution of the above named products, between points in Putnam County, Ill., on the one hand, and, on the other, points in Arkansas, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, Oklahoma, South Dakota, Tennessee, Texas, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 113362 (Sub-No. 120), filed June 27, 1966. Applicant: ELLSWORTH FREIGHT LINES, INC., 220 East Broadway, Eagle Grove, Iowa. Applicant's representative: Marshall D. Becker, 630 City National Bank Building, Omaha, Nebr. 68102. Authority sought to operate as a *common carrier*,

by motor vehicle, over irregular routes, transporting: *Frozen prepared foods and frozen pies*, not baked, from Marshall, Mo., to points in Iowa, Minnesota, Nebraska, North Dakota, and South Dakota. NOTE: Applicant states that it intends to tack proposed authority with existing authority in which it is authorized to operate in the States of Iowa, Indiana, Illinois, Ohio, Wisconsin, Connecticut, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, and Vermont. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or St. Louis or Kansas City, Mo.

No. MC 114734 (Sub-No. 13), filed June 28, 1966. Applicant: D AND J TRANSFER CO., a corporation, Sherburn, Minn. Applicant's representative: Richard A. Peterson, Post Office Box 2028, 605 South 14th Street, Lincoln, Nebr. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Meats, packinghouse products and commodities used by packinghouses* as described in sections A, C, and D of appendix I to the report in *Description in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, between Sioux Falls, S. Dak., and Spencer, Iowa, under contract with Spencer Packing Co. NOTE: Applicant states a portion of its pending Sub 11 seeks authority to transport these commodities between Sioux Falls, S. Dak., and Spencer, Iowa, however, the Sub 11 proceeding is much broader in scope than this application. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr., or Des Moines, Iowa.

No. MC 115162 (Sub-No. 133), filed June 27, 1966. Applicant: WALTER POOLE, doing business as POOLE TRUCK LINE, Post Office Box 310, Evergreen, Ala. Applicant's representative: Robert E. Tate, 2025 City Federal Building, Birmingham, Ala. 35203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber*, from Ripley, Tenn., to points in Indiana and Illinois. NOTE: If a hearing is deemed necessary, applicant requests it be held at Memphis, Tenn.

No. MC 115841 (Sub-No. 295), filed June 24, 1966. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., Post Office Box 2169, 1215 Bankhead Highway West, Birmingham, Ala. Applicant's representative: Harry Ross, 848 Warner Building, Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal, poultry, fish, food and feed and feed ingredients and supplements thereto* (except in bulk, in tank vehicles), from points in La Fourche Parish, La., to points in Mississippi, Alabama, Tennessee, Kentucky, Indiana, Michigan, Ohio, Virginia, West Virginia, Pennsylvania, Maryland, Delaware, New Jersey, New York, Connecticut, Rhode Island, Massachusetts, and the District of Columbia. NOTE: If a hearing is deemed necessary,

applicant requests it be held at Atlanta, Ga.

No. MC 115876 (Sub-No. 11) (Amendment), filed June 2, 1966, published in FEDERAL REGISTER issue of June 30, 1966, amended and republished as amended this issue. Applicant: ERWIN HURNER, 2605 South Rivershore Drive, Moorhead, Minn. 56560. Applicant's representative: Alan Foss, 502-First National Bank Building, Fargo, N. Dak. 58102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages and articles dealt in by wholesale beverage distributors*, from Milwaukee, Wis., and Detroit, Mich., and points in Big Horn County, Wyo., to Moorhead, Minn., and Fargo, N. Dak. NOTE: Applicant states that the proposed operations will be under contract with Persellin Distributing Co., Moorhead, Minn. Applicant holds common carrier authority in certificate No. MC 117148, therefore, dual operations may be involved. The purpose of this republication is to broaden the authority sought. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn., or Fargo, N. Dak.

No. MC 117439 (Sub-No. 23), filed June 29, 1966. Applicant: BULK TRANSPORT, INC., U.S. Highway 190, Post Office Box 89, Port Allen, La. 70767. Applicant's representative: J. W. Standard (same as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Ground oyster shells*, in bulk, and *mineral filler*, in bulk, from Mobile, Ala., to points in Mississippi, Louisiana, and Florida. NOTE: If a hearing is deemed necessary, applicant requests it be held at Mobile, Ala., or New Orleans, La.

No. MC 117765 (Sub-No. 47), filed June 27, 1966. Applicant: HAHN TRUCK LINE, INC., 5800 North Eastern Avenue, Oklahoma City, Okla. 73111. Applicant's representative: R. E. Hagan (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer, fertilizer compounds and ingredients, and urea*, dry, in bags or in bulk, in straight or mixed shipments, from Oklahoma City, Okla., to Celeste, Dallas, Frisco, Hillsboro, Honeygrove, Rosebud, and Sanger, Tex. NOTE: If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla.

No. MC 117765 (Sub-No. 48), filed June 27, 1966. Applicant: HAHN TRUCK LINE, INC., 5800 North Eastern Avenue, Oklahoma City, Okla. 73111. Applicant's representative: R. E. Hagan (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Volcanic ash*, in bags, boxes, barrels, and containers, from Custer City, Okla., to points in Arkansas, Colorado, Illinois, Indiana, Iowa, Kansas, Minnesota, Missouri, Nebraska, New Mexico, North Dakota, South Dakota, Tennessee, Texas, Utah, Wisconsin, and Wyoming. NOTE: If a hearing is deemed

necessary, applicant requests it be held at Oklahoma City, Okla.

No. MC 118130 (Sub-No. 52), filed June 29, 1966. Applicant: BEN HAMRICK, INC., 2000 Chelsea Drive West, Fort Worth, Tex. 76134. Applicant's representative: Thomas F. Kilroy, 1341 G Street NW., Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Prepared frozen food and pies*, not baked, from Turlock, Calif., to points in Washington, Oregon, Idaho, Montana, Nevada, Utah, Wyoming, Colorado, Arizona, New Mexico, and Texas. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 119531 (Sub-No. 58), filed June 30, 1966. Applicant: DIECKBRADER EXPRESS, INC., 5391 Wooster Road, Cincinnati, Ohio 45226. Applicant's representative: Charles W. Singer, 33 North La Salle Street, Suite 3600, Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glassware and glass containers, with or without their equipment of caps, covers, stoppers or tops and paper cartons used in packaging glassware and glass containers*, from Parkersburg, W. Va., to points in Illinois, Indiana, Kentucky, the Lower Peninsula of Michigan, New York, Ohio, and Pennsylvania. NOTE: Applicant states possible tacking will exist at Lapel, Ind., with presently held authority to serve points in Iowa, Minnesota, Wisconsin, the Lower Peninsula of Michigan and Kentucky (except Louisville). Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Charleston, W. Va., or Columbus, Ohio.

No. MC 119934 (Sub-No. 124), filed June 27, 1966. Applicant: ECOFF TRUCKING, INC., Fortville, Ind. Applicant's representative: Robert C. Smith, 620 Illinois Building, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Soya flour, including flakes and grits*, in bulk, from Decatur, Ill., to Remington, Ind. NOTE: Applicant has pending a contract carrier application in MC 128161. If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind., or Chicago, Ill.

No. MC 119934 (Sub-No. 125), filed June 30, 1966. Applicant: ECOFF TRUCKING, INC., Fortville, Ind. Applicant's representative: Robert C. Smith, 620 Illinois Building, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Corn products*, dry, in bulk, from Danville, Ill., to points in Indiana, Ohio, and Kentucky. NOTE: Applicant has pending a contract carrier application in MC 128161. If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind., or Chicago, Ill.

No. MC 123393 (Sub-No. 137), filed June 30, 1966. Applicant: BILYEU REFRIGERATED TRANSPORT CORPORATION, 2105 East Dale Street; Springfield, Mo. 65803. Applicant's representa-

tive: Harley E. Laughlin, Post Office Box 948, Commercial Station, Springfield, Mo. 65803. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel, iron and steel articles, materials, supplies, and equipment used and distributed by iron and steel dealers and manufacturers*, between points in Putnam County, Ill., and points in Arkansas, Iowa, Kansas, Minnesota, Mississippi, Missouri, Nebraska, North Dakota, Oklahoma, South Dakota, Texas, and Wisconsin. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 123393 (Sub-No. 138), filed June 30, 1966. Applicant: BILYEU REFRIGERATED TRANSPORT CORPORATION, 2105 East Dale Street, Springfield, Mo. 65803. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel, iron and steel articles, materials, supplies, and equipment*, used and distributed by iron and steel dealers and manufacturers, between points in Putnam County, Ill., and points in Alabama, Florida, Georgia, Indiana, Kentucky, Louisiana, Michigan, Ohio, and Tennessee. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 123393 (Sub-No. 139), filed June 30, 1966. Applicant: BILYEU REFRIGERATED TRANSPORT CORPORATION, 2105 East Dale Street, Springfield, Mo. 65803. Applicant's representative: Harley E. Laughlin, Post Office Box 948, Commercial Station, Springfield, Mo. 65803. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel, iron and steel articles, materials, supplies, and equipment*, used and distributed by iron and steel dealers and manufacturers, between points in Putnam County, Ill., Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 125777 (Sub-No. 101), filed June 29, 1966. Applicant: JACK GRAY TRANSPORT, INC., 3200 Gibson Transfer Road, Hammond, Ind. Applicant's representative: David Axelrod, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities as are usually transported in dump vehicles*, between points in Putnam County, Ill., on the one hand, and, on the other, points in Alabama, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, West Virginia, North Dakota, South Dakota, Wisconsin, Pennsylvania, Tennessee, and New York. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 126327 (Sub-No. 2) (Correction), filed May 16, 1966, published FED-

ERAL REGISTER, issue of June 16, 1966, and republished as corrected this issue. Applicant: GERALD SMITH AND JACK COLLIE, a partnership, doing business as C & S TRUCKING, 2501 South Alameda Street, Los Angeles, Calif. 90011. Applicant's representative: Ernest D. Salm, 3846 Evans Street, Los Angeles, Calif. 90027. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Food, food products, and such merchandise as is dealt in by wholesale, retail, and chain grocery and food business houses*, between points in Alameda, Contra Costa, Los Angeles, Marin, Napa, Orange, Riverside, San Bernardino, San Francisco, San Mateo, Santa Clara, Solano, and Sonoma Counties, Calif., on the one hand, and, on the other, points in Cococino, Maricopa, Mohave, Pima, Pinal, Santa Cruz, Yavapai, and Yuma Counties, Ariz. NOTE: The purpose of this republication is to correctly show the points involved. If a hearing is deemed necessary, applicant requests it be held at Phoenix, Ariz.

