

FEDERAL REGISTER

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Conservation Service
Atomic Energy Commission
Civil Aeronautics Board
Civil Service Commission
Coast Guard
Commerce Department
Commodity Credit Corporation
Consumer and Marketing Service
Defense Department
Domestic Commerce Bureau
Federal Aviation Administration
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Just Released

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(Revised as of January 1, 1971)

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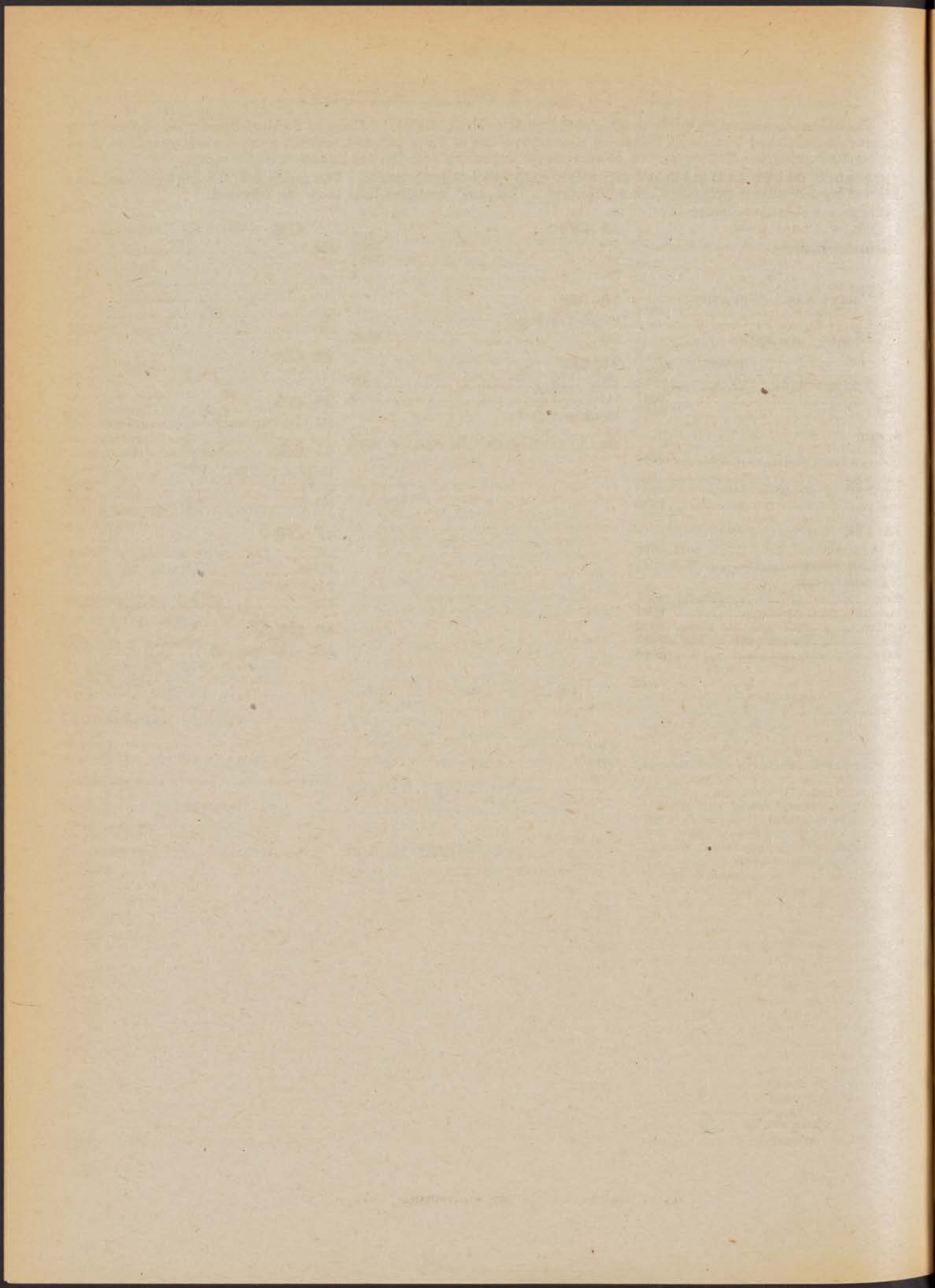
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Title 12—BANKS AND BANKING

Chapter V—Federal Home Loan Bank Board

SUBCHAPTER C—FEDERAL SAVINGS AND LOAN SYSTEM

[No. 71-375]

PART 545—OPERATIONS

Closing of Books by Federal Savings and Loan Associations

APRIL 15, 1971.

Resolved that the Federal Home Loan Bank Board considers it advisable to amend § 545.20 of the rules and regulations for the Federal Savings and Loan System (12 CFR 545.20) for the purpose of changing the requirement for closing the books of a Federal association from a semiannual basis to an annual basis. Accordingly, on the basis of such consideration and for such purpose, the Federal Home Loan Bank Board hereby revises said § 545.20 to read as follows, effective June 1, 1971:

§ 545.20 Accounting; records.

A Federal association shall use such forms and follow such accounting practices as the Board may from time to time require, and shall close its books as of December 30 of each year. A Federal association shall maintain a complete record of all business transacted by it, and shall maintain either at its home office, or at a branch or service office located within 100 miles of the home office, all general accounting records, including all control records, of all business transacted by such association at each of its offices and agencies. Neither the general accounting or control records nor the maintenance thereof shall be transferred by a Federal association from its home office to a branch or service office, or from a branch or service office to its home office or to another branch or service office unless and until (a) the board of directors of the association has by resolution authorized such transfer or maintenance, and (b) the association has sent a certified copy of such resolution to the Chief Examiner of the Federal home loan bank district in which the home office of the association is located. A Federal association which determines to maintain any of its records by means of data processing services shall so notify the Chief Examiner of the Federal home loan bank district in which the home office of such association is located, in writing, at least 90 days prior to the date on which such maintenance of records will begin. Such notification shall include identification of the records to be maintained by data processing services and a statement as to the location at which such records will be maintained.

Any contract, agreement or arrangement made by a Federal association pursuant to which data processing services are to be performed for such association shall be in writing and shall expressly provide that the records to be maintained by such services shall at all times be available for examination and audit.

(Sec. 5, 48 Stat. 132, as amended; 12 U.S.C. 1464. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1943-48 Comp., p. 1071)

Resolved further that, since the above amendment removes a requirement that Federal savings and loan associations close their books as of June 30 of each year, and since affording notice and public procedure on said amendment would delay such amendment so as to cause such associations to have inadequate time to make appropriate changes in accounting procedure prior to June 30, 1971, the Board hereby finds that notice and public procedure on said amendment are impracticable under the provisions of 12 CFR 508.11 and 5 U.S.C. 553(b); and the Board hereby provides that the amendment shall become effective as hereinbefore set forth.

By the Federal Home Loan Bank Board.

[SEAL] GRENVILLE L. MILLARD, JR.,
Assistant Secretary.

[FR Doc.71-5956 Filed 4-28-71;8:47 am]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

[Docket No. 71-CE-4-AD; Amdt. 39-1185]

PART 39—AIRWORTHINESS DIRECTIVES

Cessna Models 401, 401A, 401B, 402, 402A, 402B, 411 and 411A Airplanes; Correction

In F.R. Doc. 71-4656 appearing on page 6413 in the issue of Saturday, April 3, 1971, the applicability statement of the subject Airworthiness Directive should be corrected to read as follows:

CESSNA. Applies to Models 401 (Serial Nos. 401-0041 and up), 401A (all Serial Numbers), 401B (Serial Nos. 401B0001 through 401B0052), 402 (Serial Nos. 402-0041 and up), 402A (all Serial Numbers), 402B (Serial Nos. 402B0001 through 402B0030), 411 and 411A (Serial Nos. 411-0235 and up) airplanes.

Issued in Kansas City, Mo., on April 16, 1971.

DANIEL E. BARROW,
Acting Director, Central Region.

[FR Doc.71-5980 Filed 4-28-71;8:49 am]

[Docket No. 71-CE-2-AD; Amdt. 39-1198]

PART 39—AIRWORTHINESS DIRECTIVES

Continental Models TSIO-360-A; TSIO-520-B, -D, -E and -J Engines

There have been instances of gasket extrusion and fuel leakage occurring at the top edge of the gasket between the variable orifice body and the fuel injection pump on Continental Models TSIO-360-A and TSIO-520-B, -D, -E and -J engines. This condition may result in hazardous fuel discharge within the engine compartment. Since this situation can exist or develop in other engines of the same type design, an Airworthiness Directive is being issued requiring a visual inspection of the gasket for fuel leakage and/or extrusion and replacement thereof where necessary.

Since immediate action is required in the interest of safety, compliance with the notice and public procedure provisions of the Administrative Procedure Act is impracticable and good cause exists for making this amendment effective in less than thirty (30) days.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator (31 F.R. 13697), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new AD.

CONTINENTAL. In determining the applicable engine serial numbers hereinafter listed, the first block of letters in the serial number line located on the engine nameplate constitutes the basic serial number. The serial number will be followed by the year of manufacture and the model letter designation, for example "S/N 184491-70-A".

Applies to the following Continental model engines:

TSIO-360-A

New—184001 through 184379; 184381 through 184393; 184397 through 184409; 184411, 184415, 184416, 184418 through 184421; 184423 through 184425; 184427, 184429 through 184431; 184433 through 184443; 184445, 184447 through 184453; 184455 through 184466; 184468, 184469, 184472, 184474, 184475, 184477 through 184480; 184482, 184483, 184485, 184490, 184491.
Remanufactured—197001 through 197010.

TSIO-520-B

New—145001 through 145779; 145781 through 145785; 145787 through 145790; 145793, 145796, 145798 through 145800; 145802, 145806, 145808 through 145810; 145812, 145815 through 145820; 145823 through 145825; 145827 through 145829; 145831 through 145837; 145840 through 145846; 145848 through 145875; 145880 and 145881.

Remanufactured—176001 through 176105.

TSIO-520-D

New—156001 through 156146.

Remanufactured—180001 through 180012.

TSIO-520-E

New—206001 through 206256; 206258 through 206270; 206272, 206273, 206275, 206277 through 206291; 206293 through 206306; 206309, 206310, 206311, 206313 through 206315; 206317 through 206343; 206345 through 206347; 206349 through 206359; 206361, 206364 through 206369; 206371, 206373 through 206376; 206380, 206385, 206388 through 206392; 206396 through 206399; 206404 through 206408; 206413, 206415, 206420, 206426, 206429.
Remanufactured—182001 through 182148.

TSIO-520-J

New—208001 through 208114; 208116, 208118 through 208124; 208126, 208140, 208142 through 208157; 208159 through 208163; 208165 through 208197; 208199 through 208203; 208205 through 208207; 208209, 208214, 208217, 208230, 208234, 208235, 208238 through 208240.

NOTE: The manufacturer has installed the P/N 638223 gasket on some serial numbers of the remanufactured engines listed herein. These engines are identified by a white paint band around the aneroid housing. Notation of compliance with Paragraph B may be made in the maintenance records of these engines without further action.

Compliance: Required as indicated, unless already accomplished.

To prevent extrusion of P/N 632647 gasket and/or fuel leakage at the top edge of the variable orifice body, accomplish the following or any equivalent procedure approved by the Chief, Engineering and Manufacturing Branch, FAA, Central Region, Kansas City, Mo.:

(A) Within 25 hours' time-in-service after the effective date of this AD, and thereafter at intervals of 100 hours' time-in-service, visually inspect the fuel injection pump in the area of the top edge of the variable orifice body for evidence of fuel leakage and/or extrusion of P/N 632647 gasket. In making this inspection, snip the cooling shroud in-board of the elbow fitting three-eighth inch vertically and bend up the bottom edge of the shroud to permit access to the area to be inspected.

(B) If the inspection required by Paragraph A discloses leakage and/or gasket extrusion, prior to further flight, replace P/N 632647 gasket with P/N 638223 gasket in accordance with Teledyne Continental Motors Service Bulletin M70-17 dated April 1, 1971, or later FAA-approved revision.

(C) Upon accomplishment of the replacement provided in paragraph B, compliance with the provisions of paragraph A is no longer required.

Teledyne Continental Motors Service Bulletin M70-17 dated April 1, 1971, or later FAA-approved revision, refers to this subject.

This amendment becomes effective April 29, 1971.

Sec. 313(a), 601, 603, Federal Aviation Act of 1958, 49 U.S.C. 1354(a), 1421, 1423; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(e)

Issued in Kansas City, Mo., on April 16, 1971.

DANIEL E. BARROW,
Acting Director, Central Region.

[FR Doc.71-5979 Filed 4-28-71;8:49 am]

[Docket No. 71-SO-69; Amdt. 39-1195]
PART 39—AIRWORTHINESS DIRECTIVES

Piper PA-32-260, PA-32-300, and PA-32S-300 Airplanes

The possibility exists that a number of Piper PA-32 series airplanes were pro-

duced with the forward seat belt attachments improperly installed which could result in these seat belt end fittings becoming free from the fuselage attachment point in the event of an accident. Since this condition is likely to exist in other airplanes of the same type design, an airworthiness directive is being issued to require inspection and replacement of the seat belt attachment hardware on PA-32-260, PA-32-300, and PA-32S-300 airplanes.

Since a situation exists that requires immediate adoption of this regulation, it is found that notice and public procedure hereon are impracticable and good cause exists for making this amendment effective in less than 30 days.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator (31 F.R. 13697), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

PIPER. Applies to PA-32-260, Serial Nos. 32-04, 32-1 through 32-14, 32-16 through 32-20, 32-22 through 32-1075, 32-1111 through 32-1194, 32-1251 through 32-1283, 32-1285 through 32-1287, 32-1289, 32-1291 through 32-1295, 32-1297, 32-7100001 through 32-7100005.

PA-32-300, PA-32S-300, Serial Nos. 32-15, 32-21, 32-40000 through 32-40545, 32-40566 through 40777, 32-40851 through 32-40956, 32-40959 through 32-40974, 32-7140001 through 32-7140008, 32-7140008, 32-7140011, 32-7140012.

Compliance required within the next 25 hours' time in service after the effective date of this AD, unless already accomplished.

(a) On aircraft equipped with seat belts but no shoulder harnesses, remove the front seat inboard seat belt attachment hardware (AN3-5A bolt, AN-960-10 washer, MS 20365-1032C nut, and 63900-43 bushing) and replace with AN3-5A bolt, AN-970-3 washer, 63900-144 bushing, and MS 20365-1032C nut. (Supplied in Piper Kit No. 760-515V.) The new hardware must be installed as follows: Install the bolt in fuselage seat belt attachment fitting with head facing toward center of aircraft. Install seat belt fitting on outboard side of fuselage fitting. Install bushing in seat belt fitting. Install washer and nut.

(b) On aircraft equipped with seat belts and shoulder harnesses, remove front seat inboard seat belt from fuselage attachment and inspect bushing.

(1) If bushing O.D. measures five-sixteenths inch, reinstall bolt in fuselage fitting with bolt head facing toward center of aircraft. Install seat belt fitting on outboard side of fuselage fitting. Install bushing in seat belt fitting. Install washer and nut. No further action is required.

(2) If bushing O.D. measures three-eighths inch, replace attachment hardware with new hardware as outlined in paragraph (a).

Piper Service Bulletin No. 329A dated March 25, 1971, pertains to the same subject.

Piper Kit No. 760-515V contains the hardware and instructions necessary to accomplish this modification. Equivalent replacement parts approved by the Chief, Engineering and Manufacturing Branch, FAA Southern Region, may be used.

This amendment becomes effective April 30, 1971.

(Secs. 313(a), 601, 603, Federal Aviation Act of 1958, 49 U.S.C. 1354(a), 1421, 1423; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(e))

Issued in East Point, Ga., on April 16, 1971.

GORDON A. WILLIAMS, JR.,
Acting Director, Southern Region.
[FR Doc.71-5977 Filed 4-28-71;8:49 am]

[Docket No. 71-SO-70; Amdt. 39-1196]

PART 39—AIRWORTHINESS DIRECTIVES

Piper PA-28, PA-28R, PA-28S, PA-32, and PA-32S Series Airplanes

Amendment 39-1134, F.R. Doc. 70-17351, AD 70-26-4 requires initial and repetitive inspections of the stabilator balance weight support tube for cracks and replacement, if necessary, on Piper PA-28, PA-28R, PA-28S, PA-32, and PA-32S airplanes. After issuing Amendment 39-1134, the Agency determined that the installation of a new balance weight tube in accordance with Piper Service Letter No. 576 will eliminate the necessity for inspecting these stabilator balance weight support tubes. Therefore, the AD is being amended to delete the inspection requirements when the new balance weight tube is installed in accordance with Piper Service Letter No. 576.

Since this amendment provides an alternative means of compliance, and imposes no additional burden on any person, notice and public procedure hereon are unnecessary and the amendment may be made effective in less than 30 days.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (31 F.R. 13697), § 39.13 of Part 39 of the Federal Aviation Regulations, Amendment 39-1134, F.R. Doc. 70-17351, AD 70-26-4, is amended by adding the following new paragraph at the end thereof:

The installation of a new stabilator balance weight support tube in accordance with Piper Service Letter No. 576 will eliminate the necessity for the initial and repetitive inspections of the stabilator balance weight support tube as required in paragraphs I, II, and III.

This amendment becomes effective April 30, 1971.

(Secs. 313(a), 601, 603, Federal Aviation Act of 1958, 49 U.S.C. 1354(a), 1421, 1423, sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(e))

Issued in East Point, Ga., on April 16, 1971.

GORDON A. WILLIAMS, JR.,
Acting Director, Southern Region.
[FR Doc.71-5978 Filed 4-28-71;8:49 am]

[Airspace Docket No. 71-EA-7]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Control Zone and Transition Area

On page 3016 of the FEDERAL REGISTER for February 13, 1971, the Federal Aviation Administration published proposed regulations which would alter the Pittsburgh, Pa. (Greater Pittsburgh and Allegheny County), control zones (35

F.R. 2212) and the Pittsburgh, Pa. (35 F.R. 2244), transition area.

Interested parties were given 30 days after publication in which to submit written data or views. No objections to the proposed regulations have been received.

In view of the foregoing, the proposed regulations are hereby adopted effective 0901 G.m.t., May 27, 1971.

(Sec. 307(a), Federal Aviation Act of 1958, 72 Stat. 749; 49 U.S.C. 1348; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655 (c))

Issued in Jamaica, N.Y., on April 5, 1971.

LOUIS J. CARDINALI,
Acting Director, Eastern Region.

1. Amend § 71.171 of Part 71 of the Federal Aviation Regulations so as to delete the description of the Pittsburgh, Pa. (Greater Pittsburgh), control zone and insert the following:

Within an 8-mile radius of the center, 40°29'37" N., 80°13'54" W. of Greater Pittsburgh Airport, Pittsburgh, Pa., excluding a 1-mile-radius area of the center 40°35'30" N., 80°17'30" W. of Alliquippa-Hopewell Airport, Alliquippa, Pa.

2. Amend § 71.171 of Part 71 of the Federal Aviation Regulations so as to delete the description of the Pittsburgh, Pa. (Allegheny County), control zone and insert the following:

Within a 5-mile radius of the center 40°21'17" N., 79°55'48" W. of Allegheny County Airport, Pittsburgh, Pa., and within 3.5 miles each side of the 257° bearing from the Allegheny RBN extending from the 5-mile-radius area to 8.5 miles west of the RBN.

3. Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to delete the description of the Pittsburgh, Pa., 700-foot transition area and insert the following:

That airspace extending upward from 700 feet above the surface within a 12-mile radius of the center, 40°29'37" N., 80°13'54" W. of Greater Pittsburgh Airport, Pittsburgh, Pa.; within an 8.5 mile-radius of the center, 40°21'17" N., 79°55'48" W. of Allegheny County Airport, Pittsburgh, Pa., and within 3.5 miles each side of the 257° bearing from the Allegheny RBN extending from the 8.5-mile-radius area to 11 miles west of the RBN; and within a 7-mile-radius of the center, 40°21'15" N., 80°11'16" W. of Campbell Airport, Bridgeville, Pa.

[FR Doc.71-5981 Filed 4-28-71; 8:49 am]

[Airspace Docket No. 71-SW-10]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS

Designation of Transition Area

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to designate the La Pryor, Tex., transition area.

On March 12, 1971, a notice of proposed rule making was published in the FEDERAL REGISTER (36 F.R. 4789) stating the Federal Aviation Administration proposed to designate a 700-foot transition area at La Pryor, Tex.

Interested persons were afforded an opportunity to participate in the rule making through submission of comments. All comments received were favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., June 24, 1971, as hereinafter set forth.

In § 71.181 (36 F.R. 2140), the following transition area is added:

LA PRYOR, TEX.

That airspace extending upward from 700 feet above the surface within a 5-mile radius of Chaparrosa Ranch Airport (latitude 28°52'45" N., longitude 99°59'25" W.) and within 3.5 miles each side of a 330° bearing from the (Chaparrosa Ranch) RBN (latitude 28°54'35" N., longitude 100°00'19" W.) extending from the radio beacon to a point 11.5 miles northwest of the radio beacon.

(Sec. 307(a), Federal Aviation Act of 1958, 49 U.S.C. 1348; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Fort Worth, Tex., on April 20, 1971.

R. V. REYNOLDS,
Acting Director, Southwest Region.

[FR Doc.71-5982 Filed 4-28-71; 8:49 am]

[Airspace Docket No. 71-SW-16]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Control Zone and Transition Area

The purpose of this amendment is to alter the description of the Killeen, Tex., control zone and transition area.

Airspace descriptions of the Killeen, Tex., control zone and transition area, as contained in Airspace Docket No. 71-SW-7, appeared in the FEDERAL REGISTER (36 F.R. 5211) on March 18, 1971, specifying an effective date of May 27, 1971.

In the airspace description of the Killeen, Tex., control zone, as appeared in the FEDERAL REGISTER, there was an apparent transposition of the tenth and eleventh lines in this citation. Further the description of the Killeen, Tex., transition area specifies a "7-mile radius of Robert Gray AAF," while the northerly extension to the transition area incorrectly refers to a "5-mile radius area."

It is necessary that the airspace descriptions be corrected; however, the extent and dimensions of controlled airspace will not be changed. The effective date of these corrections will be the same as specified in Airspace Docket No. 71-SW-7.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., May 27, 1971, as hereinafter set forth.

In § 71.171 (36 F.R. 2055, 5211), the Killeen, Tex., control zone is amended in part by deleting "from the Gray RBN (lat. 31°07'18" N. within 3.5 miles each side of the 341° bearing long. 97°51'02" W.) extending from the 5-mile-radius zone to 11 miles north of the RBN," and substituting therefor, "within 3.5 miles each side of the 341° bearing from the Gray RBN (lat. 31°07'18" N., long. 97°51'02" W.) extending from the 5-mile-radius zone to 11 miles north of the RBN."

In § 71.181 (36 F.R. 2140, 5211), the Killeen, Tex., transition area is amended by deleting "extending from the 5-mile radius area to 11.5 miles north of the RBN," and substituting therefor, "extending from the 7-mile-radius area to 11.5 miles north of the RBN."

(Sec. 307(a), Federal Aviation Act of 1958, 49 U.S.C. 1348; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Fort Worth, Tex., on April 22, 1971.

R. V. REYNOLDS,
Acting Director, Southwest Region.

[FR Doc.71-5983 Filed 4-28-71; 8:49 am]

[Airspace Docket No. 71-WE-6]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Control Zone and Transition Area

On March 19, 1971, a notice of proposed rule making was published in the FEDERAL REGISTER (36 F.R. 5299) stating that the Federal Aviation Administration was considering amendments to Part 71 of the Federal Aviation Regulations that would alter the descriptions of the Walla Walla, Wash., control zone and transition area.

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

Effective date. These amendments shall be effective 0901 G.m.t., June 24, 1971.

(Sec. 307(a), Federal Aviation Act of 1958, as amended, 49 U.S.C. 1348(a), sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Los Angeles, Calif., on April 23, 1971.

LEE E. WARREN,
Acting Director, Western Region.

In § 71.171 (36 F.R. 2055) the description of the Walla Walla, Wash., control zone is amended to read as follows:

WALLA WALLA, WASH.

Within a 5-mile radius of Walla Walla City-County Airport (latitude 46°05'35" N., longitude 118°17'20" W.), within 3 miles each side of the Walla Walla VOR 215° radial, extending from the 5-mile-radius zone to 8 miles southwest of the VOR and that airspace within an arc of a 14-mile-radius circle

centered on the Walla Walla VOR extending clockwise from a line 4 miles west to a line 4 miles southeast of and parallel to the Walla Walla VOR 354° and 036° radials.

In § 71.181 (36 F.R. 2140) the description of the Walla Walla, Wash., transition area is amended as follows:

Delete all before " * * * that airspace extending upward from 1,200 feet * * * " and substitute therefor "that airspace extending upward from 700 feet above the surface within 5 miles southeast and 9.5 miles northwest of the Walla Walla VOR 215° radial, extending from the VOR to 18.5 miles southwest of the VOR * * * "

[FR Doc.71-5984 Filed 4-28-71;8:49 am]

Title 15—COMMERCE AND FOREIGN TRADE

Chapter III—Bureau of International Commerce, Department of Commerce

SUBCHAPTER B—EXPORT REGULATIONS

[18th Gen. Rev. of the Export Regs., Amdt. 18]

PART 372—INDIVIDUAL VALIDATED LICENSES AND AMENDMENTS

PART 377—SHORT SUPPLY CONTROLS

Miscellaneous Amendments

Parts 372 and 377 of the Code of Federal Regulations are amended as set forth below.

(Sec. 3, 63 Stat. 7; 50 U.S.C. App. 2023; E.O. 10945, 26 F.R. 4487, 3 CFR 1959-1963 Comp.; E.O. 11038, 27 F.R. 7003, 3 CFR 1959-1963 Comp.)

Effective date: April 28, 1971.

RAUER H. MEYER,
Director, Office of Export Control.

In § 372.11(g)(3), a new subdivision (viii) is added to read as follows:

§ 372.11 Amending export licenses.

* * * * *

(g) * * * * *

(3) * * * * *

(viii) Amendment or extension of a license to export copper scrap or refined copper listed in § 377.3(a) of this chapter.

* * * * *

A new § 377.3 is established to read as follows:

§ 377.3 Copper scrap and refined copper.

(a) *Scope.* The following commodities are subject to the provisions of this § 377.3:

(1) Iron and steel scrap containing 20 percent (by weight) or more copper, including scrap melted into crude form (Commodity No. 28);

(2) Copper bearing ash and residues (Commodity No. 28);

(3) Copper or copper-base alloy waste and scrap (Commodity No. 28);

(4) Nickel alloy waste and scrap containing 50 percent or more copper irrespective of nickel content (Commodity No. 28);

(5) Refined copper fragments (made by chopping, shredding, or otherwise fragmenting copper wire, tubing, etc.) and unwrought forms of refined copper derived from such fragments (Commodity No. 682); and

(6) Other refined copper, including remelted, in cathodes, billets, ingots, except copper-base alloy ingots, wire bars and other crude forms (Commodity No. 682).

(b) *Application requirement.* Each application for export license shall be accompanied by a copy of the export order that sets forth the terms and conditions of the offer to buy the commodities for which the export license is requested. Such evidence may take the form of a contract signed by both parties, or of letters, telegrams, cables, confirmations, or other documents that set forth in definite terms the offer of the foreign purchaser to buy or the acceptance by the foreign purchaser of the exporter's offer to sell.

(c) *Validity period.* Any export license issued under these provisions will be valid for 2 months from the last day of the month during which it is issued; e.g., a license issued on May 4, 1971, would expire on July 31, 1971.

(d) *Outstanding licenses.* Any license covering the commodities described in paragraph (a) of this section that was issued prior to April 28, 1971, shall automatically expire on June 30, 1971, or the expiration date shown on the license whichever is earlier. Any such outstanding license that shows an expiration date later than June 30, 1971, shall also expire on June 30, 1971.

[FR Doc.71-5991 Filed 4-28-71;8:51 am]

Chapter VI—Bureau of Domestic Commerce, Department of Commerce

PART 615—DETERMINATION OF BONA FIDE MOTOR-VEHICLE MANUFACTURER

Scope and Purpose

Correction

In F.R. Doc. 71-5204 appearing at page 7127 in the issue of Thursday, April 15, 1971, the second sentence of § 615.1 should read as follows: "Under headnote 2 to subpart B, part 6, schedule 6 of the Tariff Schedules of the United States, whenever the Secretary of Commerce

has determined a person to be a bona fide motor-vehicle manufacturer, such person is eligible to obtain duty-free importation of certain Canadian articles and to issue certain orders, contracts, or letters of intent under or pursuant to which other persons, not themselves bona fide motor-vehicle manufacturers, may obtain duty-free treatment for such Canadian articles."

Title 21—FOOD AND DRUGS

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

SUBCHAPTER C—DRUGS

PART 135b—NEW ANIMAL DRUGS FOR IMPLANTATION OR INJECTION

Lincomycin Injection

The Commissioner of Food and Drugs has evaluated a supplemental new animal drug application (34-025V) filed by The Upjohn Co. proposing (1) provisions for lincomycin injection to be dispensed in 50-milliliter containers and (2) revised labeling for the drug in order to provide for an over-the-counter preparation for use in swine. The supplemental application is approved.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 512(i), 82 Stat. 347; 21 U.S.C. 360b(i)) and under authority delegated to the Commissioner (21 CFR 2.120), Part 135b is amended by revising § 135b.11 to read as follows:

§ 135b.11 Lincomycin injection.

(a) *Specifications.* Meets the specifications in § 148x.3(a)(1) of this chapter except that each immediate container may contain 20 or 50 milliliters of solution containing 100 milligrams of lincomycin per milliliter.

(b) *Sponsor.* The Upjohn Co., Kalamazoo, Mich. 49001.

(c) *Special considerations.* When common labeling for use of the drug in dogs, cats, and swine is included with the drug, all such uses are subject to the labeling requirements of § 1.106(c) of this chapter.

(d) *Related tolerances.* See § 135g.65 of this chapter.

(e) *Conditions of use.* It is used as follows:

Amount	Limitations	Indications for use
Mg. per lb. body weight per day		
1. Lincomycin...	5-10 For dogs and cats; administer intramuscularly 10 milligrams per pound of body weight once a day or 5 milligrams per pound of body weight twice daily or intravenously 5 to 10 milligrams per pound body weight one or two times daily by slow injection. May be diluted with 5 percent glucose in water or normal saline and given as an infusion; as lincomycin hydrochloride monohydrate; for use by or on the order of a licensed veterinarian.	Infections caused by gram-positive organisms, particularly streptococci and staphylococci.
2. Lincomycin...	5 For swine; administer intramuscularly as a single daily dose for 3 to 7 days; as lincomycin hydrochloride monohydrate; do not treat within 48 hours of slaughter.	Treatment of infectious arthritis and mycoplasma pneumoniae.