No. MC 126752 (Sub-No. 1), filed June 29, 1966. Applicant: JOYNER TRUCK LINES, INC., 600 Joyner Street, Milledgeville, Ga. Applicant's representative: T. Baldwin Martin, 700 Home Federal Building, Macon, Ga. 31201. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Prefabricated buildings*, from Wrightsville, Ga., to points in Alabama, Florida, Kentucky, Mississippi, North Carolina, South Carolina, and Tennessee, under a continuing contract or contracts with Built-Well Homes, Inc., doing business as Monarch Homes. NOTE: If a hearing is deemed necessary, applicant requests it be held at Macon, Ga., or Atlanta, Ga.

No. MC 126835 (Sub-No. 8), filed June 27, 1966. Applicant: EDGAR BISCHOFF, doing business as CASKET DISTRIBUTORS, Rural Route 5, Brookville, Ind. Applicant's representative: Jack B. Josselson, 700 Atlas Bank Building, Cincinnati, Ohio 45202. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Caskets, casket displays and funeral supplies* when moving with caskets, from Nashville, Tenn., to Albany, Brooklyn, Buffalo, Central Islip, Hempstead, Long Island City, New York City, Oneida, Rochester, Syracuse, and White Plains, N.Y., Baltimore, Md., Boston and Cambridge, Mass., Chicago, Ill., Cincinnati and Cleveland, Ohio, Dallas, Houston, Lubbock, San Antonio and Waco, Tex., Decatur, Ga., Duluth, Minn., Indianapolis, Ind., Louisville and Lancaster, Ky., Newark, N.J., New Haven, Conn., Norfolk, Va., Oklahoma City, Okla., Orlando, Fla., Philadelphia and Pittsburgh, Pa., Portland, Maine, Providence, R.I., and Washington, D.C., *return shipments, casket covers and casket shipping containers*, on return, under contract with National Casket Co., Inc. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 128014 (Sub-No. 1), filed June 27, 1966. Applicant: RICKS & SONS DISTRIBUTING CO., INC., Boykins, Va. Applicant's representative: Jno. C. Goddin, Insurance Building, 10 South 10th Street, Richmond, Va. 23219. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Flaked tall oil rosin* in bags and drums, from Severn, N.C., to New Market and Trenton, N.J. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Richmond, Va.

No. MC 128050 (Sub-No. 1), filed June 27, 1966. Applicant: JOHN R. BARLOW, Dove Creek, Colo. Applicant's representative: Harry D. Pugsley, 600 El Paso Gas Building, Salt Lake City, Utah 84111. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Uranium ore*, in bulk, from Enos Johnson minesite located near Sa-nos-tee, N. Mex., to Uravan, Colo., for the account of Ray Williams Mining. NOTE: If a hearing is deemed necessary, applicant requests it be held at Grand Junction, Colo., or Salt Lake City, Utah.

No. MC 128103 (Sub-No. 1), filed June 27, 1966. Applicant: GRACE HALL SALMONS, doing business as HALL TRUCK LINE, 703 West Broadway, Monmouth, Ill. Applicant's representative: Robert T. Lawley, 308 Reisch Building, Springfield, Ill. 62701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts, and articles distributed by meat packinghouses*, between Monmouth, Ill., and Galesburg, Ill. NOTE: Applicant states that the above operation is restricted to traffic having a prior or subsequent movement via rail. If a hearing is deemed necessary, applicant requests it be held at Springfield, Ill., or St. Louis, Mo.

No. MC 128142 (Sub-No. 1), filed May 19, 1966. Applicant: VINCENT A. CONRAD, doing business as W. C. TRUCKING CO., 198 Main Street, Dubuque, Iowa. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Lumber and building materials as described in Motor Carrier Certificates*, 61 M.C.C. 209 at 279-283 (appendix VI), from Dubuque, Iowa, to points in Carroll, Joe Davless, and Stephenson Counties, Ill., points in Iowa and points in Crawford, Grant, Iowa, and Lafayette Counties, Wis., and *refused, rejected, or damaged shipments*, on return, under contract with Wickes Lumber & Building Supplies, Dubuque, Iowa. NOTE: If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 128228 (Amendment), filed May 16, 1966, published FEDERAL REGISTER issue of June 9, 1966, amended June 30, 1966, and republished, as amended, this issue. Applicant: H. F. LLOYD TRUCKING, INC., 410 Wicks Lane, Billings, Mont., 59101. Applicant's representative: Jerome Anderson, Suite 300, First National Bank Building, Billings, Mont. 59101. Authority sought to operate as

a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Lumber, timbers, poles, posts and piling, plywood and hardboard*, from White Sulphur Springs, Mont., and points within 5 miles thereof, to points in North Dakota, South Dakota, Nebraska, Kansas, Minnesota, Iowa, Wisconsin, Illinois, Indiana, and Utah. **NOTE:** The purpose of this republication is to change the proposed operation from a "between" movement to a "from and to" movement. If a hearing is deemed necessary, applicant requests it be held at Billings, Mont.

No. MC 128286 (Amendment), filed May 19, 1966, published FEDERAL REGISTER issues of June 30, 1966 and July 8, 1966, and republished as amended this issue. Applicant: WILSON W. REAR-ICK, Star Route, Apollo, Pa. Applicant's representative: Jerome Solomon, 1302 Grant Building, Pittsburgh, Pa. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Refractory products and refractory materials* (except refractory and firebrick), between Latrobe, Somerset, and points in Gilpin Township, Armstrong County, Pa., on the one hand, and, on the other, points in New York, Maryland, Ohio, Delaware, Illinois, Indiana, Kentucky, and West Virginia and (2) *sand and loam*, in bulk, in dump vehicles, between points in Gilpin Township, Armstrong County, Pa., and points in Ohio, West Virginia, Maryland, and New York, under contract or continuing contract with Bognar & Co., Inc., Union Mining Co., Union Refractories, Inc., and Union Fire Brick Co., Pittsburgh, Pa. **NOTE:** The purpose of this republication is to reflect a change in the scope of the application as published June 30, 1966, and to show the application as republished July 8, 1966, as an amendment, inadvertently omitted in that republication. If a hearing is deemed necessary, applicant requests it be held at Pittsburgh, Pa.

No. MC 128314, filed June 6, 1966. Applicant: FRED LEE WATSON, doing business as WATSON TRANSPORT COMPANY, 828 Bethsaida Road, Boaz, Ala. 35957. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Textile products and machinery, new mobile homes and materials incidental to manufacture*, between points in the United States. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Boaz, Birmingham, or Montgomery, Ala.

No. MC 128321, filed June 15, 1966. Applicant: WILBUR J. SCOTT, doing business as WRIGHT-WAY EXPRESS, 2786 75th Avenue, Baton Rouge, La. Applicant's representative: Robert E. Tate, 2025 City Federal Building, Birmingham, Ala. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Glass containers*, from Terre Haute, Ind., to Houma, Alexandria, and Baton Rouge, La., under a contract with Wright Root Beer Co., Inc. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Baton Rouge, La.

No. MC 128355, filed June 27, 1966. Applicant: HURLIMAN TRUCKING COMPANY, a corporation, Post Office Box 17204, Portland, Ore. Applicant's representative: Earle V. White, 2130 Southwest Fifth Avenue, Portland, Ore. 97201. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Baked goods such as chocolate eclairs and cream puffs, coffee whiteners, dessert base, dessert toppings, dry coffee rich, and dry whipped topping*, in mechanically refrigerated vehicles, from Buffalo, N.Y., to points in Arizona, California, Colorado, Idaho, Iowa, Kansas, Montana, Nebraska, New Mexico, North Dakota, Oregon, South Dakota, Utah, Washington, and Wyoming; under contract with the Rich Products Corp. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Portland, Ore., or Chicago, Ill.

No. MC 128356, filed June 28, 1966. Applicant: DOWNINGTOWN TRAILER CARRIERS, INC., 410 South Brandywine Avenue, Downingtown, Pa. Applicant's representative: Paul Ribner, 400 Penn Square Building, Juniper and Filbert Streets, Philadelphia, Pa. 19107. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New and used trailers* (excluding house trailers), between the plantsites of the Gindy Manufacturing Corp. in Lebanon, Honeybrook, Downingtown, Philadelphia, and the village of Eagle, Upper Uwchlund Township, Chester County, Pa., and points in Ohio, West Virginia, Virginia, North Carolina, Maryland, Delaware, New Jersey, New York, Connecticut, Rhode Island, Massachusetts, Vermont, New Hampshire, and Maine. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa.