Effective date. This order shall be effective upon publication in the FEDERAL REGISTER (4-29-71).

(Sec. 512(1), 82 Stat. 347; 21 U.S.C. 360b(1))

Dated: April 15, 1971.

C. D. VAN HOUWELING,
Director,
Bureau of Veterinary Medicine.

[FR Doc.71-5954 Filed 4-28-71;8:46 am]

PART 146c—CERTIFICATION OF CHLORTETRACYCLINE (OR TETRACYCLINE) AND CHLORTETRACYCLINE- (OR TETRACYCLINE-) CONTAINING DRUGS

Tetracycline Hydrochloride Powder Topical Veterinary

No comments were received in response to the notice published in the FEDERAL REGISTER of October 7, 1970 (35 F.R. 15762), proposing that § 146c.230 of the antibiotic drug regulations be amended for reasons given to delete provisions regarding Polyotic Powder, a drug for veterinary use containing tetracycline hydrochloride and benzocaine and marketed by American Cyanamid Co., Post Office Box 400, Princeton, N.J. 08540.

The Commissioner of Food and Drugs therefore concludes that the amendments should be adopted as proposed. Accordingly, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 502, 507, 512, 52 Stat. 1050-51, as amended, 59 Stat. 463, as amended, 82 Stat. 343-51; 21 U.S.C. 352, 357, 360b) and under authority delegated to the Commissioner (21 CFR 2.120), § 146c.230 is amended by revising the section heading and paragraphs (c) (2) and (f) to read as follows:

§ 146c.230 Chlortetracycline hydrochloride powder topical; tetracycline hydrochloride powder topical for human use.

(c) * * *

(2) On the circular or other labeling within or attached to the package, if it is packaged for dispensing, adequate directions and warnings for prophylactic use by man, or, if it contains chlortetracycline hydrochloride powder topical, for the veterinary use of such drug. Such circular or other labeling may also bear a statement that a brochure or other printed matter containing information for other uses of such drug by practitioners licensed by law to administer it will be sent to such practitioners on request.

(f) *Exemption of chlortetracycline hydrochloride powder topical for veterinary use from certification.* Chlortetracycline hydrochloride powder topical that conforms to the requirements of paragraphs (a), (b), and (c) of this section shall be exempt (unless packaged with inert gases) from the requirements of sections 502(1) and 507 of the act, if

it complies with the following conditions:

(1) It is intended solely for veterinary use and is conspicuously so labeled.

(2) The label bears an expiration date that is 48 months after the month in which the batch was last assayed and released by the manufacturer.

(3) The circular or other labeling within or attached to the package bears information that the drug is intended solely for the prevention of infection in superficial cuts and abrasions and for the treatment of pinkeye in veterinary animals, and further, bears directions and warnings adequate for such use.

Any person who will be adversely affected by the removal of any such drug from the market may file, within 30 days after publication hereof in the FEDERAL REGISTER, objections to this order stating reasonable grounds and requesting a hearing on such objections. Objections and requests for a hearing should be filed (preferably in quintuplicate) with the Hearing Clerk, Department of Health, Education, and Welfare, Room 6-62, 5600 Fishers Lane, Rockville, Md. 20852.

Effective date. This order will become effective 40 days after its date of publication in the FEDERAL REGISTER. If objections are filed, the effective date will be extended for ruling thereon.

(Secs. 502, 507, 512, 52 Stat. 1050-51, as amended, 59 Stat. 463, as amended, 82 Stat. 343-51; 21 U.S.C. 352, 357, 360b)

Dated: April 20, 1971.

SAM D. FINE,
Associate Commissioner
for Compliance.

[FR Doc.71-5955 Filed 4-28-71;8:46 am]

Title 26—INTERNAL REVENUE

Chapter I—Internal Revenue Service, Department of the Treasury

SUBCHAPTER E—ALCOHOL, TOBACCO AND OTHER EXCISE TAXES

[T.D. 7110]

OCCUPATIONAL TAXES RELATING TO LIQUORS AND STILL

On March 5, 1971, a notice of proposed rule making to amend 26 CFR Parts 194, 196, 197, 201, 240, and 245 was published in the FEDERAL REGISTER (36 F.R. 4393). In accordance with the notice, interested persons were afforded an opportunity to submit written comments or suggestions pertaining thereto. After consideration of all relevant matter presented and further study of the proposed amendments, the regulations in 26 CFR Parts 194, 196, 197, 201, 240, and 245 as so published, are hereby adopted, subject to the following change:

PARAGRAPH 1. Paragraph A8 is changed by revising the next to the last sentence in § 194.111 in regard to "reasonable cause" for delinquency.

This Treasury decision shall become effective commencing on the thirtieth day after the date of its publication in the FEDERAL REGISTER.

(Sec. 7805, Internal Revenue Code (68A Stat. 917; 26 U.S.C. 7805))

[SEAL] RANDOLPH W. THROWER,
Commissioner of Internal Revenue.

Approved: April 26, 1971.

EDWIN S. COHEN,
Assistant Secretary
of the Treasury.

In order to automate the processing of low-volume tax returns at Internal Revenue Service Centers and to effect economies by providing that taxpayers subject to the same class of special (occupational) tax for the same taxable period at two or more locations shall file but one special tax return with the Director of the Service Center serving the Internal Revenue District in which the taxpayer's principal place of business, or principal office in the case of a corporate taxpayer, is located, the regulations in 26 CFR Parts 194, 196, 197, 201, 240, and 245 are amended as follows:

PART 194—LIQUOR DEALERS

PARAGRAPH A. 26 CFR Part 194 is amended as follows:

1. An undesignated center heading is inserted immediately preceding § 194.104 to read as follows: "Filing Return and Payment of Special Tax".

2. Section 194.104 and its heading are amended with respect to the filing of returns, and paragraph (b) thereof is transferred to new § 194.104a. As amended, § 194.104 and its heading read as follows:

§ 194.104 Time for filing return.

Every person who intends to engage in a business subject to special tax under the provisions of this part shall, on or before the date such business is commenced, render a special tax return, Form 11, with remittance of tax, and every taxpayer who continues into a new fiscal year a business subject to special tax under the provisions of this part shall file a Form 11 and remittance on or before July 1 of the new fiscal year: *Provided*, That a taxpayer subject to the same class of special tax for the same period at two or more locations shall, as provided in § 194.106, file one special tax return Form 11 with remittance of tax to cover all such locations. Where the return and remittance are received in the mail and the U.S. postmark on the cover shows that it was deposited in the mail in the United States within the time prescribed for filing in an envelope or other appropriate wrapper which was properly addressed with postage prepaid, the return shall be considered as timely filed. If the postmark is not legible, the sender has the burden of proving the date when the postmark was made. When registered mail is used the date of registration shall be accepted as the postmark date.

(68A Stat. 732, 749, 72 Stat. 1346; 26 U.S.C. 6011, 6071, 5142)

3. A new section, § 194.104a, respecting the place for filing returns is added immediately following § 194.104 to read as follows:

§ 194.104a Place for filing return.

Form 11 with remittance of tax shall be filed with the director of the service center serving the internal revenue district in which the business is located: *Provided*, That any taxpayer required by § 194.104 to file a Form 11 and remittance to cover two or more locations shall file Form 11 and remittance with the director of the service center serving the internal revenue district in which the taxpayer's principal place of business (or principal office in the case of a corporate taxpayer) is located.

4. Section 194.106 and its heading are amended to provide for the filing of a single return on Form 11 to cover special tax liability at two or more places of business. As amended, § 194.106 and its heading read as follows:

§ 194.106 Special tax returns.

(a) *General*. Special tax returns shall be made on Form 11, which may be procured from the director of the service center or from any district director. A separate Form 11 shall be filed for each rate of tax specified in § 194.101. If a taxpayer files Form 11 as provided in paragraph (c) of this section and thereafter in the period covered thereby starts at one or more locations one or more new businesses, he shall make a return on Form 11 with remittance of tax and an attached list showing the name, trade name (if any), and the address of each location covered by the return in the manner prescribed in paragraph (c) of this section: *Provided*, That no one return shall cover more than one class of tax nor periods of liability commencing on different days.

(b) *Special tax return covering a single location*. In the case of a special tax return filed for a single location, the taxpayer shall disclose in the spaces provided on the return—

(1) Where the dealer is an individual or a corporation, the true name of such individual or corporation;

(2) In the case of a partnership, the true name of each and every person comprising the partnership;

(3) Where a trade name is used, the exact trade name under which the business is conducted, in addition to information required in subparagraph (1) or (2) of this paragraph;

(4) The employer identification number (see §§ 194.106a-194.106c);

(5) The exact location of the place of business, by name and number of building or street or, where these do not exist, by some particularization in addition to the post office address;

(6) The kind of liquor business carried on, as classified in §§ 194.23-194.27;

(7) All other information provided for on the form.

(c) *Special tax return covering multiple locations*. In the case of a special tax return filed for multiple locations, the taxpayer shall disclose in the spaces provided on the return—

(1) The name, trade name (if any), and address of his principal place of business, or principal office, in the manner prescribed in paragraph (b) (1), (2), (3), and (5) of this section;

(2) The employer identification number (see §§ 194.106a-194.106c);

(3) The kind of liquor business carried on, as classified in §§ 194.23-194.27;

(4) The number of locations covered by the return; and

(5) All other information provided for on the form.

In addition to the above, the taxpayer shall prepare, in duplicate, a list identified with his name, address, employer identification number, class of tax, and period covered by his return. The list shall show by States, the name, trade name, if any, and address of each location (including taxpayer's principal place of business, or principal office, if subject to special tax) covered by the return. Each address shall be disclosed on such list in the manner prescribed in paragraph (b) (5) of this section. The original of the list shall be attached to the Form 11, as a part of his return, and the copy shall be retained by the taxpayer as part of the records required by this part.

(68A Stat. 732, 846, 75 Stat. 828; 26 U.S.C. 6011, 7011, 6109)

5. Section 194.106d is amended to provide that all hand-carried returns shall be filed with the district director. As amended, § 194.106d reads as follows:

§ 194.106d Hand-carried returns.

Notwithstanding the provisions of this part relating to the filing of returns on Form 11 for special (occupational) tax, such returns which are filed by hand carrying shall be filed with the district director of the internal revenue district in which the taxpayer's business is located or, as to a single return prepared under the provisions of § 194.106(c), to cover liability at two or more locations, the return shall be filed with the district director of the internal revenue district in which the taxpayer's principal place of business (or principal office in the case of a corporate taxpayer) is located.

(68A Stat. 752, as amended; 26 U.S.C. 6091)

§ 194.108 [Deleted]

6. Section 194.108 is deleted.

7. Section 194.109 is amended to provide penalties and limitation on such penalties for failure to pay special tax and to delete provisions respecting extension of time for filing a return. As amended, § 194.109 reads as follows:

§ 194.109 Penalty for failure to file return or to pay tax.

(a) *Failure to file return*. Any person required by this part to file a return on Form 11 who fails to file the return on or before the last date prescribed in § 194.104 shall pay, as an addition to the tax, a delinquency penalty, unless it is shown that such failure is due to reasonable cause and not due to willful neglect. The delinquency penalty for failure to file the return on or before the last date prescribed shall be 5 percent of the amount required to be shown as tax on

the return if the failure is for not more than one month; with an additional 5 percent for each additional month or fraction thereof during which such delinquency continues, but not more than 25 percent in the aggregate.

(b) *Failure to pay tax*. Any person who files a return on Form 11 under the provisions of this part and who fails to pay the amount shown as tax on the return on or before the date prescribed in § 194.104 for payment of such tax, shall pay, as an addition to the tax, a penalty, unless it is shown that such failure is due to reasonable cause and not due to willful neglect. The penalty for failure to pay the tax on or before the date prescribed for payment shall be 0.5 percent of the amount shown as tax on the return if the failure is not more than one month; with an additional 0.5 percent for each additional month or fraction thereof during which the failure continues, but not exceeding 25 percent in the aggregate.

(c) *Limitations*. With respect to any return on Form 11, the amount of the addition under paragraph (a) of this section shall be reduced by the amount of the addition under paragraph (b) of this section for any month to which an addition to tax applies under both paragraphs (a) and (b). If the amount of tax required to be shown as tax on the return is less than the amount shown as tax on such return, the penalties prescribed in paragraphs (a) and (b) of this section shall be applied by substituting such lower amount.

(68A Stat. 821, as amended; 26 U.S.C. 6651)

8. Section 194.111 and its heading are amended to include waiver of penalties for failure to pay tax. As amended, § 194.111 and its heading read as follows:

§ 194.111 Waiver of penalties.

In every case where a special tax return is not filed, or the tax is not paid, at the time prescribed in § 194.104, the delinquency penalties specified in § 194.109 for failure to file a return or for failure to pay the amount shown as tax on the return will be asserted and collected unless a reasonable cause for delay in filing the return or payment of the tax is clearly established. A dealer who believes the circumstances which delayed his filing of the return or payment of the tax are reasonable, and who desires to have the penalties waived, shall submit with his return a written statement under the penalties of perjury, affirmatively showing all of the circumstances alleged as reasonable causes for delay. If such return and statement are submitted to the director of the service center, he shall determine whether the delay in filing or payment was due to reasonable cause; if delivered to an internal revenue officer working under supervision of the assistant regional commissioner, the assistant regional commissioner shall make the determination. If the appropriate official determines that the delinquency was due to a reasonable cause and not to willful neglect or gross negligence, the addition

to the tax will not be assessed. If the taxpayer exercised ordinary business care and prudence and was nevertheless unable to file the return within the prescribed time, or if he made a satisfactory showing that he exercised ordinary business care and prudence in providing for payment of his tax liability and was nevertheless either unable to pay the tax or would have suffered an undue hardship if he had paid on the due date, then the delay is due to reasonable cause. Mere ignorance of the law will not be considered a reasonable cause.

(68A Stat. 821, as amended; 26 U.S.C. 6651)

9. Section 194.121 is amended to cover the issuance of special tax stamps to taxpayers filing a single return for multiple locations. As amended, § 194.121 reads as follows:

§ 194.121 Issuance of stamps.

Upon filing a return properly executed on Form 11, together with a remittance in the full amount due, the taxpayer will be issued an appropriately designated stamp. If the Form 11 with remittance covers multiple locations, the taxpayer will be issued one stamp for each location listed in the attachment to Form 11 required by § 194.106(c) but showing, as to name and address, only the name of the taxpayer and the address of the taxpayer's principal place of business (or principal office in the case of a corporate taxpayer). Special tax stamps will not be issued until the tax is fully paid.

(72 Stat. 1348; 26 U.S.C. 5144)

10. A new section, § 194.121a, is added immediately following § 194.121 to provide for the distribution of stamps issued for multiple locations. As added, § 194.121a reads as follows:

§ 194.121a Distribution of stamps for multiple locations.

On receipt of the special tax stamps, the taxpayer will verify that he has one stamp for each location listed in his copy of the attachment to Form 11 and examine them to insure that his name and address are correctly stated thereon. Incorrect stamps shall be returned to the director of the service center as provided in § 194.134. The taxpayer shall designate one stamp for each location listed in his copy of the attachment to Form 11 required by § 194.106 and shall type thereon the trade name, if different from the name in which the stamp was issued, and the address of the business conducted at the location for which that stamp is designated. He shall then forward each stamp to the place of business designated on the stamp. On receipt of the stamp at the designated place of business, it shall be examined to verify that the name and address of the business are correctly stated. If they are not, the stamp shall be returned, with a statement showing the nature of the error and the correct data, to the principal office of the taxpayer who will compare the data on the stamp with his retained copy of the attachment to Form 11. If the error in name and address was made by the taxpayer, he will

correct the stamp and return it to the designated place of business. If the error was made in the attachment to Form 11, the taxpayer will file with the director of the service center an amended Form 11 and an amended attachment with a statement explaining the error.

11. Sections 194.124 and 194.126 are amended to provide for the filing of a single return on Form 11 to cover special tax liability for two or more passenger carriers and two or more supply boats or vessels, respectively. As amended, §§ 194.124 and 194.126 read as follows:

§ 194.124 Stamps for passenger trains, aircraft, and vessels.

Special tax stamps may be issued in general terms "In the United States" to persons who will carry on the business of retail dealers in liquors or retail dealers in beer, on trains, aircraft, boats or other vessels, engaged in the business of carrying passengers. If sales of liquors are made at the same time on two or more passenger carriers, a special tax stamp shall be obtained for each such carrier. However, a dealer may transfer any such stamp from one passenger carrier to another on which he conducts his business, without registering the transfer with the Internal Revenue Service, and he may conduct such business throughout the passenger carrying train, aircraft, boat or other vessel, to which the stamp is transferred. A person subject to the same rate of special tax on two or more passenger carriers shall file one Form 11, prepared in the manner prescribed in § 194.106(b), with remittance, to cover all such carriers and shall specify on the Form 11 the number of passenger carriers for which special tax is being paid.

(72 Stat. 1344, 1347; 26 U.S.C. 5123, 5143)

§ 194.126 Stamps for supply boats or vessels.

Special tax stamps may be issued to persons carrying on the business of a retail dealer in liquor or a retail dealer in beer on supply boats or vessels operated by them, when such persons operate from a fixed address in a port or harbor and supply exclusively boats or other vessels, or persons thereon, at such port or harbor. Any person desiring to obtain a special tax stamp for such business shall file Form 11, prepared in the manner prescribed in § 194.106(b), with remittance, and shall specify on the Form 11, or on an attachment thereto, (a) that the business will consist of supplying exclusively boats, vessels, or persons thereon, (b) the name of the port or harbor at which the business is to be carried on, and (c) the fixed address from which operations are to be conducted: *Provided*, That where such sales are to be made from two or more supply boats or vessels, the dealer shall obtain a special tax stamp for each such boat or vessel, and shall, in addition to the information required by paragraphs (a), (b), and (c) of this section, specify on the Form 11 the number of supply boats or vessels for which special tax is being paid. A dealer may transfer any such stamp from any boat or vessel

on which he discontinues such sales to any other boat or vessel on which he proposes to conduct such business, without registering the transfer with the Internal Revenue Service. If the taxpayer operates from two or more fixed addresses, he shall prepare, as required by § 194.106(c), one tax return, Form 11, to cover all such addresses and shall, in addition, show on the attachment to the Form 11 the number of stamps to be procured for supply boats or vessels operating from each address. On receipt of the special tax stamps, the taxpayer shall designate an appropriate number of stamps for each location and shall type thereon the trade name, if different from the name in which the stamp was issued, and the fixed address of the business conducted at the location for which the stamps are designated. He shall then forward the stamps to the place of business designated on the stamps. The taxpayer shall enter on each stamp received for retailing liquors on supply boats or vessels, immediately after the occupational tax classification, the phrase "on supply boats" and in the lower margin the notation, "Covers supplying exclusively of boats or vessels, or persons thereon, at the Port (or Harbor) of" followed by the name of such port or harbor.

(72 Stat. 1344, 1347; 26 U.S.C. 5123, 5143)

12. Section 194.135 is amended with respect to correction of special tax stamps by internal revenue officers. As amended, § 194.135 reads as follows:

§ 194.135 Errors discovered on inspection.

When an internal revenue officer discovers a material error on a special tax stamp in the name, ownership, or address of the dealer, he will secure from the dealer a new Form 11, designated "Amended Return," showing correctly all of the information required in § 194.106 and, in the body of the form or in an attachment thereto, a statement of the reason for requesting correction of the stamp. On receipt of the amended return and an acceptable explanation for the error, the officer will make the proper correction on the stamp and return it to the taxpayer. However, if the error found by the internal revenue officer is on a special tax stamp obtained pursuant to a return on Form 11 filed under the provisions of § 194.106(c), he shall instruct the taxpayer to return the stamp, with a statement showing the nature of the error and the correct data, to the dealer's principal office as provided in § 194.121a.

13. Sections 194.151 and 194.169 are amended to add a cross reference to § 194.106(b). As amended, §§ 194.151 and 194.169 read as follows:

§ 194.151 Amended return, Form 11; endorsement on stamp.

(a) *General*. A dealer who, during the taxable period for which special tax was paid, removes his business to a place other than that specified on his original special tax return on Form 11, and stated on his special tax stamp, shall, within

30 days from the date he begins to carry on such business at the new location, register the change with the director of the service center who issued the stamp, by filing a new return on Form 11, designated "Amended Return," setting forth the time when and the place to which such removal was made, and shall surrender the special tax stamp to the director of the service center for endorsement of the change in location: *Provided*, That the dealer who filed his original return, Form 11, under the provisions of § 194.106(b) may deliver the amended return and the stamp at any internal revenue office, or to any internal revenue officer inspecting the business, in lieu of submitting them directly to the director of the service center. The director of the service center or the internal revenue officer receiving such return and stamp shall, if the return is submitted to him within the 30-day period, enter the proper endorsement on the stamp and return it to the taxpayer.

§ 194.169 Change of control, persons having right of succession.

Certain persons other than the special-tax payer may, without paying additional special tax, secure the right to carry on the same business at the same address for the remainder of the taxable period for which the special tax was paid. Such persons are—

- (a) The surviving spouse or child, or executor, administrator, or other legal representative of a deceased dealer;
- (b) A husband or wife succeeding to the business of his or her living spouse;
- (c) A receiver or trustee in bankruptcy, or an assignee for benefit of creditors; and
- (d) The partner or partners remaining after death or withdrawal of a member of a partnership.

In order to secure such right, the person or persons continuing the business shall file with the director of the service center who issued the stamp or stamps, within 30 days from the date on which the successor begins to carry on the business, an amended special tax return on Form 11, showing the basis of the succession, and shall surrender the unexpired special tax stamp or stamps for endorsement of the change in control: *Provided*, That, if the original return, Form 11, was filed under the provisions of § 194.106(b), the person succeeding to the business may deliver the amended return and stamp at any internal revenue office, or to any internal revenue officer inspecting the business, in lieu of submitting them to the director of the service center. If the applicant has the right of succession and the return and stamp are submitted on time, the director of the service center or other internal revenue officer receiving them will enter the proper endorsement on the stamp and return it to the successor.

(68A Stat. 846, 72 Stat. 1347; 26 U.S.C. 7011, 5143)

PART 196—STILLS

PAR. B. 26 CFR Part 196 is amended by revising §§ 196.34 and 196.34d and by adding two new sections, §§ 196.36a and 196.36b, immediately following § 196.36, to read as follows:

§ 196.34 Special tax return.

Special (occupational) taxes imposed on manufacturers of stills or condensers and the special (commodity) taxes on such articles will be paid by the manufacturer pursuant to the filing of a special tax return, Form 11, showing the information required by the headings on the form and the instructions thereon or issued in respect thereto. Special tax returns on Form 11 shall be filed, with remittance, with the director of the service center serving the internal revenue district in which the place of manufacture is located: *Provided*, That a taxpayer subject to special (occupational) tax for the same period at two or more locations shall (a) file one special tax return Form 11, with remittance, to cover all such locations, with the director of the service center serving the internal revenue district in which the taxpayer's principal place of business (or principal office in the case of a corporate taxpayer) is located; and (b) prepare, in duplicate, a list identified with his name, address, employer identification number, class of tax, and period covered by his return. The list shall show, by States, the name (and trade name, if any) and address of each location (including taxpayer's principal place of business or principal office, if subject to special tax) for which special tax is being paid. The original of the list shall be attached to the Form 11, as a part of his return, and the copy shall be retained by the taxpayer for a period of not less than 2 years.

§ 196.34d Hand-carried returns.

Notwithstanding the provisions of this part relating to the filing of returns on Form 11 for special tax, such returns which are filed by hand carrying shall be filed with the district director of the internal revenue district in which the taxpayer's business is located or, as to a single return prepared under the provisions of § 196.34 to cover liability at two or more locations, the return shall be filed with the district director of the internal revenue district in which the taxpayer's principal place of business (or principal office in the case of a corporate taxpayer) is located.

(68A Stat. 752, as amended; 26 U.S.C. 6091)

§ 196.36a Issuance of stamps.

Upon filing a return properly executed on Form 11, together with a remittance in the full amount due, the taxpayer will be issued an appropriately designated stamp. Special tax stamps will not be issued until the tax is fully paid. If such Form 11 with remittance covers multiple locations, the taxpayer will be issued one special (occupational) tax stamp for each location listed in the attachment

to Form 11 required by § 196.34 but showing, as to name and address, only the name of the taxpayer and the address of the taxpayer's principal place of business (or principal office in the case of a corporate taxpayer).

§ 196.36b Distribution of special (occupational) tax stamps for multiple locations.

On receipt of the special tax stamps, the taxpayer will verify that he has one stamp for each location listed in his copy of the attachment to Form 11 required by § 196.34. He shall designate one stamp for each location and shall type thereon the trade name, if different from the name in which the stamp was issued, and address of the business conducted at the location for which that stamp is designated. He shall then forward each stamp to the place of business designated on the stamp.

PART 197—DRAWBACK ON DISTILLED SPIRITS USED IN MANUFACTURING NONBEVERAGE PRODUCTS

PAR. C. 26 CFR Part 197 is amended by revising §§ 197.28, 197.29, 197.29d, and 197.40 and by adding a new section, § 197.40a, immediately following § 197.40, to read as follows:

§ 197.28 Filing of return and payment of special tax.

Returns shall be filed on Form 11, with remittance, with the director of the service center serving the internal revenue district in which the place of manufacture is located: *Provided*, That a taxpayer subject to the same rate of special (occupational) tax at two or more locations shall (a) file one special tax return Form 11 (prepared in the manner prescribed in § 197.29), with remittance, to cover all such locations, with the director of the service center serving the internal revenue district in which the taxpayer's principal place of business (or principal office in the case of a corporate taxpayer) is located; and (b) prepare, in duplicate, a list identified with his name, address, employer identification number, class of tax, and period covered by his return. The list shall show, by States, the name (and trade name, if any) and address of each location (including taxpayer's principal place of business, or principal office, if subject to special tax) for which special tax is being paid. The original of the list shall be attached to the Form 11, as a part of his return, and the copy shall be retained by the taxpayer for a period of not less than 2 years.

§ 197.29 General.

Special tax returns, Form 11, may be procured from the director of the service center or from any district director and shall disclose, in the spaces provided, the following:

- (a) The true name of the taxpayer, which may be followed by the words "trading as" and any trade name under which the business is conducted.

(b) The employer identification number (see §§ 197.29a-197.29c).

(c) The exact location of the place of business, as by name and number of building or street, and where these do not exist, some particularization in addition to the post office address; except, that in the case of one return for two or more locations, as provided for in § 197.28, the location to be shown on the Form 11 shall be that of the taxpayer's principal place of business (or principal office in the case of a corporate taxpayer).

(d) The kind of business carried on.

(e) Except in the case of a corporation, the true names of all persons having a proprietary interest in the business. While it is not necessary that the names of all persons having a proprietary interest in the business appear on the special tax stamp, the names must be disclosed on the return, Form 11.

§ 197.29d Hand-carried returns.

Notwithstanding the provisions of this part relating to the filing of returns on Form 11 for special (occupational) tax, such returns which are filed by hand carrying shall be filed with the district director of the internal revenue district in which the taxpayer's business is located or, as to a single return prepared under the provisions of § 197.28 to cover liability at two or more locations, the return shall be filed with the district director of the internal revenue district in which the taxpayer's principal place of business (or principal office in the case of a corporate taxpayer) is located.

(68A Stat. 752, as amended; 26 U.S.C. 6091)

§ 197.40 Issuance of stamps.

Each manufacturer of nonbeverage products, upon filing a properly executed return on Form 11, together with the proper remittance in the full amount due, will be issued a special tax stamp designated "Manufacturer of Nonbeverage Products." Such special tax stamp may not be sold or otherwise transferred to another person. If such Form 11 with remittance covers multiple locations, the taxpayer will be issued one appropriately designated stamp for each location listed in the attachment to Form 11 required by § 197.28 but showing, as to name and address, only the name of the taxpayer and the address of the taxpayer's principal place of business (or principal office in the case of a corporate taxpayer).

§ 197.40a Distribution of stamps for multiple locations.

On receipt of the special tax stamps, the taxpayer will verify that he has one stamp for each location listed in his copy of the attachment to Form 11 required by § 197.28. He shall designate one stamp for each location and shall type thereon the trade name, if different from the name in which the stamp was issued, and address of the business conducted at the location for which that stamp is designated. He shall then forward each stamp to the place of business designated on the stamp.

PART 201—DISTILLED SPIRITS PLANTS

PAR. D. 26 CFR Part 201 is amended by revising §§ 201.31, 201.32a, and 201.32f, and by adding two new sections, §§ 201.32g and 201.32h, immediately following § 201.32f, to read as follows:

§ 201.31 Rectifier's special tax.

Every person engaging in business as a rectifier, within the meaning of the term as defined in Subpart B of this part, shall prepare a return on Form 11. The return shall be filed with the director of the service center serving the internal revenue district in which the business is located, and pay special tax at the applicable rate prescribed in section 5081, I.R.C.: *Provided*, That a taxpayer subject to the same class of special (occupational) tax for the same period at two or more locations shall (a) file one special tax return Form 11, prepared in the manner prescribed in § 201.32a, with remittance, to cover all such locations, with the director of the service center serving the internal revenue district in which the taxpayer's principal place of business (or principal office in the case of a corporate taxpayer) is located; and (b) prepare, in duplicate, a list identified with his name, address, employer identification number, class of tax, and period covered by his return. The list shall show, by States, the address of each location (including taxpayer's principal place of business, or principal office, if subject to special tax) for which special tax is being paid. The original of the list shall be attached to the Form 11, as a part of his return, and the copy shall be retained by the taxpayer for a period of not less than 2 years. The tax is imposed as of the first day of July in each year, or on commencing such business. In the former case the tax is reckoned for 1 year and in the latter case it is reckoned proportionately from the first day of the month in which the liability to special tax commenced and to and including the 30th day of June following. Section 5142, I.R.C., provides that no person shall engage in or carry on the business of a rectifier until he has paid the special tax therefor.

(68A Stat. 846, 72 Stat. 1338, 1346, 1347; 26 U.S.C. 7011, 5081, 5082, 5142, 5143)

§ 201.32a Data required on Form 11.

Each return on Form 11 shall be prepared in accordance with the headings on the form and the instructions thereon or issued in respect thereto, and shall include the following:

(a) Where the rectifier is an individual or a corporation, the true name of such individual or corporation;

(b) In the case of a partnership, the true name of each and every person comprising the partnership;

(c) The employer identification number (see §§ 201.32c-201.32e);

(d) The exact location of the place of business, by name and number of building or street or, where these do not exist, by some particularization in addition to the post office address except, that in the case of one return for two or more loca-

tions, as provided for in § 201.31, the location to be shown on the Form 11 shall be that of the taxpayer's principal place of business (or principal office in the case of a corporate taxpayer);

(e) The kind and class of tax (see § 201.31);

(f) All other information provided for on the form.