No. MC 128357, filed June 29, 1966. Applicant: CHARLES HOFMANN, 15 Holmehurst Avenue, Baltimore, Md. Applicant's representative: V. Baker Smith, 2107 Fidelity-Philadelphia Trust Building, Philadelphia, Pa. 19109. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise as is dealt in by wholesale, retail and chain grocery and food business houses, and in connection therewith, equipment, materials and supplies used in the conduct of such business*, between points in the territory bounded by a line beginning at Cape Charles, Va., and extending in a southerly direction along the Chesapeake Bay to the Atlantic Ocean; thence in a northerly direction along the Atlantic Coast to the Delaware Bay, thence along the west shore of the Delaware Bay and Delaware River to Delaware City, Del., thence in a northerly direction on Delaware Highway 9 to junction Delaware Highway 273, thence along Delaware Highway 273 to the Delaware-Maryland State line, thence north on the Delaware-Maryland State line to the Pennsylvania-Maryland-Delaware State line and thence west on the Pennsylvania-Maryland-Delaware State line to the Susquehanna River, thence in a northwesterly

direction along the east bank of the Susquehanna River, to Columbia, Pa., thence easterly on U.S. Highway 30 to Lancaster, Pa., and thence in a northerly direction on Pennsylvania Highway 72 to its junction with U.S. Highway 22, thence in a westerly direction on U.S. Highway 22 to its junction with Pennsylvania Highway 34; thence in a southwesterly direction along Pennsylvania Highway 34 to its junction with Pennsylvania Highway 274, continuing southwesterly on Pennsylvania Highway 274 to its junction with Pennsylvania Highway 75, thence south on Pennsylvania Highway 75 to its junction with U.S. Highway 30, thence west along U.S. Highway 30 to McConnellsburg, Pa., thence south on U.S. Highway 522 through Culpeper, Va., to its junction with Virginia Highway 3, thence southeasterly on Virginia Highway 3 to Fredericksburg, Va., thence southeasterly on U.S. Highway 17 to Gloucester Point, Va.; thence across the Chesapeake Bay to Cape Charles, Va., including points on the above described lines and highways, under a continuing contract or contracts, with Acme Markets, Inc., of Philadelphia, Pa. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 128358, filed June 29, 1966. Applicant: WILLIAM HESSON, 84 Chatham Road, Ellicott City, Md. Applicant's representative: V. Baker Smith, 2107 Fidelity-Philadelphia Trust Building, Philadelphia, Pa. 19109. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise as is dealt in by wholesale, retail and chain grocery and food business houses, and in connection therewith, equipment, materials and supplies used in the conduct of such business*, between points in the territory bounded by a line beginning at Cape Charles, Va., and extending in a southerly direction along the Chesapeake Bay to the Atlantic Ocean, thence in a northerly direction along the Atlantic coast to the Delaware Bay, thence along the west shore of the Delaware Bay and the Delaware River to Delaware City, Del., thence in a northerly direction on Delaware Highway 9 to junction Delaware Highway 273, thence along Delaware Highway 273 to the Delaware-Maryland State line, thence north along the Delaware-Maryland State line to the Pennsylvania-Maryland-Delaware State line, thence west on the Pennsylvania-Maryland State line to the Susquehanna River, thence in a northwesterly direction along the east bank of the Susquehanna River, to Columbia, Pa., thence easterly on U.S. Highway 30 to Lancaster, Pa., thence in a northerly direction on Pennsylvania Highway 72 to junction U.S. Highway 22, thence in a westerly direction on U.S. Highway 22 to junction Pennsylvania Highway 34, thence in a southwesterly direction along Pennsylvania Highway 34 to junction Pennsylvania Highway 274, continuing southwesterly on Pennsylvania Highway 274 to junction Pennsylvania Highway 75, thence south on Pennsylvania Highway



75 to junction U.S. Highway 30, thence west along U.S. Highway 30 to McConellsburg, Pa., thence south on U.S. Highway 522 through Culpeper, Va., to junction Virginia Highway 3, thence southeasterly on Virginia Highway 3 to Fredericksburg, Va., thence southeasterly on U.S. Highway 17 to Gloucester Point, Va., thence across the Chesapeake Bay to Cape Charles, Va., including points on the above-described lines and highways, restricted to transportation service to be performed, under a continuing contract, or contracts, with Acme Markets, Inc., of Philadelphia, Pa. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 128360, filed June 27, 1966. Applicant: KITSAP DELIVERY, INC., 3065 Timber Lane, Bremerton, Wash. Applicant's representative: Glenn W. Toomey, 1500 Hoge Building, Seattle, Wash. 98104. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), between airports in King County, Wash., on the one hand, and, on the other, points in Whatcom, Skagit, Snohomish, King, Pierce, Thurston, and Kitsap Counties, Wash., restricted to shipments having a prior or subsequent movement by air. NOTE: If a hearing is deemed necessary, applicant requests it be held at Seattle, Wash.

No. MC 128361, filed June 27, 1966. Applicant: D. L. CRAWFORD, doing business as MAYFIELD PAVING COMPANY, Golo Road, Mayfield, Ky. 42066. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Crushed stone, hot mix asphalt, gravel, agricultural lime*, between points in Kentucky and Tennessee, under a contract with Western Materials Co., Inc., New Concord, Ky. NOTE: If a hearing is deemed necessary, applicant requests it be held at Memphis, Tenn.

No. MC 128364, filed June 30, 1966. Applicant: C. C. PLUMLEY, 840 Cheney Avenue, Marion, Ohio. Applicant's representatives: James E. Wilhelm, Jr., 37 West Broad Street, Columbus, Ohio 43215, and Herbert Baker, 50 West Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel products*, from Marion, Ohio, to points in the Lower Peninsula of Michigan, under continuing contract or contracts with Pollak Steel Co. NOTE: If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 128365, filed June 29, 1966. Applicant: SILVER FLEET, INC., 5001 South Alameda Street, Los Angeles, Calif. Applicant's representative: Ronald N. Cobert, 600 Madison Building, Washington, D.C. 20005. Authority

sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), (1) between points in Los Angeles, Orange, Riverside, and San Bernardino Counties, Calif., and (2) between Los Angeles, Calif., on the one hand, and, on the other, points in San Diego, Santa Barbara, and Ventura Counties, Calif. NOTE: Applicant states it owns 100 percent stock of Falcon Freight (MC 96748) and will surrender certificate No. MC 96748 Sub 1 if this application is granted. If a hearing is deemed necessary, applicant requests it be held at Los Angeles or San Francisco, Calif.

#### APPLICATION FOR BROKERAGE LICENSE

No. MC 130002, filed June 8, 1966. Applicant: EMMA WALDECK, H. M. SRYGLER, and R. L. SRYGLER, a partnership, doing business as E-TOWN TRAVEL AGENCY, Masonic Building, Elizabethtown, Ky. 42701. For a license (BMC 5) to engage in operations as a *broker* at Elizabethtown, Ky., in arranging for the transportation by motor vehicle, in interstate or foreign commerce of *passengers and their baggage*, in charter operations, between points in the United States.

#### APPLICATIONS IN WHICH HANDLING WITHOUT ORAL HEARING HAS BEEN REQUESTED

No. MC 102616 (Sub-No. 805), filed June 27, 1966. Applicant: COASTAL TANK LINES, INC., 501 Grantley Road, York, Pa. 17405. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum asphalt and asphaltic emulsions*, in bulk, in tank vehicles, from Cock Pit Point, Prince William County, Va., to points in the District of Columbia, Maryland, West Virginia, North Carolina, and Pennsylvania.

No. MC 126556 (Sub-No. 2), filed June 27, 1966. Applicant: TALLYHO TRANSPORT, INC., 211½ West Main Street, Marshalltown, Iowa, 50158. Applicant's representative: Max M. Mills (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except livestock, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), having immediately prior or subsequent movement by air, between Marshalltown, Iowa, and Chicago, Ill., area airports.

#### MOTOR CARRIER OF PASSENGERS

No. MC 1515 (Sub-No. 109), filed June 27, 1966. Applicant: GREYHOUND LINES, INC., 140 South Dearborn Street, Chicago, Ill. 60603. Applicant's representative: Robert J. Bernard (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage*, and *express and newspapers*, in the same

vehicle with passengers, between Fort Stockton, Tex., and junction U.S. Highways 80 and 290, over U.S. Highway 290, serving all intermediate points. NOTE: Common control may be involved.

By the Commission.

[SEAL] H. NEIL GARSON,  
Secretary.

[F.R. Doc. 66-7613; Filed, July 13, 1966; 8:45 a.m.]

#### FOURTH SECTION APPLICATION FOR RELIEF

JULY 11, 1966.

Protests to the granting of an application must be prepared in accordance with Rule 1.40 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. 40602—*Fresh meats and packinghouse products to points in southern territory*. Filed by Western Trunk Lines Committee, agent (No. A-2459), for interested rail carriers. Rates on fresh meats and packinghouse products, in carloads, from Fort Morgan, Colo., and Phelps, Mo., to points in southern territory.

Grounds for relief—Market competition.

Tariff—Supplement 36 to Western Trunk Line Committee, agent, tariff ICC A-4518.

By the Commission.

[SEAL] H. NEIL GARSON,  
Secretary.

[F.R. Doc. 66-7657; Filed, July 13, 1966; 8:47 a.m.]

[Notice 212]

#### MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

JULY 11, 1966.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules in Ex Parte No. MC 67 (49 CFR Part 240), published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protest must be served on the applicant, or its authorized representative, if any, and the protest must certify that such service has been made. The protest must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six (6) copies.

A copy of the application is on file, and can be examined, at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in

the field office to which protests are to be transmitted.

No. MC 13651 (Sub-No. 5 TA), filed July 6, 1966. Applicant: PEOPLE'S TRANSFER, INC., 701 North 22d Avenue, Phoenix, Ariz. 85009. Applicant's representative: A. M. Bernstein, Attorney, 1327 Guaranty Bank Building, 3550 North Central, Phoenix, Ariz. 85012. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal hides*, from points in Maricopa County, Ariz., to points in Napa County, Calif.; *building stone*, from points in Coconino, Gila, Maricopa, Yavapai, and Yuma Counties, Ariz., to points in Los Angeles, Orange, Riverside, San Bernardino, Kern, Tulare, Fresno, Kings, Monterey, Merced, Stanislaw, Santa Clara, Santa Cruz, Santa Mateo, Alameda, Costa Mesa, San Joaquin, Marin, Solano, Napa, Yolo, Sacramento, Yuba, Cabesa, Glenn, Butte, Lehama, Shasta, Siskiyou, Placer, and El Dorado Counties, Calif.; and Jackson, Josephine, Douglas, Coos, Lane, Benton, Linn, Marin, Polk, Clackamas, Yamhill, Washington, and Multnomah Counties, Oreg.; *lumber and wood products*, from points in San Diego, Orange, Riverside, San Bernardino, Los Angeles, Tulare, Fresno, Glenn, Butte, Trinity, Shasta, Del Norte, Humboldt, Mendocino, Nevada, Siskiyou, Madera, Yuba, Tehoma, Plumas, Lassen, and Medoc Counties, Calif.; Klamath, Jackson, Josephine, Curry, Douglas, Coos, Lane, Benton, Linn, Polk, Clackamas, Yamhill, Multnomah, Wash., Tillamook, Hood River, and Marion Counties, Oreg., to points in Arizona; from points in Klamath, Jackson, Josephine, Curry, Douglas, Coos, Lane, Benton, Linn, Polk, Clackamas, Yamhill, Multnomah, Washington, Tillamook, Hood River, and Marion Counties, Oreg., to points in Los Angeles, Orange, San Bernardino, Riverside, and Imperial Counties, Calif.; *lumber* from points in Arizona to points in Los Angeles, Orange, Riverside, San Bernardino, Ventura, Lassen, San Joaquin, Sacramento, Alameda, Contra Costa, and Santa Clara Counties, Calif., for 180 days. Supporting shippers: Western Pine Sales, Inc., 2929 East Thomas Road, Phoenix, Ariz. 85016; Apache Stone & Supplies, Inc., 2631 East Indian School Road, Phoenix, Ariz. 85016; Mallico Distributors, 315 South 11th Avenue, Phoenix, Ariz. 85030; International Forest Products Corp., 3800 North Central Avenue, Phoenix, Ariz. 85012. Send protests to: Andrew V. Baylor, District Supervisor, Interstate Commerce Commission, Bureau of Operations and Compliance, 4006 Federal Building, Phoenix, Ariz. 85025.