(68A Stat. 732, 846, 75 Stat. 838; 26 U.S.C. 6011, 7011, 6109)

§ 201.32f Hand-carried returns.

Notwithstanding the provisions of this part relating to the filing of returns on Form 11 for special (occupational) tax, such returns which are filed by hand carrying shall be filed with the district director of the internal revenue district in which the taxpayer's business is located or, as to a single return prepared under the provisions of § 201.31 to cover liability at two or more locations, the return shall be filed with the district director of the internal revenue district in which the taxpayer's principal place of business (or principal office in the case of a corporate taxpayer) is located.

§ 201.32g Issuance of stamps.

Upon filing a return properly executed on Form 11, together with a remittance in the full amount due, the taxpayer will be issued an appropriately designated stamp. Special tax stamps will not be issued until the tax is fully paid. If such Form 11 with remittance covers multiple locations, the taxpayer will be issued one appropriately designated stamp for each location listed in the attachment to Form 11 required by § 201.31, but showing, as to name and address, only the name of the taxpayer and the address of the taxpayer's principal place of business (or principal office in the case of a corporate taxpayer).

§ 201.32h Distribution of stamps for multiple locations.

On receipt of the special tax stamps, the taxpayer will verify that he has one stamp for each location listed in his copy of the attachment to Form 11 required by § 201.31. He shall designate one stamp for each location and shall type thereon the address of the business conducted at the location for which that stamp is designated. He shall then forward each stamp to the place of business designated on the stamp.

PART 240—WINE

PAR. E. 26 CFR Part 240 is amended by revising §§ 240.343, 240.344, and 240.345, to read as follows:

§ 240.343 Annual special tax.

The special tax year commences on July 1 and ends on June 30 of the next year. All persons liable for special tax shall file Form 11 with the director of the service center serving the internal revenue district in which the business is located, and pay the special tax to him on or before July 1 of each year. If the Form

11, with remittance, is not actually delivered on or before July 1, the date of the postmark stamped on the cover in which such return is mailed, if made by a United States post office, shall be deemed to be the date of filing.

(68A Stat. 846, 895, 72 Stat. 1346, 1347; 26 U.S.C. 7011, 7502, 5142, 5143)

§ 240.344 Business commenced after July.

Where business is commenced after July, the tax will be prorated from the first day of the month in which business was commenced to June 30 following. In such case, if the Form 11, with remittance, is not actually delivered to the director of the service center on or before the day on which the business was commenced, the date of the postmark stamped on the cover in which such return is mailed, if made by a United States post office, shall be deemed to be the date of filing.

(72 Stat. 1346, 1347; 26 U.S.C. 5142, 5143)

§ 240.345 Hand-carried returns.

Notwithstanding the provisions of this part relating to the filing of returns on Form 11 for special (occupational) tax, such returns which are filed by hand carrying shall be filed with the district director of the internal revenue district in which the taxpayer's business is located or, as to a single return prepared under the provisions of Part 194 of this chapter to cover liability at two or more locations, the return shall be filed with the district director of the internal revenue district in which the taxpayer's principal place of business (or principal office in the case of a corporate taxpayer) is located.

(68A Stat. 752, as amended; 26 U.S.C. 6091)

PART 245—BEER

PAR. F. 26 CFR Part 245 is amended by revising §§ 245.76, 245.76a, and 245.76e, and by adding two new sections, §§ 245.77a and 245.77b, immediately following § 245.77, to read as follows:

§ 245.76 Special tax return.

Every person liable to special tax shall prepare a return on Form 11. The return shall be filed, with remittance, with the director of the service center serving the internal revenue district in which the business is located: *Provided*, That a taxpayer subject to the same class of special (occupational) tax for the same period at two or more locations shall (a) file one special tax return Form 11 (prepared in the manner prescribed in § 245.76a) with remittance to cover all such locations, with the director of the service center serving the internal revenue district in which the taxpayer's principal place of business (or principal office in the case of a corporate taxpayer) is located; and (b) prepare, in duplicate, a list identified with his name, address, employer identification number, class of tax, and period covered by his return. The list shall show, by States, the name and address of each location (including the taxpayer's principal place of busi-

ness, or principal office, if subject to special tax) for which special tax is being paid. The original of the list shall be attached to the Form 11, as a part of his return, and the copy shall be retained by the taxpayer for a period of not less than 2 years.

(72 Stat. 1346; 26 U.S.C. 5142)

§ 245.76a Data required on Form 11.

Each return on Form 11 shall be prepared in accordance with the headings on the form and the instructions thereon or issued in respect thereto, and shall include the following:

(a) Where the taxpayer is an individual or a corporation, the true name of such individual or corporation;

(b) In the case of a partnership, the true name of each and every person comprising the partnership;

(c) The employer identification number (see §§ 245.76b-245.76d);

(d) The exact location of the place of business, by name and number of building or street or, where these do not exist, by some particularization in addition to the post office address except, that in the case of one return for two or more locations, as provided for in § 245.76, the location to be shown on the Form 11 shall be that of the taxpayer's principal place of business (or principal office in the case of a corporate taxpayer).

(e) The class of tax;

(f) All other information provided for on the form.

(68A Stat. 732, 846, 75 Stat. 828; 26 U.S.C. 6011, 7011, 6109)

§ 245.76e Hand-carried returns.

Notwithstanding the provisions of this part relating to the filing of returns on Form 11 for special (occupational) tax, such returns which are filed by hand carrying shall be filed with the district director of the internal revenue district in which the taxpayer's business is located or, as to returns prepared under the provisions of § 245.76, in which the taxpayer's principal place of business (or principal office in the case of a corporate taxpayer) is located.

(68A Stat. 752, as amended; 26 U.S.C. 6091)

§ 245.77a Issuance of stamps.

Upon filing a return properly executed on Form 11, together with a remittance in the full amount due, the taxpayer will be issued an appropriately designated stamp. Special tax stamps will not be issued until the tax is fully paid. If such Form 11 with remittance covers multiple locations, the taxpayer will be issued one appropriately designated stamp for each location listed in the attachment to Form 11 required by § 245.76 but showing, as to name and address, only the name of the taxpayer and the address of the taxpayer's principal place of business (or principal office in the case of a corporate taxpayer).

§ 245.77b Distribution of stamps for multiple locations.

On receipt of the special tax stamps, the taxpayer will verify that he has one stamp for each location listed in his copy

of the attachment to Form 11 required by § 245.76. He shall designate one stamp for each location and shall type thereon the address of the business conducted at the location for which that stamp is designated. He shall then forward each stamp to the place of business designated on the stamp.

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Title 32—NATIONAL DEFENSE

Chapter I—Office of the Secretary of Defense

SUBCHAPTER B—PERSONNEL; MILITARY AND CIVILIAN

[DOD Directive 1322.10, Mar. 27, 1971]

PART 95—POLICIES ON GRADUATE EDUCATION FOR MILITARY OFFICERS

The Deputy Secretary of Defense has approved the following:

- Sec.
95.1 Purpose and objective.
95.2 Applicability.
95.3 Policy and responsibilities.

AUTHORITY: The provisions of this Part 95 issued under 10 U.S.C. 4301, 7041, 7045, 9301, and 9314.

§ 95.1 Purpose and objective.

(a) This part establishes Department of Defense policies on graduate education requirements for military officer positions and the utilization of qualified military officers in those positions. The program is intended to benefit the Department and the individual officer by insuring higher levels of professionalism and technical competence within the DOD, by recognizing the educational aspirations of individuals and by providing incentives for recruitment and retention of personnel with ability, dedication and capacity for growth.

(b) While this part encompasses graduate education for military officers only, the DOD recognizes the need for better utilization of its resources for continuing education at all levels for officers and enlisted personnel. To carry out this objective, DOD Directive 1322.11 (to be published) seeks to encourage all military personnel to develop educationally through voluntary participation in educational programs, and the Military Departments are requested to support such voluntary educational programs on an equal level of priority with those sponsored for fully funded graduate education. Educational opportunities for enlisted personnel should receive increasing emphasis.

§ 95.2 Applicability.

The provisions of this part apply to the Military Departments and encompass all commissioned officers who enter into a graduate education program after July 1, 1971. With respect to utilization, this part applies to all officers who have had career-related graduate education, except that no officer need be transferred before normal expiration of his tour of duty, on a permanent change of station basis, from a duty assignment solely to

satisfy the utilization provisions of this part. Positions filled by and the education of officers in the disciplines of health, law, and religion are not included under the policy set forth herein.

§ 95.3 Policy and responsibilities.

(a) The policy of the Department of Defense is to insure that officer positions are validated for graduate education where such education is essential for optimum performance of duty, that military personnel who have received fully funded graduate level education benefits are utilized to the extent practicable in these positions, that requirements for fully funded graduate education are established on the basis of validated positions, and that all military personnel acquiring career-related graduate level education through Service-sponsored activities or through other means, including off-duty programs, are considered as potential assets in programing training requirements. The Military Departments will:

(1) In determining requirements for fully funded graduate education, give careful consideration to the experience acquired by officers which may reduce or eliminate the requirements for formal educational programs.

(2) Make the most effective use of short courses and off-duty education programs to fulfill their requirements, prior to validating positions as requiring graduate education.

(3) Make maximum use of educational programs established by civilian educational institutions if they satisfy Service needs or can be tailored by the Services to satisfy such needs, prior to the establishment of in-house programs peculiar to the Military Departments.

(b) In carrying out the policy in paragraph (a) of this section, the Secretaries of the Military Departments are provided the following guidelines:

(1) *Criteria for validation of military positions requiring assignment of officer personnel with graduate level education.*

(i) Positions in which the primary duties of the incumbents cannot be optimally performed except by individuals possessing qualifications that normally can be acquired only through graduate level education in a relevant field of study. These positions are predominantly those in which there is a direct relationship among the primary duty to be performed, the relevant educational field, the individual's occupational specialty or sub-specialty, and the organizational function to be performed. Examples are positions requiring assignment of qualified physical, biological, and social scientists, engineers, designers, analysts, teachers, writers, and statisticians.

(ii) Positions which must be filled by individuals who are required to exert direct technical supervision over military and/or civilian personnel who are required to possess graduate level education. These positions are exclusively supervisory and assistant supervisory in nature. There must be a general relationship among the positions, the educational field, and type of organization. Although

positions will tend primarily to be in the field grades, some may be in lower grades. Generally, however, level and type of organization supervised will be of more significance than the position's grade. Examples are chiefs of laboratories, detachments, sections, branches, divisions, and similar organizations of a technical, analytical, developmental, or research nature.

(iii) Positions which, for optimum effectiveness, must be filled by individuals who possess knowledge of a specific field of study to permit effective staff planning, coordination, and command advisory functions. Such knowledge would include the capability to comprehend theories, principles, terminology, processes, and techniques which are necessary for effective appraisal and evaluation of complex programs.

(2) *Utilization of officer personnel with graduate level education.* (i) Officer personnel to receive fully-funded graduate education will agree in writing that, upon completion of the education, they will serve on active duty, for a period equal to three times the length of the period of that education, but not more than 4 years.

(ii) Officer personnel who have received fully funded graduate level education will serve:

(a) One tour in a validated position as soon as practicable after completion of such education; and

(b) As many subsequent tours in validated positions as Service requirements and proper career development will permit.

(iii) Officer personnel who have received career-related graduate education through other means, including off-duty programs, will be considered assets for filling validated positions.

(3) *Identification of positions and personnel.* (i) Positions which are determined to require military personnel possessing graduate level education will be identified as follows:

(a) On Service Tables of Organization, manpower authorizations, unit manning documents, or other appropriate documents as determined by each Service for uni-Service activities.

(b) On Joint Tables of Distribution for joint activities which are responsive to or through the Joint Chiefs of Staff.

(c) On Tables of Distribution for U.S. elements on international staffs.

(d) On Tables of Distribution for Defense activities other than above.

(ii) Identification of graduate level education requirements in the above documents will be made through the use of DOD standard data elements and codes where available and applicable. Other data elements used are subject to change after being disciplined under the criteria outlined in DOD 5000.12M, "Manual for Standard Data Elements."¹

(iii) To insure uniformity in implementation of the validating criteria

¹ Copies available from Superintendent of Documents, U.S. Government Printing Office (#D1. 6/2: D26), Washington, D.C. 20402. Price \$7.

among the Military Departments, annual joint reviews of the position codings will be held. These reviews will be chaired by a representative of the Joint Chiefs of Staff. An observer from the Office of the Assistant Secretary of Defense (Manpower and Reserve Affairs) will attend each review.

(iv) Each service shall identify officers possessing a graduate degree through the use of codes which are compatible with the position codes specified in subdivision (ii) of this subparagraph. Such codes will permit identification of obligations incurred, and pending, and will permit differentiation of fully funded, partially funded, or non-DOD-funded education for each officer holding an advanced degree.

(c) Although this part treats primarily with fully funded graduate education for military officers to fill validated positions, it is desirable to encourage the general education of all officers for increased command and staff responsibilities. Such education should be based on off-duty programs funded by tuition assistance or Veterans' Administration benefits.

MAURICE W. ROCHE,
Director, Correspondence and
Directives Division, OASD
(Administration).

[FR Doc.71-5964 Filed 4-23-71;8:47 am]

Title 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard, Department of Transportation

SUBCHAPTER J—BRIDGES

[CGFR 70-96a]

PART 117—DRAWBRIDGE OPERATION REGULATIONS

Black Creek, Fla.

This amendment revises the regulations for the U.S. 17 Highway bridge across Black Creek near Green Cove Springs, Fla., to increase by 1 hour the time when the draw need not be manned. The draw must be opened upon 4 hours' advance notice from 6 p.m. to 10 a.m. This change is made because of the infrequent requests for openings from 6 p.m. to 10 a.m.

This amendment was circulated as a public notice dated September 10, 1970 by the Commander, Seventh Coast Guard District and published in the FEDERAL REGISTER as a notice of proposed rule making (CGFR 70-96) on September 5, 1970 (35 F.R. 14139). No comments were received.

Accordingly, § 117.431a is revised to read as follows:

§ 117.431a Black Creek, Fla.

(a) *U.S. 17 Highway Bridge near Green Cove Springs.* From 10 a.m. to 6 p.m., the draw shall open on signal. From 6 p.m. to 10 a.m., the draw shall open on signal if at least 4 hours' advance notice has been given.

(b) *Seaboard Coast Line Railroad Bridge near Doctors Inlet.* From 10 a.m. to 7 p.m., the draw shall open on signal. From 7 p.m. to 10 a.m., the draw may remain closed.

(c) *Posting regulations.* The owners of or agencies controlling bridges across Black Creek shall post notices upstream and downstream of the bridge. The notices shall be designed and placed so that they can be read from an approaching vessel. The notice shall contain the applicable provisions of this section and the procedures for giving advance notice.

(Sec. 5, 28 Stat. 362, as amended, sec. 6(g) (2), 80 Stat. 937; 33 U.S.C. 499, 49 U.S.C. 1655 (g) (2); 49 CFR 1.46(c) (5) (35 F.R. 4959), 33 CFR 1.05-1(c) (4) (35 F.R. 15922))

Effective date. This revision shall become effective on May 28, 1971.

Dated: April 23, 1971.

R. E. HAMMOND,
Rear Admiral, U.S. Coast Guard,
Chief, Office of Operations.

[FR Doc. 71-5992 Filed 4-28-71; 8:50 am]

[CGFR 70-130a]

PART 117—DRAWBRIDGE OPERATION REGULATIONS

Cumberland River, Tenn.