No. MC 50069 (Sub-No. 361 TA), filed July 5, 1966. Applicant: REFINERS TRANSPORT AND TERMINAL CORPORATION, 930 North York Road, Hinsdale, Ill. 60521. Applicant's representative: Robert E. Levy, Levy & Andrin, 29 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lime*, in bulk, in tank and hopper type vehicles, from Genoa, Ohio, to Taft, La., for 150 days.

Supporting shipper: United States Gypsum Co., 101 South Wacker Drive, Chicago, Ill. 60606. Send protests to: William E. Gallagher, District Supervisor, Interstate Commerce Commission, Bureau of Operations and Compliance, 1086 U.S. Courthouse and Federal Office Building, 219 South Dearborn Street, Chicago, Ill., 60604.

No. MC 75651 (Sub-No. 63 TA), filed July 5, 1966. Applicant: R. C. MOTOR LINES, INC., Post Office Box 2501, Jacksonville, Fla. 32201. Applicant's representative: J. E. Allen, Attorney at Law, 1205 Universal Marion Building, Jacksonville, Fla. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment) (1) between Jacksonville and Miami, Fla.; (a) From Jacksonville over U.S. Highway 1 to Miami, (b) from Jacksonville over Interstate Highway 10 to Junction U.S. Highway 301, thence over U.S. Highway 301 to junction U.S. Highway 27, and thence over U.S. Highway 27 to Miami, and (c) from Jacksonville over Interstate Highway 10 to junction U.S. Highway 301, thence over U.S. Highway 301 as described in (b) above to junction U.S. Highway 441, thence over U.S. Highway 441 to junction Sunshine State Parkway, thence over Sunshine State Parkway and over all access roads connecting said parkway with applicant's regular route over U.S. Highway 1 to Miami; (2) between Jacksonville and Sarasota, Fla.; from Jacksonville over Interstate Highway 10 to junction U.S. Highway 301, and thence over U.S. Highway 301 to Sarasota, and (3) between Jacksonville and Tampa, Fla.: From Jacksonville over U.S. Highway 17 to Orlando, Fla., thence over Interstate Highway 4 to Tampa, and return over the same routes, serving all intermediate points and the off-route points of Cape Kennedy, Umatilla, Eustis, and Groveland and points within a 25-mile radius of Jacksonville, Orlando, Haines City, and Tampa, Fla., in routes (1), (2), and (3) above, for 180 days. Supporting shippers: The application is supported by statements from 488 shippers which may be examined here at the Interstate Commerce Commission in Washington, D.C. Send protests to: District Supervisor, G. H. Fauss, Jr., Interstate Commerce Commission, Bureau of Operations and Compliance, Post Office Box 4969, Jacksonville, Fla. 32201.

No. MC 99498 (Sub-No. 2 TA), filed July 5, 1966. Applicant: JIMMY STEIN MOTOR LINES, INC., Post Office Box 4532, Mobile, Ala. Applicant's representative: Robert E. Tate, Transportation Consultant, 2025 City Federal Building, Birmingham, Ala. 35203. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, except commodities in bulk, commodities requiring special equipment, commodities injurious to other lading and high explo-

sives, serving the plant site of Macmillan Bloedel, Ltd., near Pine Hill, Ala., as an off-route point to applicant's Alabama Highway 5 and U.S. Highway 43 routes, for 180 days. Supporting shipper: MacMillan Bloedel, Ltd., 1199 West Pender Street, Vancouver 1, Canada. Send protests to: B. R. McKenzie, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Room 212, 908 South 20th Street, Birmingham, Ala. 35205.

No. MC 110525 (Sub-No. 792 TA), filed July 6, 1966. Applicant: CHEMICAL LEAMAN TANK LINES, INC., 520 East Lancaster Avenue, Dowingtown, Pa. 19335. Applicant's representative: Edwin H. van Deusen, 520 East Lancaster Avenue, Dowingtown, Pa. 19335. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Alcoholic liquors*, in bulk, in tank vehicles, from Elizabeth, N.J., to Schenley, Pa., for 150 days. Supporting shipper: Schenley Distillers, Inc., Lawrenceburg, Ind. Send protests to: Peter R. Guman, District Supervisor, Interstate Commerce Commission, Bureau of Operations and Compliance, 900 U.S. Custom House, Second and Chestnut Streets, Philadelphia, Pa. 19106.

No. MC 115162 (Sub-No. 134 TA), filed July 6, 1966. Applicant: WALTER POOLE, doing business as POOLE TRUCK LINE, Post Office Box 310, Evergreen, Ala. 36401. Applicant's representative: Robert E. Tate, Practitioner, 2125 City Federal Building, Birmingham, Ala. 35203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pallets*, from Gonzalez, Fla., to points in Indiana, Illinois, Texas, Missouri, Minnesota, Georgia, Louisiana, and Kansas, for 180 days. Supporting shipper: Webbs Wood Products, Inc., Post Office Box 127, Gonzalez, Fla. Send protests to: B. R. McKenzie, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Room 212, 908 South 20th Street, Birmingham, Ala. 35205.

No. MC 111731 (Sub-No. 6 TA), filed July 6, 1966. Applicant: DALE SAMMONS, Magnolia, Ill. Applicant's representative: M. G. Gulo, 124 South Monroe Street, Streator, Ill. 61364. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Corrugated steel culverts*, from Havana, Ill., to points in Kentucky and Tennessee, for 180 days. Supporting shipper: Wheeling Corrugating Co., a division of Wheeling Steel Corp., Wheeling, W. Va. 26003. Send protests to: Raymond E. Mauk, District Supervisor, Interstate Commerce Commission, Bureau of Operations and Compliance, 1086 U.S. Courthouse and Federal Office Building, 219 South Dearborn Street, Chicago, Ill. 60604.

No. MC 119777 (Sub-No. 64 TA), filed July 6, 1966. Applicant: LIGON SPECIALIZED HAULER, INC., Post Office Box 31, U.S. Highway 41, South, Madisonville, Ky. 42431. Applicant's representative: Mr. William G. Thomas, Vice President, Post Office Box 31, Madisonville, Ky. 42431. Authority sought to

operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Guardrail and guardrail posts and accessories*, from Evansville, Ind., to points in Connecticut, Illinois, Iowa, Maine, Massachusetts, Michigan, Minnesota, New Hampshire, New Jersey, New York, Pennsylvania, Ohio, Rhode Island, Vermont, Wisconsin, and the District of Columbia, for 180 days. Supporting shipper: Mr. Barry Shapiro, executive vice president, Anderson "Safeway" Guard Rail Corp., Evansville, Ind. 47711. Send protests to: Wayne L. Merilatt, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 426 Post Office Building, Louisville, Ky. 40202.

No. MC 124109 (Sub-No. 4 TA), filed July 7, 1966. Applicant: B. F. C. TRANSPORTATION, INC., 950 Shaver Road NE., Post Office Box 985, Cedar Rapids, Iowa 52406. Applicant's representative: William A. Landau, 1307 East Walnut Street, Des Moines, Iowa 50306. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: Corrugated shipping containers, knocked down flat, from Cedar Rapids, Iowa, to Belvidere, Decatur, Galesburg, Lanark, La Salle, Morton, Ottawa, Peoria, Rockford, and Streator, Ill.; and Janesville, Wis., for 180 days. Supporting shipper: Weyerhaeuser Co., 100 South Wacker Drive, Chicago, Ill. 60606. Send protests to: Chas. C. Biggers, District Supervisor, Interstate Commerce Commission, Bureau of Operations and Compliance, 235 U.S. Post Office Building, Fourth and Perry Streets, Davenport, Iowa 52801.

No. MC 126128 (Sub-No. 2 TA), filed July 7, 1966. Applicant: DEAN W. HOBBSIEFKEN, doing business as D. H. TRUCKING, Route 1, Box 241, Lyons, Ore. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber*, from points in Linn and Benton Counties, Ore., to the steamship docks at Portland, Ore., for 180 days. Supporting shippers: Larson Lumber Co., Post Office Box 575, Philomath, Ore., Edwards Bros. Construction Co., Post Office Box 487, Albany, Ore., Patrick Lumber Co., Terminal Sales Building, Portland, Ore., I. P. Miller Lumber Co.,

Route 1, Monroe, Ore., Oregon Lumber Export Co., Board of Trade Building, Portland, Ore., Kuzman Lumber Co., Terminal Sales Building, Portland, Ore. Send protests to: A. E. Odoms, District Supervisor, Interstate Commerce Commission, Bureau of Operations and Compliance, 450 Multnomah Building, Portland, Ore. 97204.

By the Commission.

[SEAL]

H. NEIL GARSON,  
Secretary.

[F.R. Doc. 66-7658; Filed, July 13, 1966;  
8:48 a.m.]