This amendment revises the regulations for the Louisville and Nashville Railroad bridge across the Cumberland River at Clarksville, Tenn., to require that the draw open on signal when the vertical clearance is 47 feet or less and upon 2 hours' advance notice when the vertical clearance is greater than 47 feet. This amendment also establishes new locations for the posting of the copies of the regulations applicable to this bridge. The completion of the Barkley Dam reduced the vertical clearance under the bridge and this amendment is necessary to prevent the bridge from becoming an unreasonable obstruction to navigation.

This amendment was circulated as a public notice dated November 20, 1970, by the Commander, Second Coast Guard District and was published in the FEDERAL REGISTER as a notice of proposed rule making (CGFR 70-130) on November 13, 1970 (35 F.R. 17426). Two comments received supported this proposal. Two comments from the bridge owner objected to this proposal on the grounds that additional operational costs would be incurred. The relatively small number of openings in 1968 (16) and 1969 (11) would appear to negate these objections. Editorial changes have been made in the original proposal.

Accordingly, § 117.560(g) is amended by revising subparagraph (4) to read as follows:

§ 117.560 Mississippi River and its tributaries and outlets; bridges where constant attendance of drawtenders is not required.

(g) * * *

(4) Cumberland River, Tenn., Louisville and Nashville Railroad bridge at

Clarksville. The draw shall open on signal when the vertical clearance under the navigational span is 47 feet or less. The draw shall open on signal if at least 2 hours' advance notice has been given when the vertical clearance is greater than 47 feet. The draw need not open for a vessel that arrives at the bridge more than 30 minutes after the time specified in the advance notice, unless a second 2 hours' notice has been given. Copies of the notice required in paragraph (d) of this section shall also be conspicuously posted at the Kentucky and Pickwick Locks on the Tennessee River and at the Barkley and Cheatham Locks on the Cumberland River.

(Sec. 5, 28 Stat. 362, as amended, sec. 6(g) (2), 80 Stat. 937; 33 U.S.C. 499, 49 U.S.C. 1655 (g) (2); 49 CFR 1.46(c) (5) (35 F.R. 4959), 33 CFR 1.05-1(c) (4) (35 F.R. 15922))

Effective date. This revision shall become effective on May 28, 1971.

Dated: April 23, 1971.

R. E. HAMMOND,
Rear Admiral, U.S. Coast Guard,
Chief, Office of Operations.

[FR Doc. 71-5993 Filed 4-28-71; 8:50 am]

Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

Chapter 29—Department of Labor

PART 29-10—BONDS AND INSURANCE

PART 29-11—FEDERAL, STATE, AND LOCAL TAXES

Pursuant to the authorities contained in 5 U.S.C. 301, Reorganization Plan No. 6 of 1950 (64 Stat. 1263), I hereby amend Chapter 29 of Subtitle A of Title 41 of the Code of Federal Regulations by adding new Parts 29-10 and 29-11 to read as set forth below. As these regulations relate solely to grants and public contracts and rules of agency procedure, the requirement of 5 U.S.C. 553 as to notice of proposed rule making, opportunity for public participation, and delay in effective date are not applicable. I do not believe such procedure will serve a useful purpose here. Accordingly, these regulations shall become effective upon publication in the FEDERAL REGISTER (4-29-71).

Sec.

29-10.000 Scope of part.
29-10.000-50 Policy, cost type contracts.

Subpart 29-10.1—Bonds

29-10.102 Definitions.
29-10.102-50 Fidelity bonds.
29-10.104 Performance bonds.
29-10.104-2 Other than construction contracts.
29-10.104-50 Applicability to cost type contracts.
29-10.108 Other types of bonds.
29-10.108-50 Use of fidelity bonds.
29-10.109 Execution and administration of bonds.

Subpart 29-10.3—Insurance—General

Sec.
29-10.302 Notice of cancellation or change.
29-10.305 Procedures to be followed in the event of loss or damage to Government property.

Subpart 29-10.5—Insurance Under Cost-Reimbursement Type Contracts

29-10.501 Policy.

AUTHORITY: The provisions of this Part 29-10 issued under 80 Stat. 379, 5 U.S.C. 301; 63 Stat. 389, 40 U.S.C. 486(c).

§ 29-10.000 Scope of part.

§ 29-10.000-50 Policy, cost type contracts.

The direct or indirect cost to the contractor for bonds, (except performance bonds—see § 29-10.104) and insurance shall be reimbursable to contractors in cost type contracts, provided that the cost is incurred within the limitations of § 1-15.205-16 of this title or where applicable, § 1-15.309-15 of this title. In determining what insurance and costs to authorize, require or approve in conjunction with a program providing financial assistance, program managers shall consider:

(a) The interest to be insured or protected.

(b) Any unusual risks to the Government, contractors or third parties, e.g., because of the newness of the program.

(c) The cost of the protection by either insurance or bonding of the contingency being protected against.

(d) The likelihood of the occurrence of the contingency.

(e) Whether bonds or insurance are required by law or regulation.

Subpart 29-10.1—Bonds

§ 29-10.102 Definitions.

§ 29-10.102-50 Fidelity bonds.

A fidelity bond is a bond under which the guarantor agrees to indemnify an insured up to the amount stated in the bond for losses caused by employee dishonesty. The form of the fidelity bond varies, and some common types are described below:

(a) "Blanket bond" means a fidelity bond which covers all the employer's officers and employees without the further listing of any names or positions.

(b) "Blanket position bond" means a fidelity bond which provides the insured protection against dishonesty with respect to all positions (except positions expressly excluded by written endorsement by the parties to the bond) or to listed series of positions. In either event, it is the position, regardless of who occupies the position, which is covered.

(c) "Individual fidelity bond" means a bond which provides the insured protection against dishonesty with respect to a named individual.

(d) "Schedule fidelity bond" means a bond which protects the insured against dishonesty with respect to any employee included in a schedule of named positions.

§ 29-10.104 Performance bonds.

§ 29-10.104-2 Other than construction contracts.

§ 29-10.104-50 Applicability to cost type contracts.

Performance bonds shall not be furnished at Government expense in connection with DOL cost-type contracts and subcontracts.

§ 29-10.108 Other types of bonds.

§ 29-10.108-50 Use of fidelity bonds.

(a) Fidelity bonds shall not be required by contracting officers in connection with contractor's performance of fixed price contracts.

(b) In connection with cost type contracts, heads of procuring activities shall adhere to the policy considerations set forth in § 29-10.000-50.

§ 29-10.109 Execution and administration of bonds.

(a) Several prescribed forms for bonds and related documents are listed and reproduced in Part 1-16 of this title. For types of bonds other than those listed in Part 1-16 of this title, the standard bond forms of the Surety Association of America are preferred.

(b) All bonds will be reviewed by the contracting officer to ascertain that the bond offers the level of protection prescribed by the program and, when appropriate, suitably identifies the program, the risk and/or the contract.

Subpart 29-10.3—Insurance—General

§ 29-10.302 Notice of cancellation or change.

The endorsement required by § 1-10.302 of this title concerning prior notice to the approving authority of a material change in the policies affecting the interest of the Government is set forth below:

No cancellation, termination, or modification of this policy shall take effect prior to the expiration of 35 days after written notice of the cancellation, termination or modification together with suitable identification of the policy and named insured has been sent by registered letter to the Government representative at the address stated below.
Name of contracting officer _____
Address _____

(Note: The full name and business address of the contracting officer or other designated individual shall be inserted in this space).

§ 29-10.305 Procedures to be followed in the event of loss or damage to Government property.

Upon the happening of loss of or damage to any Government property for which the contractor is relieved of responsibility by contract provision, the procedures set forth in the applicable Government Property clause of the contract involved shall be followed.

Subpart 29-10.5—Insurance Under Cost-Reimbursement Type Contracts

§ 29-10.501 Policy.

Policy limits for the kinds of insurance in Subpart 1-10.5 of this title will

vary from program to program. Procuring activities shall be responsible in this regard to the needs of program managers consistent with § 29-10.000-50.

Sec.
29-11.000 Scope of part.
29-11-000-50 Liaison with Solicitor.

AUTHORITY: The provisions of this Part 29-11 issued under 80 Stat. 379, 5 U.S.C. 301; 63 Stat. 389; 40 U.S.C. 486(c).

§ 29-11.000 Scope of part.

§ 29-11.000-50 Liaison with Solicitor.

In order that there be uniformity in DOL's treatment of the tax aspects of contract administration, the heads of procuring activities shall coordinate with the Office of the Solicitor for purposes of obtaining information relating to Federal, State, and local tax matters. Negotiation shall not be undertaken or directed by procuring activities with any taxing authority for the purpose of determining the validity or applicability of, or obtaining exemptions from or refund of, any tax, except with the approval of the Solicitor.

Signed at Washington, D.C., this 23d day of April 1971.

J. D. HODGSON,
Secretary of Labor.

[FR Doc.71-5959 Filed 4-28-71; 8:47 am]

Chapter 101—Federal Property Management Regulations

SUBCHAPTER H—UTILIZATION AND DISPOSAL

PART 101-47—UTILIZATION AND DISPOSAL OF REAL PROPERTY

Surplus Real Property for Low and Moderate Income Housing

Section 414 of the Housing and Urban Development Act of 1969, as amended, provides that surplus federally owned real property may in the discretion of the Administrator of General Services be transferred (assigned) to the Secretary of Housing and Urban Development at his request for sale or lease by him for use in the provision of housing to be occupied by families or individuals of low or moderate income, and for related public facilities and for related commercial and industrial facilities approved by the Secretary. Subparts 101-47.2 and 101-47.3 are amended to implement this section of the 1969 Housing Act.

The table of contents for Part 101-47 is amended by adding new § 101-47.308-6 as follows:

Sec.
101-47.308-6 Property for housing and related facilities.

Subpart 101-47.2—Utilization of Excess Real Property

1. Section 101-47.203-5(b) is revised and new (c) and (d) are added as follows:

§ 101-47.203-5 Screening of excess real property.

(b) Notices of availability for information of the Secretary of Health, Edu-

cation, and Welfare in connection with the exercise of the authority vested in him under the provisions of section 203(k)(1) of the Act and for information of the Secretary of the Interior in connection with a possible determination under the provisions of section 13(h) of the Surplus Property Act of 1944 (50 U.S.C. App. 1622(h)) will be sent to the offices designated by the Secretaries to serve the areas in which the properties are located. A similar notice of availability for the information of the Secretary of Housing and Urban Development in connection with a possible transfer (assignment) and disposal under section 414 of the Housing and Urban Development Act of 1969, as amended (40 U.S.C. 484b), will be sent to the central office of that organization.

(c) The Departments of Health, Education, and Welfare (HEW), Interior, and Housing and Urban Development (HUD) shall not attempt to interest a local applicant in the property until the property is determined to be surplus except with the prior consent of the General Services Administration (GSA) on a case-by-case basis. When such consent is obtained, the local applicant shall be informed that consideration of his application is conditional upon the property being determined surplus to Federal requirements and available for the purposes of the application.

(d) HUD shall inform the appropriate GSA regional office of those particular excess properties which have potential for housing and for related public, commercial, or industrial facilities under section 414 of the 1969 Housing Act, as amended, within 30 calendar days from the date of the notice of availability.

2. Section 101-47.204-1 (a), (b), and (c) are revised to read as follows:

§ 101-47.204-1 Reported property.

(a) The holding agency, the Secretary of Health, Education, and Welfare, and the Secretary of the Interior will be notified of the date upon which determination as surplus becomes effective. The Secretary of Housing and Urban Development also will be so notified but only as to those properties that HUD identifies as having potential for housing and for related public, commercial, or industrial facilities under section 414 of the 1969 Housing Act, as amended. (See § 101-47.203-5.)

(b) The notices to the Secretaries of Health, Education, and Welfare and the Interior will be sent to the offices designated by them to serve the area in which the property is located. The notices to the Secretary of Housing and Urban Development will be sent to the central office of HUD.

(c) With regard to surplus property which GSA predetermines will not be available for disposal under the above-mentioned programs, or whenever the holding agency has requested reimbursement of the net proceeds of disposition pursuant to section 204(c) of the Act, the notice to the affected department(s) will contain advice of such determination or request for reimbursement. The

affected department(s) shall not screen for potential applicants for such property.

Subpart 101-47.3—Surplus Real Property Disposal

1. Section 101-47.302-1 is revised as follows:

§ 101-47.302-1 General.

In accordance with applicable provisions of this Subpart 101-47.3, surplus real property shall be disposed of or assigned to the appropriate Federal department for disposal for public use purposes by the disposal agency.

2. Section 101-47.308-6 is added as follows:

§ 101-47.308-6 Property for housing and related facilities.

(a) Under section 414(a) of the Housing and Urban Development Act of 1969, as amended (40 U.S.C. 484b), the disposal agency may, in its discretion, transfer (assign) surplus real property to the Secretary of Housing and Urban Development, at his request, for sale or lease by him at its fair value for use in the provision of housing to be occupied by families or individuals of low or moderate income and for related public facilities and for related commercial and industrial facilities approved by the Secretary.

(b) Upon receipt of the notice of determination of surplus (§ 101-47.204-1(a)), HUD may solicit applications from eligible applicants.

(c) HUD shall notify the disposal agency within 20 calendar days after the date of the notice of determination of surplus if it is able to interest an eligible applicant in acquiring the property under section 414(a) of the 1969 Housing Act, as amended.

(d) Both holding and disposal agencies shall cooperate, to the fullest extent possible, with representatives of HUD in their inspection of such property and in furnishing information relating thereto.

(e) HUD shall advise the disposal agency and request transfer of the property for disposition under section 414(a) of the 1969 Housing Act, as amended, within 25 calendar days after the expiration of the 20-calendar-day period specified in § 101-47.308-6(c).

(f) Any request submitted by HUD pursuant to § 101-47.308-6(e) shall set forth complete information concerning the intended use, including: (1) Identification of the property; (2) a summary of the background of the proposed project including a map or plat of the property; (3) whether the property is to be sold or leased to a public body which will use the land in connection with the development of low-rent housing or related facilities assisted under the Housing Act of 1937, or under a State or local program found to have the same general purposes as the Federal program under such Act, or a purchaser or lessee who will use the land in connection with the development of housing or

related facilities under condition (A), (B), or (C) of section 414 of the 1969 Housing Act, as amended; (4) HUD's best estimate of the fair value of the property and the price at which it will be sold by HUD; (5) how the property is to be used (i.e., single or multifamily housing units, the number of housing units proposed, types of facilities, and the estimated cost of construction); (6) an estimate as to the dates construction will be started and completed; and (7) what reversionary provisions will be included in the deed or the termination provisions that will be included in the lease. It is suggested that this information, except for the map or plat of the property, be furnished in the body of the letter transfer request signed by the Secretary of Housing and Urban Development. The above data will be used by GSA in preparing and submitting a statement relative to the proposed transaction to the Senate and House Committees on Government Operations prior to the transfer of the property to HUD.

(g) In the absence of a notice under § 101-47.308-6(c) or a request under § 101-47.308-6(e), the disposal agency shall proceed with the appropriate disposal action.

(h) If, after considering other uses for the property, the disposal agency determines that the property should be made available to HUD under section 414(a) of the 1969 Housing Act, as amended, it shall transfer the property to HUD.

(i) HUD shall bear the costs of any out-of-pocket expenses necessary to accomplish the transfer of the property, such as surveys, fencing, security, etc., of the remaining property or otherwise. In addition, HUD shall be responsible for any protection and maintenance expenses after the property is transferred to HUD.

(j) The disposal agency, if it approves the request, shall transfer the property by letter or other document to HUD for disposal under section 414(a) of the 1969 Housing Act, as amended. If the request is disapproved, the disposal agency shall so notify the Secretary. The disposal agency shall furnish the holding agency a copy of the transfer or notice of disapproval.

(k) HUD shall prepare the disposal document and take all other actions necessary to accomplish the disposition of the property under section 414(a) of the 1969 Housing Act, as amended, within 120 calendar days after the date of the transfer of the property to HUD.

(l) If the property conveyed under section 414(a) of the 1969 Housing Act, as amended, is used for any purpose other than the purpose for which it was sold or leased within a period of not less than 40 years of the conveyance, it shall revert to the United States (or, in the case of leased property, the lease shall terminate) unless the Secretary and the Administrator of General Services, after the expiration of the first 20 years of such period, approve the use of the property for such other purpose.

(m) HUD shall furnish the disposal agency two conformed copies of deeds, leases, or other instruments conveying property under section 414(a) of the 1969 Housing Act, as amended, and related documents containing reservations, restrictions, or conditions regulating the future use, maintenance, or transfer of the property.

(n) In each case of reverter of title by reason of noncompliance with the terms and conditions of sale or other cause, HUD shall, at or prior to such reversion of title, provide GSA with an accurate description of the real and related personal property involved. Standard Form 118, Report of Excess Real Property, and the appropriate schedules shall be used for this purpose. Upon receipt of advice from HUD that title has reverted, GSA will assume accountability therefor.

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

Effective date. This regulation is effective upon publication in the FEDERAL REGISTER (4-29-71).

Dated: April 22, 1971.

ROBERT L. KUNZIG,
Administrator of General Services.

[FR Doc.71-5976 Filed 4-28-71;8:48 am]

Title 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 73—RADIO BROADCAST SERVICES

Television Broadcast Stations; Table of Assignments, Glendive, Mont., and Altoona, Pa.

Order. In the matter of amendment of § 73.606 table of assignments, television broadcast stations (Glendive, Mont., and Altoona, Pa.).

In a report and order in Docket No. 18592, 34 F.R. 14690 (1969), the carrier offsets for channel assignments to Altoona, Pa., were inadvertently omitted. Similarly, in a report and order in Docket No. 18281, 34 F.R. 3802 (1969), the carrier offsets for channel assignments to Glendive, Mont., were omitted.

In view of the foregoing: *It is ordered.* That § 73.606 of the Commission's rules and regulations, Table of Assignments, Television Broadcast Stations, is amended, effective April 30, 1971, to read as follows with respect to the cities listed:

City	Channel No.
Glendive, Mont.	5+, 9+, *16
Altoona, Pa.	10-, 38, 47, *57

The foregoing changes are acceptable to Canada, and Table B of the Canadian-U.S.A. agreement has been amended accordingly.

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 § 0.261(a) of the

Commission rules and regulations. Inasmuch as the changes are editorial in nature, we find, under the provisions of the Administrative Procedure Act, 5 U.S.C. section 553 (Supp. V. 1970), that it is unnecessary and contrary to the public interest to give notice of rule making and have public procedure thereon in this matter, and that the amendments may become effective prior to the expiration of 30 days from the date of publication of this order in the FEDERAL REGISTER..

(Secs. 4, 5, 303, 48 Stat., as amended, 1066, 1068, 1082; 47 U.S.C. 154, 155, 303)

Adopted: April 23, 1971.

Released: April 26, 1971.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[FR Doc.71-6006 Filed 4-28-71;8:51 am]

[Docket No. 19001; RM-1509]

PART 89—PUBLIC SAFETY RADIO SERVICES

Regular Use in Local Government Radio Services of Certain Reserved Frequencies for Purpose of Operating Highway Emergency Radio Communication System; Correction

The Commission's Report and Order FCC 71-334, in the above-entitled proceeding, adopted April 8, 1971, and published in the FEDERAL REGISTER on April 20, 1971 (36 F.R. 7424), is corrected in the following respects: The amended § 89.102(b) (1) (iii) and (3), as set forth in instruction number one, is corrected to read as follows:

§ 89.102 Radio callbox operations.

(b) Operations in the 450 MHz band.

(1) * * *

(iii) The height of a call box antenna may not exceed 20 feet above the ground, the natural formation, or the existing man-made structure (other than an antenna supporting structure) on which it is mounted; a central station transmitting antenna, together with its supporting structure, shall not exceed 50 feet above the ground surface.

(3) In accordance with Subpart C of this part, the frequencies available pursuant to §§ 89.101(p) and 89.259(f) for central control station and callbox installations may be assigned for developmental operation as part of a highway safety communication program which is designed to provide radio communications directly with motorists to and from their motor vehicles.

Released: April 26, 1971.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[FR Doc.71-6007 Filed 4-28-71;8:51 am]

Title 49—TRANSPORTATION

Chapter X—Interstate Commerce Commission

SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[S.O. 1057, Amdt. 1]

PART 1033—CAR SERVICE

Atchison, Topeka and Santa Fe Railway Co. Authorized to Operate Over Tracks of St. Louis-San Francisco Railway Co.

At a session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 21st day of April 1971.

Upon further consideration of Service Order No. 1057 (36 F.R. 1202) and good cause appearing therefor:

It is ordered, That § 1033.1057 Service Order No. 1057 (The Atchison, Topeka and Santa Fe Railway Company authorized to operate over tracks of the St. Louis-San Francisco Railway Company) be, and it is hereby, amended by substituting the following paragraph (e) for paragraph (f) thereof:

(e) Expiration date. This order shall expire at 11:59 p.m., July 31, 1971, unless otherwise modified, changed, or suspended by order of this Commission.

Effective date. This amendment shall become effective at 11:59 p.m., April 30, 1971.

(Sec. 1, 12, 15 and 17(2), 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15 and 17 (2). Interprets or applies sec. 1 (10-17), 15 (4) and 17(2), 40 Stat. 101, as amended 54 Stat. 911; 49 U.S.C. 1(10-17), 15(4), and 17(2).)

It is further ordered, That copies of this amendment shall be served upon the Association of American Railroads, Car Service Division, and upon the American Short Line Railroad Association, as agents of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order shall be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.71-5999 Filed 4-28-71;8:50 am]

[Rev. S.O. 1063, Amdt. 1]

PART 1033—CAR SERVICE

Railroad Operating Regulations for Freight Car Movement

At a session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 22d day of April 1971.

It appearing, that the Alaska Railroad has sent numerous of its empty cars to the railroads serving the State of Washington; that these cars are held

by these railroads, at the direction of the car owner, awaiting loading with shipments destined to Alaska; and that use of Alaska Railroad cars for this traffic makes unnecessary the use of cars owned by railroads operating in the contiguous United States, thereby enhancing the car supply of such railroads:

It is ordered, That:

§ 1033.1063 Service Order No. 1063.

(a) Railroad operating regulations for freight car movement. Each common carrier by railroad subject to the Interstate Commerce Act shall observe, enforce, and obey the following rules, regulations, and practices with respect to its car service:

(1) Application. * * *

(iv) * * *

(a) Empty cars owned by The Alaska Railroad, while held in the State of Washington, pursuant to instructions of the car owner, are exempt from the provisions of this order.

Effective date. This amendment shall become effective at 12:01 a.m., April 27, 1971.

(Secs. 1, 12, 15 and 17(2), 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15 and 17 (2). Interprets or applies secs. 1 (10-17), 15(4), and 17(2), 40 Stat. 101, as amended, 54 Stat. 911; 49 U.S.C. 1(10-17), 15(4), and 17(2).)

It is further ordered, That a copy of this amendment shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement, and upon the American Short Line Railroad Association; and that notice of this order be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Railroad Service Board.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.71-6001 Filed 4-28-71;8:50 am]

[S.O. 1071]

PART 1033—CAR SERVICE

Distribution of Boxcars

At a session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 22d day of April 1971.

It appearing, that an acute shortage of certain plain boxcars exists on the railroads named in paragraph (a)(1) herein; that shippers located on the lines of these carriers are being deprived of such cars required for loading, resulting in a severe emergency and causing grain elevators to be unable to accept grain from farmers, thus creating economic loss; that present rules, regulations, and practices with respect to the use, supply,

control, movement, distribution, exchange, interchange, and return of boxcars owned by these railroads are ineffective; and that orders issued by the Association of American Railroads to promote more equitable distribution have proved ineffective. It is the opinion of the Commission that an emergency exists requiring immediate action to promote car service in the interest of the public and the commerce of the people. Accordingly, the Commission finds that notice and public procedure are impracticable and contrary to the public interest, and that good cause exists for making this order effective upon less than 30 days' notice.

It is ordered, That:

§ 1033.1071 Service Order No. 1071.

(a) *Distribution of boxcars.* Each common carrier by railroad subject to the Interstate Commerce Act shall observe, enforce, and obey the following rules, regulations, and practices with respect to its car service.

(1) Return to owner empty, except as otherwise authorized in subparagraphs (4) and (6) of this paragraph, all plain boxcars which are listed in the registration of the specific railroads named herein in the Official Railway Equipment Register, I.C.C. R.E.R. 379, issued by E. J. McFarland, or successive issues thereof, as having mechanical designation XM, with inside length 44 feet 6 inches or less and equipped with doors less than 9 feet wide and bearing the identification marks shown:

Burlington Northern, Inc.
Identification marks—BN, CBQ, GN, NP, SPS.
Chicago and North Western Railway Co.
Identification marks—CGW, CMO, CNW, MSTL.
The Colorado and Southern Railway Co.
Identification marks—C&S.
Fort Worth and Denver Railway Co.
Identification marks—FW&D.

(2) The following companies will be considered as one railroad in the application of subparagraphs (1), (4), (5), (6), (7), (8), and (9) of this paragraph.

Burlington Northern, Inc.
The Colorado and Southern Railway Co.
Fort Worth and Denver Railway Co.

(3) Plain boxcars described in subparagraph (1) of this paragraph include both plain boxcars in general service and plain boxcars assigned to the exclusive use of a specified shipper.

(4) Except as otherwise provided in subparagraph (6) of this paragraph boxcars described in subparagraph (1) of this paragraph may be loaded to stations on the lines of the owning railroad, or to any other station which is closer to the owner than the station at which loaded. After unloading at a junction with the car owner, such cars shall be delivered to the car owner at that junction, either loaded or empty.

(5) Boxcars described in subparagraph (1) of this paragraph shall not be back-hauled empty from a junction with the car owner.

(6) Boxcars described in subparagraph (1) of this paragraph located at a point other than a junction with the car owner shall not be back-hauled empty, except for the purpose of loading to a junction with the car owner or to a station on the lines of the car owner.

(7) The return to the owner of a boxcar described in subparagraph (1) of this paragraph shall be accomplished when it is delivered to the car owner, either empty, or loaded as authorized by subparagraph (4) or (6) of this paragraph.

(8) Junction points with the car owner shall be those listed by the car owner in its specific registration in the Official Railway Equipment Register, ICC R.E.R. No. 379, issued by E. J. McFarland, or successive issues thereof, under the heading "Freight Connections and Junction Points."

(9) Railroads named in subparagraph (1) of this paragraph shall restrict their use of plain boxcars of the type described in this order, which are owned by any railroads not listed therein, to traffic routed via the car owner or destined to a station closer to the car owner than the station at which the car is loaded, or to a station on the lines of the car owner.

(i) Exception: For the purpose of securing utilization of cars for which the owners have no immediate need, car owners, other than those named in subparagraph (1) of this paragraph, may remove their cars from the provisions of this paragraph by written notice to W. H. Van Slyke, Chairman, Car Service Division, Association of American Railroads, Washington, D.C., for submission to R. D. Pfahler, Director, Bureau of Operations, Interstate Commerce Commission.

(10) In determining distances to the car owner from the points of loading or unloading, tariff distances applicable via the lines of the carriers obligated under Car Service Rules 1 and 2 to move the car shall be used.

(11) No common carrier by railroad subject to the Interstate Commerce Act shall accept from shipper any loaded boxcar for movements contrary to the provisions of subparagraph (4), (6), or (9) of this paragraph.

(b) *Application.* The provisions of this order shall apply to intrastate, interstate, and foreign commerce.

(c) *Effective date.* This order shall become effective at 12:01 a.m., April 27, 1971.

(d) *Expiration date.* This order shall expire at 11:59 p.m., June 30, 1971, unless otherwise modified, changed, or suspended by order of this Commission. (Secs. 1, 12, 15, and 17(2), 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15, and 17(2). Interprets or applies secs. 1(10-17), 15(4), and 17(2), 40 Stat. 101, as amended, 54 Stat. 911; 49 U.S.C. 1(10-17), 15(4), and 17(2))

It is further ordered, That a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of

all railroads subscribing to the car service and per diem agreement under the terms of that agreement, and upon the American Short Line Railroad Association; and that notice of this order be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Railroad Service Board.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.71-6000 Filed 4-28-71;8:50 am]

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 213—EXCEPTED SERVICE

Treasury Department

Section 213.3305 is amended to show that one additional position of Staff Assistant to the Secretary is excepted under Schedule C.

Effective on publication in the FEDERAL REGISTER (4-29-71), subparagraph (27) of paragraph (a) of § 213.3305 is amended as set out below.

§ 213.3305 Treasury Department.

(a) *Office of the Secretary.* * * *
(27) Two Staff Assistants to the Secretary.

(5 U.S.C. 3301, 3302, E.O. 10577; 3 CFR 1954-58 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] JAMES C. SPRY,
Executive Assistant to
the Commissioners.

[FR Doc.71-6037 Filed 4-28-71;8:52 am]

PART 213—EXCEPTED SERVICE

Department of the Interior

Section 213.3312 is amended to show that one position of Assistant to the Secretary (Congressional Liaison) is excepted under Schedule C.

Effective on publication in the FEDERAL REGISTER (4-29-71), subparagraph (26) is added to paragraph (a) of § 213.3312 as set out below.

§ 213.3312 Department of the Interior.

(a) *Office of the Secretary.* * * *
(26) One Assistant to the Secretary (Congressional Liaison).

(5 U.S.C. 3301, 3302, E.O. 10577; 3 CFR 1954-58 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] JAMES C. SPRY,
Executive Assistant to
the Commissioners.

[FR Doc.71-6036 Filed 4-28-71;8:52 am]

Title 7—AGRICULTURE

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

SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

[Amdt. 8]

PART 729—PEANUTS

Subpart—Regulations for Determination of Acreage Allotments and Marketing Quotas for 1969 and Subsequent Crops of Peanuts

MISCELLANEOUS AMENDMENTS

This amendment of the allotment and marketing quota regulations for peanuts of the 1969 and subsequent crops is issued pursuant to the Agriculture Adjustment Act of 1938, as amended (7 U.S.C. 1281 et seq.). The purposes of this amendment are as follows:

(1) Sections 729.11 and 729.14: Excludes references to insufficient cropland when determining history acreage and eliminates the provision for adjusting the allotment when the feed grain base and total allotments exceed the cropland.

(2) Section 729.69: Removes provision for authorizing approval of late-filed transfer by the Deputy Administrator, and permits the State Committee to act on such applications. Amends the total allotment that may be transferred to a receiving farm.

Peanut producers are now making plans for the 1971 crop year and it is essential that this amendment be made effective as soon as possible. Accordingly, it is hereby determined and found that compliance with the notice, public procedure and 30-day effective date requirements of 5 U.S.C. 553 is impracticable and contrary to the public interest and this amendment shall become effective upon filing of this document with the Director, Office of the Federal Register.