[Notice 1381]

### MOTOR CARRIER TRANSFER PROCEEDINGS

July 11, 1966.

Synopses of orders 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-68780. By order of July 6, 1966, division 3, acting as an appellate division approved the transfer to Superior Fast Drayage, a corporation, doing business as Superior Express, Los Angeles, Calif., of certificate of registration in No. MC-121336 (Sub-No. 1), issued March 6, 1964, to Bargsten Truck Lines, Inc., Fullerton, Calif., authorizing the transportation of: General commodities, solely within the State of California. James W. Wade, 453 South Spring Street, Los Angeles, Calif. 90013, attorney for applicants.

[SEAL]

H. NEIL GARSON,  
Secretary.

[F.R. Doc. 66-7659; Filed, July 13, 1966;  
8:48 a.m.]

## DEPARTMENT OF HEALTH, EDU- CATION, AND WELFARE

Office of Education

### FEDERAL FINANCIAL ASSISTANCE IN CONSTRUCTION OF NONCOMMERCIAL EDUCATIONAL TELEVISION BROADCAST FACILITIES

#### Applications Accepted for Filing

Notice is hereby given that effective with this publication the following described application, for Federal financial assistance in the construction of non-commercial educational television broadcast facilities is accepted for filing in accordance with 45 CFR 60.7:

Tacoma School District No. 10, Post Office Box 1357, Tacoma, Wash. 98401, File No. 146 to improve the facilities of noncommercial educational television station KTPS, Channel 9, Tacoma, Wash.

Educational Television of Northwest Pennsylvania Inc., 204 West Sixth Street, Erie, Pa., File No. 147, for the establishment of a new noncommercial educational television station on Channel 54, Erie, Pa.

Kentucky State Board of Education, State Office Building, Frankfort, Ky., File No. 148, for the establishment of a new noncommercial educational television station on Channel 22, Pikeville, Ky.

Kentucky State Board of Education, State Office Building, Frankfort, Ky., File No. 149, for the establishment of a new noncommercial educational television station on Channel 25, Ashland, Ky.

Any interested person may, pursuant to 45 CFR, section 60.8, within 30 calendar days from the date of this publication, file comments regarding the above applications with the Chief, Educational Television Facilities Branch, U.S. Office of Education, Washington, D.C. 20202.

(76 Stat. 64, 47 U.S.C. 390)

RAYMOND J. STANLEY,  
Chief, Educational Television  
Facilities Branch, U.S. Office  
of Education.

[F.R. Doc. 66-7655; Filed, July 13, 1966;  
8:47 a.m.]

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# FEDERAL REGISTER

VOLUME 31 • NUMBER 135

Thursday, July 14, 1966 • Washington, D.C.

PART II

Department of Health,  
Education, and Welfare

•  
Social Security Administration

•  
Federal Health  
Insurance for the  
Aged

Supplementary Medical Insurance  
Benefits



## Title 20—EMPLOYEES' BENEFITS

### Chapter III—Social Security Administration, Department of Health, Education, and Welfare

[Reg. No. 5]

#### PART 405—FEDERAL HEALTH INSURANCE FOR THE AGED (1965—)

##### Subpart B—Supplementary Medical Insurance Benefits

Chapter III, Title 20, is amended by adding thereto Subpart B of new Part 405 to read as follows:

##### Subpart B—Supplementary Medical Insurance Benefits

- Sec.
- 405.201 Supplementary medical insurance benefits; general.
- 405.202 Enrollment; general.
- 405.205 Supplementary medical insurance benefits; conditions for enrollment.
- 405.206 Supplementary medical insurance benefits; persons ineligible to enroll.
- 405.210 Enrollment procedures.
- 405.211 Enrollment periods; general.
- 405.212 Initial enrollment period.
- 405.213 General enrollment periods.
- 405.214 Limitation on enrollment and reenrollment.
- 405.217 Enrollment by a State of individuals receiving money payments under public assistance program.
- 405.220 Coverage period; general.
- 405.221 Coverage period; beginning date.
- 405.222 Coverage period beginning date; individuals enrolled under State agreements.
- 405.223 Coverage period; manner and time of termination.
- 405.224 Good cause for failure to enroll during the initial enrollment period ending May 31, 1966.
- 405.230 Supplementary medical insurance benefits.
- 405.231 Medical and other health services; included items and services.
- 405.232 Medical and other health services; exclusions.
- 405.233 Home health services; general.
- 405.234 Home health services; conditions.
- 405.235 Home health services; place where items and services must be furnished.
- 405.236 Home health services; items and services included.
- 405.237 Home health services; items and services not included.
- 405.238 Home health services; "visits" defined.
- 405.240 Payment of supplementary medical insurance benefits; amounts payable.
- 405.241 Payment of supplementary medical insurance benefits; election by group-practice prepayment plan as to method of determining amount of payment.
- 405.243 Total amount of expenses incurred; treatment of mental psychoneurotic and personality disorders.
- 405.244 Total amount of expenses; expenses excluded.
- 405.245 The supplementary medical insurance benefits deductible.
- 405.250 Procedures for payment; medical and other health services furnished by provider; home health services.
- 405.251 Procedures for payment; medical and other health services furnished by other than a provider.

Sec.  
405.252 Conditions prohibiting payment of benefits.

**AUTHORITY:** The provisions of the Subpart B issued under secs. 1102, 1831-1843, 1871, 49 Stat. 647, as amended, 79 Stat. 301-313; 79 Stat. 331; 42 U.S.C. 1302, 1395 et seq.

§ 405.201 Supplementary medical insurance benefits; general.

Part B of title XVIII of the Act provides for a voluntary "supplementary medical insurance plan" available to most individuals age 65 and over. This supplementary medical insurance plan (which is financed by premiums paid by each individual who enrolls in the plan plus matching contributions from funds appropriated by the Federal Government) provides coverage against the costs of certain physicians' services, home health services (without any requirement of prior hospitalization), and other medical and health services in and out of medical institutions. The conditions for enrollment in the supplementary medical insurance plan, the types of benefits provided, amounts paid, and limitations and conditions with respect to payment are set out in this Subpart B.

§ 405.202 Enrollment; general.

To become entitled to supplementary medical insurance benefits, an individual must meet the requirements for enrollment (see § 405.205) and must enroll (see § 405.210) under the supplementary medical insurance plan during the enrollment period applicable in his case (see §§ 405.211 through 405.217).

§ 405.205 Supplementary medical insurance benefits; conditions for enrollment.

An individual who is age 65 or over is eligible to enroll in the supplementary medical insurance plan (unless excluded under § 405.206) if:

- (a) He is entitled to hospital insurance benefits under title XVIII of the Act (see § 404.367 in Part 404 of this chapter); or
- (b) He is a citizen and resident of the United States; or
- (c) He is an alien lawfully admitted for permanent residence, who is a resident of the United States and who has resided in the United States continuously during the 5 years immediately preceding the month in which he applies for enrollment.

§ 405.206 Supplementary medical insurance benefits; persons ineligible to enroll.

Notwithstanding the provisions specified in § 405.205, an individual is not eligible for enrollment for supplementary medical insurance benefits if he has been convicted of any offense under chapter 37 (relating to espionage and censorship) chapter 105 (relating to sabotage), or chapter 115 (relating to treason, sedition, and subversive activities) of title 18 of the United States Code, or under sections 4, 112, or 113 of the Internal Security Act of 1950, as amended (relating to conspiracies to establish dictatorships and conspiracies to commit espionage or sabotage).

§ 405.210 Enrollment procedures.

In order for an eligible individual (see § 405.205) to become enrolled under the supplementary medical insurance benefits plan, a written request for enrollment, signed by or on behalf of the enrollee, must be filed with the Administration during a period of enrollment open to such individual (see §§ 405.211 through 405.217).

§ 405.211 Enrollment periods; general.

An individual may enroll for supplementary medical insurance benefits only during an "enrollment period." There are two kinds of enrollment periods—the "initial enrollment period," which is based on the time when the individual first meets the eligibility requirements for enrollment, and the "general enrollment period" during which an individual who failed to enroll during his initial enrollment period or whose enrollment terminated may, with certain limitations, first enroll, or reenroll.

§ 405.212 Initial enrollment period.

(a) *General.* An individual's first opportunity to enroll for supplementary medical insurance benefits is called his "initial enrollment period." The beginning and ending dates of an individual's initial enrollment period are determined by the date on which he first meets the requirements for enrollment (see § 405.205).

(b) *Individual eligible before March 1966.* If an individual meets the requirements in § 405.205 before March 1966, his initial enrollment period begins on September 1, 1965, and ends on May 31, 1966, subject however to the provisions described in § 405.244 (relating to good cause for failure to enroll).

(c) *Individual first eligible after February 1966.* If an individual first meets the conditions for eligibility in § 405.205 after February 1966, his initial enrollment period begins on the 1st day of the third month before the month in which he first meets such requirements and ends with the close of the last day of the third month following the month in which he first satisfies such requirements.

(d) *First eligibility for enrollment; individual eligible solely because of entitlement to hospital insurance benefits.* For purposes of determining the initial enrollment period of an individual who is eligible for enrollment solely because he is entitled to hospital insurance benefits (see § 405.205(a)), the individual is considered as first meeting the requirements for eligibility for enrollment on the first day on which he would be entitled to hospital insurance benefits upon filing application therefor whether or not he so filed.

§ 405.213 General enrollment periods.

There shall be a general enrollment period beginning on October 1 and ending on December 31 of each odd-numbered year beginning with 1967. Subject to the provisions of § 405.224 (relating to extension of the initial enrollment period for "good cause"), an



individual who fails to enroll for supplementary medical insurance benefits during his initial enrollment period may enroll only during a subsequent general enrollment period.

**§ 405.214 Limitation on enrollment and reenrollment.**

(a) *First enrollment.* An individual who fails to enroll for supplementary medical insurance benefits during his initial enrollment period may enroll in a general enrollment period provided that such enrollment occurs within 3 years after the close of his initial enrollment period. An individual who does not enroll for supplementary medical insurance benefits within the 3-year period after the close of his initial enrollment period, is precluded from such enrollment.

*Example 1:* An individual first meets the requirements for enrollment in August 1966. He does not enroll during his initial enrollment period—May through November 1966. If he wishes to be covered in the supplementary insurance plan, he must enroll during the general enrollment period—October through December 1967 or during the first 2 months of the 1969 general enrollment—i.e., October 1969 and November 1969. Even though the 1969 general enrollment period runs through December of 1969, the individual cannot enroll after November 1969, the end of the 3-year period after the close of his initial enrollment period.

*Example 2:* An individual first meets the requirements for enrollment in June of 1968 but fails to enroll during his initial enrollment period—March through September 1968. If he later wishes to enroll, he must do so within the 3-month period October through December 1969, the only general enrollment period falling within the 3-year period after the close of his initial enrollment period.

(b) *Second enrollment.* An individual whose enrollment under the supplementary medical insurance plan has terminated (see § 405.223) may reenroll under the supplementary medical insurance plan provided that such reenrollment occurs within a general enrollment period which begins within 3 years after the effective date of the termination of his prior enrollment.

*Example 1:* An individual notified the Administration in writing during the general enrollment period beginning October 1, 1969, that he no longer wished to participate in the supplementary medical insurance plan and had his enrollment terminated on December 31, 1969. If he wishes to reenroll under the supplementary insurance plan, he must do so within the period October through December 1971, the only general enrollment period beginning within 3 years after the termination date of his prior enrollment.

*Example 2:* An individual's enrollment terminated on October 31, 1968, for nonpayment of premiums. If he wishes to reenroll under the supplementary medical insurance plan, he must do so within the general enrollment periods of October through December 1969, or October through December 1971, the two general enrollment periods beginning within 3 years after the termination date of his prior enrollment.

(c) *Limitation on number of enrollments.* No one may enroll under the supplementary medical insurance plan more than twice.

**§ 405.217 Enrollment by a State of individuals receiving money payments under public assistance program.**

(a) Subject to the provisions of paragraph (c) of this section, the Secretary shall enter into an agreement with any State which so requests before 1968, pursuant to which all eligible individuals in either of the coverage groups described in paragraph (b) of this section (as specified in the agreement) will be enrolled under the supplementary medical insurance benefits plan.

(b) An agreement entered into with any State pursuant to paragraph (a) of this section shall be applicable to either of the following coverage groups:

(1) Individuals receiving money payments under the plan of such State approved under title I or title XVI of the Act; or

(2) All individuals receiving money payments under any of the plans of such State approved under titles I, IV, X, XIV, and XVI of the Act.

(c) Notwithstanding paragraph (b) of this section, an individual may not be a member of a coverage group for any month in which he is entitled to monthly benefits under title II of the Social Security Act or entitled to receive an annuity or pension under the Railroad Retirement Act of 1937 (without regard to the retroactivity of such entitlement) unless the State so requests before 1968 and the agreement provides, or is modified to provide, that such individual shall be a member of a coverage group as discussed in paragraph (b) of this section. No individual shall be a member of a coverage group after his coverage period attributable to this agreement has ended, if such coverage period ended after 1967.

(d) For purposes of this section, an individual is treated as an "eligible individual" only if he meets the requirements set forth in § 405.205 on the date an agreement covering him is entered into under paragraph (a) of this section (or in the case of Social Security Act or Railroad Retirement Act beneficiaries covered by virtue of a modification, as of the date the modification is entered into) or he meets such requirements at any time after such date and before 1968.

(e) For purposes of this section, an individual is treated as receiving money payments described in paragraph (b) of this section if he receives such payments for the month in which the agreement is entered into (or in the case of Social Security Act or Railroad Retirement Act beneficiaries covered by virtue of a modification, for the month the modification is entered into) or for any month occurring thereafter and before 1968.

**§ 405.220 Coverage period; general.**

Payment is made under the supplementary medical insurance plan only for covered expenses incurred during an individual's "coverage period." An individual's coverage period begins and ends as described in §§ 405.221 through 405.223.

**§ 405.221 Coverage period; beginning date.**

An individual's "coverage period" can begin no earlier than July 1, 1966, and begins on a day as determined in accordance with this section (or in the case of an individual enrolled pursuant to a State agreement, in accordance with the provisions of § 405.222):

(a) *Enrollment during initial enrollment period; first eligibility before March 1966.* (1) The coverage period of an individual who first meets the eligibility requirements for enrollment (see § 405.205) prior to March 1966, and who enrolls during his initial enrollment period of September 1965 through May 1966, begins on July 1, 1966.

(2) The coverage period of an individual who first meets the eligibility requirements for enrollment (see § 405.205) prior to March 1966, who fails to enroll prior to June 1966, but who is authorized to enroll at a subsequent time not later than September 30, 1966, under the "good cause" provisions described in § 405.224, begins on the first day of the sixth month after the month in which he so enrolls.

(b) *Enrollment during initial enrollment period; first eligibility in March 1966.* (1) The coverage period of an individual who first meets the eligibility requirements for enrollment during the month of March 1966, and who enrolls before June 1966, begins on July 1, 1966.

(2) The coverage period of an individual who first meets the eligibility requirements for enrollment during March 1966, and who enrolls during the month of June 1966, begins on September 1, 1966.

(c) *Enrollment during initial enrollment period; first eligibility after March 1966.* The coverage period of an individual who first meets the eligibility requirements for enrollment after March 1966, and who enrolls during his initial enrollment period, begins on whichever is later, July 1, 1966, or the 1st day of:

(1) The month in which the eligibility requirements are first met, if he enrolls during the three preceding months;

(2) The month following the month in which the eligibility requirements are first met, if he enrolls in the month such requirements are first met;

(3) The third month following the month in which the eligibility requirements are first met, if he enrolls in the month following the month in which such requirements are first met;

(4) The fifth month following the month in which the eligibility requirements are first met, if he enrolls in the second month following the month in which such requirements are first met;

(5) The sixth month following the month in which the eligibility requirements are first met, if he enrolls in the third month following the month such requirements are first met.

*Example:* An individual first meets the eligibility requirements for enrollment in April of 1967. Therefore, his initial enrollment period runs from January through July 1967. Depending upon the month in which he enrolls, his coverage period will begin as follows:

Enrolls in— Initial enrollment period:	Coverage period begins on—
(1) January.....	Apr. 1 (month eligibility requirements first met).
(2) February....	Do.
(3) March.....	Do.
(4) April.....	May 1 (month following month eligibility requirements first met).
(5) May.....	July 1 (third month following month eligibility requirements first met).
(6) June.....	Sept. 1 (fifth month following month eligibility requirements first met).
(7) July.....	Oct. 1 (sixth month following month eligibility requirements first met).

(d) *Enrollment during general enrollment period.* The coverage period of an individual who, after failing to enroll during his initial enrollment period, enrolls during a subsequent general enrollment period (i.e., the period October through December of each odd-numbered year beginning with 1967—see § 405.213) begins on July 1 of the year following the year in which he enrolls.

**§ 405.222 Coverage period beginning date; individuals enrolled under State agreements.**

In the case of any individual enrolled pursuant to an agreement with a State under the provisions set forth in § 405.217, his coverage period begins on whichever of the following is the latest:

- (a) July 1, 1966;
- (b) The 1st day of the third month following the month in which the State agreement is entered into (or in the case of Social Security Act or Railroad Retirement Act beneficiaries covered by virtue of a modification described in § 405.217(c), as of the 1st day of the third month following the month the modification is entered into);
- (c) The 1st day of the first month in which he is both an eligible individual (§ 405.205) and a member of a coverage group that is specified in such agreement, but without regard to any coverage period terminated prior to 1968; or
- (d) Such date as may be specified in the agreement, or, where the individual is covered by virtue of the modification described in § 405.217(c), as may be specified in the modification.
- (e) Notwithstanding the provisions of paragraph (d) of this section; the coverage period of an individual so enrolled shall not begin later than January 1, 1968.

**§ 405.223 Coverage period; manner and time of termination.**

An individual's coverage period continues until such time as his enrollment is terminated. Enrollment, and the coverage period, may be terminated only as described in this section:

- (a) *Individual requests termination.* (1) An individual may, except as provided in subparagraph (2) of this paragraph, notify the Administration in writing, during a general enrollment period

(see § 405.213) that he no longer wishes to participate in the supplementary medical insurance plan. In such case, his coverage period terminates effective with the close of the year in which the notice of nonparticipation is submitted to the Administration.

(2) An individual entitled to monthly benefits under title II of the Act or to an annuity or pension under the Railroad Retirement Act of 1937, whose coverage attributable to a Federal-State agreement containing the provisions described in § 405.217(c) is terminated or who ceases to be a member of the coverage group before his coverage under such agreement begins, may, by filing written notice with the Administration before the 1st day of the fourth month which begins after the date of such termination, terminate his enrollment under the supplementary medical insurance plan. In such case, his coverage period is terminated effective with the last day of the third month which begins after the date his coverage period under a Federal-State agreement is terminated.

(b) *Nonpayment of premiums.* Enrollment under the supplementary medical insurance plan shall be terminated because of nonpayment of premiums.

(c) *Enrollees pursuant to State agreements.* In the case of an individual enrolled pursuant to a Federal-State agreement (see § 405.217), the coverage period attributable to the agreement ends (subject to the provisions of paragraph (d) of this section) on whichever of the following first occurs:

- (1) The last day of the month in which he becomes ineligible (as determined by the State) for money payments of a kind specified in the agreement; or
- (2) The last day of the month preceding the first month in which he becomes entitled to monthly benefits under title II of the Act (see Subpart D of Part 404) or to an annuity or pension under the Railroad Retirement Act of 1937 without regard to the retroactivity of such entitlement; or
- (3) The last day of the month in which the State agreement is terminated; or
- (4) The last day of the month in which he dies.

(d) *Continuation of enrollees coverage period pursuant to State agreements.* Notwithstanding paragraph (c) of this section:

(1) An individual's coverage period attributable to a Federal-State agreement shall not end when he becomes entitled to monthly benefits under title II of the Act or to an annuity or pension under the Railroad Retirement Act of 1937, if such agreement provides for the inclusion of individuals entitled to such benefits in the coverage group (see § 405.217(c)).

(2) If an individual's coverage pursuant to enrollment under a State agreement is terminated under the provisions of paragraph (c) of this section, such individual is deemed to have enrolled for supplementary medical insurance benefits in the initial enrollment period described in § 405.212(b) and his coverage period continues until terminated for his failure to pay premiums or by timely

filed notice that he wishes to terminate his supplementary medical insurance coverage, as provided in paragraphs (a) and (b) of this section. An individual who is enrolled under a State agreement but who ceases to be a member of the coverage group before his coverage begins is also deemed to have so enrolled and his coverage as an individual begins on the date his coverage under the agreement would have begun had he continued in the coverage group.

**§ 405.224 Good cause for failure to enroll during the initial enrollment period ending May 31, 1966.**

An individual who first meets the eligibility requirements for enrollment prior to March 1, 1966, and who fails to enroll during the initial enrollment period ending May 31, 1966, may enroll at any time before October 1966 if such individual, or his representative, establishes to the satisfaction of the Administration that "good cause" exists because such failure was due to:

(a) Circumstances beyond the individual's control, such as extended illness, mental or physical impairment, communication difficulties;

(b) Incorrect or incomplete information furnished by official sources to the individual or another person acting on his behalf;

(c) Difficulty encountered by the individual in obtaining, within a reasonable time before the end of the initial enrollment period, an enrollment form and information about supplementary medical insurance and the manner and time limit in which enrollments may be made;

(d) Bona fide unawareness or misunderstanding of the need to enroll within the prescribed time period or of the nature of coverage under this Subpart B; or

(e) Other circumstances (as a result of which the individual was deterred from enrolling) in the light of which it would be clearly inequitable to deny him a second chance to enroll.

**§ 405.230 Supplementary medical insurance benefits.**

(a) *Benefits provided.* Any individual who is enrolled under the supplementary medical insurance plan established by title XVIII of the Act is, subject to the limitations and conditions described in this Part 405, entitled to have:

(1) Payment made to him, or on his behalf, for physicians' services;

(2) Payment made to him, or on his behalf, for medical and other health services (see § 405.231) furnished by other than a provider of services;

(3) Payment made on his behalf for medical and other health services (see § 405.231) furnished to him by a provider of services (or furnished by others under an arrangement made with them by a provider of services); and

(4) Payment made on his behalf for home health services (see § 405.233) for up to 100 visits (as discussed in § 405.238) during a calendar year.

(b) *Reimbursable expenses.* In order to be considered incurred expenses, expenses for physicians' services and for other medical and health services cov-

ered under the supplementary medical insurance plan must be for services furnished to an individual during his coverage period. (See §§ 405.221 through 405.223).

**§ 405.231 Medical and other health services; included items and services.**

Subject to the exclusions set forth in § 405.232, the term "medical and other health services" means the following items or services:

- (a) Physicians' services;
- (b) Services and supplies, including drugs and biologicals which cannot be self-administered, furnished as an incident to a physician's professional service, and of kinds which are commonly furnished in a physician's office and are commonly either rendered without charge, or included in the physician's bill;
- (c) Hospital services (including drugs and biologicals which cannot be self-administered) incident to physicians' services rendered to outpatients;
- (d) Diagnostic X-ray tests, diagnostic laboratory tests, and other diagnostic tests;
- (e) X-ray therapy, radium therapy, and radioactive isotope therapy (including materials and services of technicians administering such therapies);
- (f) Surgical dressings, and splints, casts and other devices used for reduction of fractures and dislocations;
- (g) Rental of durable medical equipment, including iron lungs, oxygen tents, hospital beds, and wheel chairs used in the patient's home (including an institution used as his home);
- (h) Prosthetic devices (other than dental) which replace all or part of an internal body organ, including replacement of such devices;
- (i) Leg, arm, back, and neck braces, and artificial legs, arms, and eyes, including replacements if required because of a change in the patient's physical condition; and
- (j) Ambulance services where the use of other methods of transportation is contraindicated by the individual's condition but only if the individual is being transported to the nearest hospital with appropriate facilities, or to one in the same locality, and under similar restrictions, from one hospital to another, to his home, or to an extended care facility. "Locality" means the service area in the geographic territory surrounding the institution from which individuals normally come or are expected to come for medical services.

**§ 405.232 Medical and other health services; exclusions.**

In addition to the general exclusions in section 1862 of the Act, the following items and services are also excluded from the term "medical and other health services":

- (a) *Inpatient hospital services or outpatient hospital diagnostic services; extended care services; home health services.* If any item or service described in § 405.231 would otherwise constitute inpatient hospital services or outpatient hospital diagnostic services, extended

care services, or home health services (see §§ 405.233 through 405.237), it is not considered as a medical or other health service for purposes of § 405.230(a) (2) or (3).

(b) *Diagnostic laboratory tests.* For purposes of § 405.231(d), diagnostic tests are not considered as "medical or other health services" if performed in a laboratory which is independent of a physician's office or a hospital, unless such laboratory meets the requirements as set forth in subpart M of this part 405.

(c) *Drugs and biologicals.* For purposes of § 405.230(a) (1), (2), or (3), drugs and biologicals which can be self-administered are excluded from the term "medical and other health services" whether such drugs and biologicals are furnished by a physician, a provider of services, or other than a provider of services.

**§ 405.233 Home health services; general.**

Home health service benefits are provided under both the supplementary medical insurance plan described in this Subpart B and the hospital insurance benefits plan described in part A of title XVIII of the Act. Home health services qualify for payment under the supplementary medical insurance plan even though the individual has not been an inpatient of a hospital or extended care facility. Payment for home health services for up to 100 visits may be made under the supplementary medical insurance plan in addition to, or as a supplement to, 100 visits under the hospital insurance benefits plan.

**§ 405.234 Home health services; conditions.**

The items and services described in § 405.236 are "home health services" (unless excluded under § 405.237) if such items and services are furnished:

- (a) To an individual who is under the care of a physician;
- (b) By a home health agency (see Subpart L of this Part 405) or by others under arrangements with them made by such agency;
- (c) Under a plan designed for such individual, established by a physician and periodically reviewed by a physician; and
- (d) At a place as described in § 405.235.

**§ 405.235 Home health services; place where items and services must be furnished.**

To be considered "home health services," items and services described in § 405.236 must be:

- (a) Furnished on a visiting basis to the individual in a place of residence used as his home (e.g., his own home, a relative's home, a boardinghouse, or an old-age home); or
- (b) Provided on an outpatient basis at a hospital or extended care facility, or at a rehabilitation center if such items or services:
  - (1) Are furnished under arrangements made by a home health agency and such arrangements provide that the costs for such services are to be billed

through the home health agency (see Subpart L of this Part 405); and

- (2) Involve the use of equipment or services which cannot readily be made available to the individual in a place of residence used as his home, or cannot be supplied to him there.

**§ 405.236 Home health services; items and services included.**

Subject to the provisions described in § 405.237, "home health services" means the following items and services furnished to an individual in accordance with §§ 405.234 and 405.235:

- (a) Part-time or intermittent nursing care provided by or under the supervision of a registered professional nurse;
- (b) Physical, occupational or speech therapy;
- (c) Medical social services provided under the direction of a physician;
- (d) Part-time or intermittent services of a home health aide but only if the duties of the home health aide are comparable to the duties of a nurse's aide in a hospital (e.g., giving bed baths to an ill or bedfast patient);
- (e) Medical supplies (other than drugs and biologicals) and the use of medical appliances while under the plan described in § 405.234(c);
- (f) Medical services provided by an intern or resident-in-training of a hospital if:

- (1) The home health agency and the hospital are affiliated or under common control;
- (2) Such services are provided under a teaching program of the hospital; and
- (3) The teaching program of the hospital is approved by the Council on Medical Education of the American Medical Association, or the Committee on Hospitals of the Bureau of Professional Education of the American Osteopathic Association in the case of an osteopathic hospital, or the Council on Dental Education of the American Dental Association in the case of services in a hospital or osteopathic hospital performed by an intern or resident-in-training in the field of dentistry.

Dental services in connection with the care, treatment, filling, removal or replacement of teeth (or structures directly supporting teeth) are excluded from coverage. However, services including post-operative care with respect to surgery related to the jaw (or any structure contiguous to the jaw) or services with respect to any fracture of the jaw or facial bone are covered home health services if performed by an intern or resident-in-training.

- (g) Any of the items or services described in paragraphs (a) through (f) of this section which are furnished on an outpatient basis at a hospital, extended care facility, or rehabilitation center under an arrangement with such institution made by the home health agency even though such services could have been provided to him in his home, provided that such services are furnished at the same time that items or services which could not be readily available to him in his home are furnished to him.

**§ 405.237 Home health services; items and services not included.**

(a) *Items and services not considered as inpatient hospital services.* Notwithstanding the provisions set forth in § 405.236, no item or service listed in § 405.236 is includable as a "home health service" if the item or service would not be included as an inpatient hospital service under part A of title XVIII of the Act, if furnished to a hospital inpatient.

(b) *Transportation services.* Transportation services, whether by ambulance or other means, required to take a homebound individual to a hospital, extended care facility, rehabilitation center, or other place, in order to furnish him with items and services which cannot be supplied to him in his home, are not includable as a "home health service," even though the services provided at such hospital, etc., are included as a home health service.

(c) *Housekeeping services.* The services of housekeepers or food service arrangements such as those of "meals-on-wheels" programs are not includable as "home health services."

**§ 405.238 Home health services; "visits" defined.**

For purposes of determining the 100-visit home health services limitation specified in § 405.230(a)(4), one "visit" is charged each time a "home health service" is furnished to the individual by home health agency personnel (or by personnel furnishing "home health services" under an arrangement with them made by a home health agency). For example, since one "visit" is charged each time a therapist goes to an individual's home to furnish therapy, if the individual is visited during the same day by both a speech therapist and a visiting nurse (or is provided with the same home health service twice in the same day), two "visits" are charged. Similarly, if an individual is taken to a hospital to receive outpatient therapy that could not be furnished in his own home (e.g., hydrotherapy) and, while at the hospital receives speech therapy and other services, all of which qualify as home health services under § 405.236 (g) and (h), two or more "visits" are charged.

**§ 405.240 Payment of supplementary medical insurance benefits; amounts payable.**

In the case of an individual who incurs expenses during his coverage period under the supplementary medical insurance plan, payment shall be made for a portion of the total amount of expenses incurred during a calendar year (less the applicable medical insurance deductible (see § 405.245)) as follows:

(a) 80 percent of the reasonable charges for medical and health services furnished by other than a provider of services;

(b) 80 percent of the reasonable cost for medical and other health services furnished by (or under arrangements made by) providers of services;

(c) 80 percent of the reasonable cost of home health services furnished by (or

under arrangements made by) a home health agency; and

(d) 80 percent of the deductible imposed under the hospital insurance benefits plan for outpatient hospital diagnostic services.

*Example:* Mr. Z incurred expenses covered under the hospital insurance benefits plan of \$75 for an outpatient hospital diagnostic study for which he paid the \$20 outpatient hospital deductible. The diagnostic study was followed by a series of visits to his physician's office for which Mr. Z incurred expenses, covered under the supplementary medical insurance plan, amounting to \$100. All of Mr. Z's medical expenses were incurred during 1 calendar year. Since the amount of an outpatient hospital diagnostic study deductible in a year is counted in determining total expenses incurred during a year for purposes of determining supplementary medical insurance benefits for that year, Mr. Z's total incurred expenses for supplementary medical insurance benefits came to \$120 for the year (\$100 covered expenses plus the \$20 outpatient deductible). The supplementary medical insurance plan will pay \$56 (80 percent of \$70—\$120 incurred expenses minus the \$50 deductible) toward Mr. Z's doctor bills.

**§ 405.241 Payment of supplementary medical insurance benefits; election by group-practice prepayment plan as to method of determining amount of payment.**

Notwithstanding the provisions of § 405.240(a), payment to a group-practice prepayment plan (see Subpart R) which has furnished (or arranged for the availability of) items and services qualifying as medical and other health services, may be made on the basis of the reasonable cost of such services rather than on the basis of reasonable charges, even though such organization is other than a provider of services, if the group-practice prepayment plan elects to have payment made on a reasonable cost basis and agrees to charge the individuals to whom the services were provided not more than the amount of any unpaid annual deductible (see § 405.245), if any, plus 20 percent of the difference between the deductible and the reasonable cost.

**§ 405.243 Total amount of expenses incurred; treatment of mental psychoneurotic and personality disorders.**

Notwithstanding any other provision of this Subpart B, with respect to expenses incurred in any calendar year in connection with the treatment of mental, psychoneurotic, and personality disorders of an individual who is not an inpatient of a hospital at the time such expenses are incurred, only the lesser of the following amounts is considered as incurred expenses, for purposes of §§ 405.240 and 405.245:

- (a) \$312.50; or  
(b) 62½ percent of such expenses.

*Example:* Mr. X's only medical expenses during the calendar year amounted to \$1,000 for treatment received for a mental disorder as a private patient. The statutory limit for any calendar year on the amount of these expenses that is covered under this Subpart B is \$312.50 (\$312.50 being lesser in amount than 62½ percent of the total expenses of \$1,000). Mr. X is required to meet the first \$50, as a deductible, and 20 percent of the

balance. The remaining 80 percent is payable under this Subpart B.

Total covered expenses	Mr. X's payment	Payable under Subpart B
\$312.50	<sup>1</sup> \$687.50	-----
— <sup>2</sup> \$50.00	<sup>3</sup> 50.00	-----
\$262.50	<sup>4</sup> \$2.50	<sup>4</sup> \$210

- <sup>1</sup> Deductible.  
<sup>2</sup> In excess of \$312.50.  
<sup>3</sup> 20 percent.  
<sup>4</sup> 80 percent.

If Mr. X had previously met the \$50 deductible requirement for treatment of other than a mental disorder as a private patient during the calendar year, or met the \$50 deductible requirement due to the provisions of § 405.245(b), the amount of \$250.00 would be payable under this Subpart B (80 percent of \$312.50).

Total covered expenses	Mr. X's payment	Payable under subpart B
\$312.50	<sup>1</sup> \$687.50	-----
	<sup>2</sup> 62.50	<sup>3</sup> \$250

- <sup>1</sup> In excess of \$312.50.  
<sup>2</sup> 20 percent.  
<sup>3</sup> 80 percent.

**§ 405.244 Total amount of expenses; expenses excluded.**

To the extent that an individual is entitled (or would be entitled except for application of the deductible or co-insurance amounts (other than the outpatient hospital diagnostic deductible) described in section 1813 of the Act) to have payment made under the provisions contained in section 1815 of the Act with respect to services furnished to him, no payment may be made under the provisions described in this Subpart B with respect to such services and the costs or charges for such services are not considered as incurred expenses for purposes of §§ 405.240 and 405.245.

**§ 405.245 The supplementary medical insurance benefits deductible.**

The total amount of expenses incurred by an individual during a calendar year is reduced, prior to applying the payment percentages in § 405.240 (b) and (c), by a deductible in an amount equal to:

(a) \$50; less

(b) The amount of any expenses incurred by such individual in the last 3 months of the preceding calendar year (or regarded as incurred in such preceding year with respect to services furnished in such last 3 months) and applied toward such individual's deductible under this section for such preceding year.

*Example:* During 1967 Jones incurred total expenses of \$350 for covered medical and other health services furnished to him. Ordinarily, a deductible of \$50 would be imposed in determining the amount payable under the supplementary medical insurance plan. However, during November of 1966, Mr. Jones had incurred expenses of \$25 for covered medical and other health services and had also paid a \$20 outpatient hospital diagnostic deductible for services covered under the hospital insurance benefits plan. Both the \$25 expense and the \$20 outpatient hospital diagnostic services deductible had been counted in determining his supple-

mentary medical insurance benefits deductible for 1966. Since any expenses incurred in the last quarter of the prior calendar year, and applied toward the supplementary medical insurance benefits deductible for such year, can be carried over to the following year and applied toward the deductible, Mr. Jones' 1967 supplementary medical insurance benefits deductible is only \$5 (\$50—\$45).

**§ 405.250 Procedures for payment; medical and other health services furnished by provider; home health services.**

Payment for medical and other health services (see §§ 405.230(a)(3), 405.231, and 405.232), and for home health services (see §§ 405.230(a)(4), 405.233 through 405.236), furnished by a provider of services is made to such provider only if:

(a) A written request is filed by or on behalf of the individual to whom the services were furnished, to have such payment made; and

(b) A physician certifies, and recertifies when required, that:

(1) In the case of medical and other health services, such services were medically required; or

(2) In the case of home health services:

(i) such services were required because the individual was confined to his home (except when receiving items and services referred to in § 405.236(g)) and needed skilled nursing care on an intermittent basis, or physical or speech therapy, as the case may be; and

(ii) a plan for furnishing such services to the individual has been established, and is periodically reviewed, by a physician; and

(iii) such services were furnished while the individual was under the care of a physician.

**§ 405.251 Procedures for payment; medical and other health services furnished by other than a provider.**

Payment for medical and other health services furnished by other than a provider of services (see §§ 405.230(a)(1) and (2), 405.231 and 405.232) may be made to the individual who incurred such expenses, or to the person who provided

such services, under the following circumstances:

(a) *Payment to the individual for expenses incurred and paid for.* Payment may be made to an individual who incurred expenses for medical and other health services furnished him by other than a provider of services if:

(1) He files a written request for payment;

(2) A receipted bill is submitted which shows in detail the services provided, and that payment has been made for such services;

(3) The items or services furnished such individual are "medical and other health services" (see §§ 405.231 and 405.232) for which payment may be made under the provisions set forth in § 405.230(a)(1) and (2).

(b) *Payment to the person who furnished the services.* Payment in the amount determined in accordance with § 405.240 may be made to a person (or organization) other than a provider of services who furnishes an enrolled individual medical and other health services for which payment may be made under the provisions set forth in §§ 405.230(a)(1) and (2), 405.231, and 405.232, if:

(1) The individual who was furnished the services executes an assignment of benefits to the person or organization which furnished the services;

(2) The assignment is properly filed;

(3) The items or services furnished are "medical and other health services" for which payment may be made under § 405.230(a)(1) and (2) in an amount as determined under the provisions of § 405.240; and

(4) The person or organization to whom such assignment has been made:

(i) Agrees to accept the individual's assignment of the right to receive payment for such services;

(ii) Agrees that the reasonable charge for such services shall be the full charge for such services; and

(iii) Agrees to charge the individual not more than the amount of any unpaid annual deductible (see § 405.245), if any, plus 20 percent of the difference between the deductible and the reasonable charge (as determined in subparagraph (ii)).

**§ 405.252 Conditions prohibiting payment of benefits.**

In addition to any other limitation, condition, or exclusion in these regulations, payment of supplementary medical insurance benefits may not be made under the following circumstances:

(a) *No payment unless information furnished.* No payment may be made to any person, organization or to any provider of services unless the information necessary to determine the amount due has been furnished.

(b) *Federal provider; Federal agency.* No payment may be made to any Federal provider of services or other Federal agency, except a provider of services which may be determined by the Secretary to be providing services to the public generally as a community institution or agency.

(c) *Services furnished at public expense.* No payment may be made to any provider of services or other person or organization for any item or service which such provider, person or organization is obligated by a law of, or contract with, the United States to render at public expense.

(d) *Alien is outside the United States for 6 full calendar months.* No payment may be made under this subpart B with respect to items or services furnished to an individual who is not a citizen or national of the United States in any month for which monthly benefits are not being paid to such individual (or would not be paid if he were entitled to such benefits) under certain circumstances because he has been outside the United States throughout 6 full calendar months, until, and beginning with, the first full calendar month such individual has been back in the United States.

Dated: June 22, 1966.

[SEAL] ROBERT M. BALL,  
Commissioner of Social Security.

Approved: July 5, 1966.

WILBUR J. COHEN,  
Acting Secretary of Health,  
Education, and Welfare.

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