The regulations for determination of acreage allotments and marketing quotas for 1969 and subsequent crops of peanuts (33 F.R. 18351, 18981, 34 F.R. 14201, 19809, 35 F.R. 2860, 4391, 5031, 14299, 36 F.R. 1464) are amended as follows:

1. Section 729.11(b)(1)(i) and (c) is revised to read as follows:

§ 729.11 Determination of farm peanut history acreage.

(b) *Full allotment preserved as history acreage.* * * *

(1) * * *

(i) The sum of the final peanut acreage, and the acreage regarded as planted under conservation programs and conservation practices, as determined under Part 719 of this chapter, and the acreage transferred from the farm by lease or temporary transfer by owner (except increase for type), was as much as 75 percent of the farm allotment after reduc-

tion for violation, temporary release of acreage but before reapportionment of released acreage, or increase for type in short supply.

(c) *Computation of history acreage.* If, for any year, the full allotment is not preserved as peanut history acreage under paragraph (b) of this section, the farm peanut history acreage for such year shall be the sum of the following acreages, but not in excess of the farm allotment for such year:

(1) The final acreage, adjusted to compensate for abnormal weather, or disease, or condition beyond the control of the farm operator affecting acreage, if the county committee determines that such action is necessary to maintain equitable allotments: *Provided*, That the farm operator files a written request for such an adjustment at the office of the county committee prior to December 1 of the current year;

(2) The acreage regarded as planted to peanuts under conservation programs and conservation practices, determined under Part 719 of this chapter;

(3) The acreage temporarily released to the county committee under provisions of § 729.22;

(4) The amount of any reduction in the current year allotment made pursuant to the provisions of § 729.21; and

(5) Acreage transferred from the farm by lease or temporary transfer by owner (except increase for type).

2. Section 729.14 is revised to read as follows:

§ 729.14 Computation of allotments for old farms.

The farm allotment for each old farm for the current year shall be computed by multiplying the preliminary allotment for such farm by a State allotment factor (rounded four places beyond the decimal) determined by dividing the total of the preliminary allotments for all old farms in the State into the current year State acreage allotment minus the acreage reserved under § 729.13.

3. Paragraphs (b) and (f) of § 729.69 are revised to read as follows:

§ 729.69 Terms and conditions applicable to transfers under section 358a of the act.

(b) *Filing applications.* Applications for transfers shall be filed not later than April 1 in the year the transfer is to take effect. This final date may be extended by the State committee, with the approval of the Deputy Administrator, to a date not later than the close of the normal planting period for the State or area. The State committee may authorize the acceptance of a late-filed application in cases where the State committee determines that the late-filing resulted from a reasonable misunderstanding by the applicant of the filing requirements.

(f) *Sale or lease transfers—limit on amount of acreage transferred.* The total peanut allotment transferred by sale or lease, or both, to any farm shall not exceed the smaller of:

(1) The cropland on the farm minus the peanut allotment; or

(2) 50 acres.

The cropland on the farm for the current year for purposes of such transfers shall be the total cropland as defined in Part 719 of this chapter. If the farm to which allotment is to be transferred is made up of two or more separately owned tracts, each separately owned tract shall be considered a farm for the purpose of applying the limitations under this paragraph. In the case of farms consisting of separately owned tracts, such tracts shall not be considered a farm for purposes of computing the 50-acre limitation in any case where the county committee, with the approval of a representative of the State committee, determines that an owner of a tract has an ownership interest in one or more of the other tracts by reason of ownership of stock in a corporate owner of such other tract, or by reason of membership as a partner in a partnership owner of such other tract, or the owner of a tract is a member of the same family living in the same household and the other tract is owned by another member of such family.

(Secs. 358, 358a, 359, 375, 55 Stat. 88, as amended, 81 Stat. 658, as amended; 55 Stat. 90, as amended, 52 Stat. 66, as amended, 7 U.S.C. 1358, 1358a, 1359, 1375)

Effective date: Date of filing with the Director, Office of the Federal Register.

Signed at Washington, D.C., on April 23, 1971.

CARROLL G. BRUNTHAVER,
Acting Administrator, Agricultural Stabilization and Conservation Service.

[FR Doc.71-5971 Filed 4-28-71;8:48 am]

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

[Navel Orange Reg. 236]

PART 907—NAVEL ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Limitation of Handling

§ 907.536 Navel Orange Regulation 236.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 907, as amended (7 CFR Part 907, 35 F.R. 16359), regulating the handling of Navel oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations and information submitted by the Navel Orange Administrative

[Valencia Orange Reg. 345]

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

Size Regulation

Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such Navel oranges, as hereinafter provided will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because 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, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for Navel oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such Navel oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on April 27, 1971.

(b) *Order.* (1) The respective quantities of Navel oranges grown in Arizona and designated part of California which may be handled during the period April 30, 1971, through May 6, 1971, are hereby fixed as follows:

- (i) District 1: 732,000 cartons;
- (ii) District 2: 218,000 cartons;
- (iii) District 3: Unlimited.

(2) As used in this section, "handled," "District 1," "District 2," "District 3," and "carton" have the same meaning as when used in said amended marketing agreement and order.

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

Dated: April 28, 1971.

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

[FR Doc.71-6119 Filed 4-28-71; 11:20 am]

Notice was published in the FEDERAL REGISTER issue of April 10, 1971 (36 F.R. 6899), that the Department was giving consideration to a proposed size regulation for Valencia oranges grown in Arizona and designated part of California, pursuant to the applicable provisions of the marketing agreement, as amended, and Order No. 908, as amended (7 CFR Part 908, 35 F.R. 16625), regulating the handling of Valencia oranges grown in Arizona and designated part of California. This regulatory program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674).

The recommended regulation was submitted by the Valencia Orange Administrative Committee, established under said amended marketing agreement and order as the agency to administer the terms and provisions thereof. Such regulation would limit the handling of Valencia oranges grown in District 1, District 2, or District 3 to Valencia oranges measuring 2.20 inches in diameter or larger.

After consideration of all relevant matters presented, including the proposal set forth in the aforesaid notice, the recommendation and information submitted by the Valencia Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such Valencia oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

It is hereby further found that good cause exists for not postponing the effective date of this regulation until 30 days after publication in the FEDERAL REGISTER (5 U.S.C.) in that (1) notice of proposed rule making concerning this regulation, with an effective date as hereinafter specified, was published in the FEDERAL REGISTER (36 F.R. 6899), and no objection to this regulation or such effective date was received; (2) the recommendation and supporting information for regulation during the period specified herein were submitted to the Department after an open meeting of the Valencia Orange Administrative Committee on March 23, 1971, which was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; (3) volume shipments of the current Valencia orange crop are expected to occur on or about the effective time hereinafter specified, and this regulation should be applicable, insofar as practicable, to all

such shipments in order to effectuate the declared policy of the act; and (4) compliance with this regulation will not require any special preparation on the part of the persons subject thereto which cannot be completed by the effective time hereof.

The recommendation by the Valencia Orange Administrative Committee reflects its appraisal of the 1971 Valencia orange crop and the prospective marketing factors affecting the supply of and demand for Valencia oranges. The volume of the developing Valencia orange crop in Districts 1, 2, and 3, and the size of such fruit are such that the size requirement, hereinafter specified, is necessary to (1) establish and maintain returns to producers consistent with the declared policy of the act by preventing the shipment of the less desirable oranges to fresh market outlets and (2) provide consumers with oranges of desirable sizes.

§ 908.645 Valencia Orange Regulation 345.

(a) *Order:* From April 30, 1971, through January 31, 1972, no handler shall handle any Valencia oranges, grown in District 1, District 2, or District 3, which are of a size smaller than 2.20 inches in diameter, which shall be the largest measurement at a right angle to a straight line running from stem to the blossom end of the fruit: *Provided,* That not to exceed 5 percent, by count, of the oranges in any type of container may measure smaller than 2.20 inches in diameter.

(b) As used in this section "handle", "handler", and "District 1", "District 2", and "District 3" each shall have the same meaning as when used in the said amended marketing agreement and order.

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

Dated: April 26, 1971, to be effective April 30, 1971.

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

[FR Doc.71-5972 Filed 4-28-71; 8:48 am]

[Valencia Orange Reg. 346]

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

Limitation of Handling

§ 908.646 Valencia Orange Regulation 346.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 908, as amended (7 CFR Part 908, 35 F.R. 16625), regulating the handling of Valencia oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations and information

submitted by the Valencia Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such Valencia oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because 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, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for Valencia oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such Valencia oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on April 27, 1971.

(b) *Order.* (1) The respective quantities of Valencia oranges grown in Arizona and designated part of California which may be handled during the period April 30, through May 6, 1971, are hereby fixed as follows:

- (i) District 1: 192,576 cartons;
- (ii) District 2: 135,822 cartons;
- (iii) District 3: 152,708 cartons.

(2) As used in this section, "handler", "District 1", "District 2", "District 3", and "carton" have the same meaning as when used in said amended marketing agreement and order.

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

Dated April 28, 1971.

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

[FR Doc.71-6120 Filed 4-28-71; 11:20 am]

Chapter X—Consumer and Marketing Service (Marketing Agreements and Orders; Milk), Department of Agriculture

[Milk Order 64; Docket No. AO-23-A40]

PART 1064—MILK IN GREATER KANSAS CITY MARKETING AREA

Order Amending Order

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

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

Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

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

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

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only

to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held.

(b) *Additional findings.* It is necessary in the public interest to make this order amending the order effective not later than May 1, 1971. Any delay beyond that date would tend to disrupt the orderly marketing of milk in the marketing area.

The provisions of this order are known to handlers. The recommended decision of the Deputy Administrator, Regulatory Programs, was issued March 1, 1971, and the decision of the Assistant Secretary containing all amendment provisions of this order was issued April 14, 1971. The changes effected by this order will not require extensive preparation or substantial alteration in method of operation for handlers. In view of the foregoing, it is hereby found and determined that good cause exists for making this order amending the order effective May 1, 1971, and that it would be contrary to the public interest to delay the effective date of this amendment for 30 days after its publication in the FEDERAL REGISTER (section 553(d), Administrative Procedure Act, 5 U.S.C. 551-559).

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

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

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

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

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

1. In § 1064.12, paragraphs (b) and (c) are revised to read as follows:

§ 1064.12 Pool plant.

(b) A supply plant from which during the month 50 percent or more of the Grade A milk received at such plant from dairy farmers (including receipts from a handler pursuant to § 1064.7(c), except

receipts of milk diverted pursuant to § 1064.15) is disposed of as fluid milk products, except filled milk, in one or both of the following ways: (1) shipped to and received at pool distributing plants, or (2) sold as Class I in the marketing area on routes. A supply plant which is a pool plant under this paragraph during each month of September through January shall be pooled for the following months of February through August, if the required percentage pursuant to this paragraph is not met, unless the plant operator files written request with the market administrator that such plant not be a pool plant, such nonpool status to be effective the first month following such request and thereafter until the plant qualifies as a pool plant on the basis of shipments.

(c) A supply plant operated by a cooperative association in any month in which the member producer milk of such cooperative association received at pool distributing plants during the current month, or the immediately preceding 12-month period ending with the current month, either by transfer from such supply plant or directly from member producers' farms, is 50 percent or more of such cooperative's total member producer milk. Such direct deliveries from member producers' farms shall be considered as having been received first at the plant of such cooperative association for the purpose of determining the qualification of such plant as a pool plant pursuant to this paragraph. If two or more cooperative associations desire to qualify a supply plant operated by one of the associations as a pool plant on the basis of their combined deliveries to pool distributing plants and have filed a written request to this effect with the market administrator on or before the first day of the month the agreement is effective, such a supply plant shall be a pool plant during the month if the above specified percentage of the total member producer milk of such cooperative associations was received at pool distributing plants during the current month, or the immediately preceding 12 month period ending with the current month.

2. In § 1064.15, paragraphs (a) and (b) are revised to read as follows:

§ 1064.15 Diverted milk.

(a) A handler pursuant to § 1064.7(b) may divert for its account the milk of any member producer whose milk is received at a pool distributing plant for at least 1 day's delivery during the month, without limit during the other days of the month. The total quantity of milk so diverted may not exceed the larger of the following amounts: (1) The total quantity of its member producer milk received at all pool distributing plants during the current month, or (2) the average daily quantity of its member producer milk received at pool distributing plants during the previous month, multiplied by the number of days in the current month.

(b) A handler operating a pool distributing plant may divert for his account the milk of any producer, other than a member of a cooperative association

which has diverted milk pursuant to paragraph (a) of this section, whose milk is received at his pool distributing plant for at least 1 day's delivery during the month, without limit during the other days of the month. However, the total quantity of milk so diverted may not exceed the larger of the following amounts: (1) The total quantity of producer milk received at such plant during the current month from producers who are not members of a cooperative association that has diverted milk pursuant to paragraph (a) of this section, or (2) the average daily quantity of producer milk received at such plant during the previous month from producers who are not members of a cooperative association that has diverted milk in the current month pursuant to paragraph (a) of this section, multiplied by the number of days in the current month.

§ 1064.44 [Amended]

3. In § 1064.44, paragraph (c) is revoked.

4. In § 1064.44, the introductory text of paragraph (d) preceding subparagraph (1) is revised to read as follows:

(d) As Class I milk, if transferred or diverted in bulk to a nonpool plant that is neither an other order plant, a producer-handler plant, or the plant of a handler pursuant to § 1064.7(f); unless the requirements of subparagraphs (1) and (2) of this paragraph are met, in which case the skim milk and butterfat so transferred or diverted shall be classified in accordance with the assignment resulting from subparagraph (3) of this paragraph.

5. In § 1064.51, paragraphs (b) and (c) are revised to read as follows:

§ 1064.51 Class prices.

(b) *Class II milk.* The Class II price shall be the basic formula price for the month plus 15 cents.

(c) *Class III milk.* The Class III price shall be the basic formula price for the month.

6. In § 1064.62, paragraph (c) is revised and a new paragraph (c-1) is added to read as follows:

§ 1064.62 Plants subject to other Federal orders.

(c) A supply plant meeting the requirements of § 1064.12(b), which also meets the pooling requirements of another Federal order, and which has greater direct marketing area route disposition in the form of fluid milk products, except filled milk, and qualifying shipments to plants regulated under such other order than are made under this order, unless during any month of February through August automatic pool plant status for such plant is retained under this part for such month.

(c-1) A supply plant which would be subject to the classification and pricing provisions of another order issued pursuant to the Act, unless such plant also qualified as a pool plant pursuant to § 1064.12(c).

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

Effective date: May 1, 1971.

Signed at Washington, D.C., on April 23, 1971.

RICHARD E. LYNG,
Assistant Secretary.

[FR Doc.71-5973 Filed 4-28-71;8:48 am]

Chapter XIV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER C—EXPORT PROGRAMS

PART 1488—FINANCING OF SALES OF AGRICULTURAL COMMODITIES

Subpart A—Financing of Export Sales of Agricultural Commodities From Private Stocks Under CCC Export Credit Sales Program (GSM-4, Revision II)

DEFINITION OF TERMS

Correction

In F.R. Doc. 71-5596 appearing at page 7597 in the issue of Thursday, April 22, 1971, the second sentence of § 1488.2(c) should read as follows: "The bank obligation shall be in the form of an irrevocable letter of credit issued by a U.S. bank or a branch bank, or confirmed or advised by a U.S. bank or an agency or branch bank in accordance with § 1488.4."

Title 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service, Department of Justice

PART 214—NONIMMIGRANT CLASSES

Employment of Certain Nonimmigrants

Reference is made to the notice of proposed rule making which was published in the FEDERAL REGISTER on February 5, 1971 (36 F.R. 2513), pursuant to section 553 of title 5 of the United States Code (80 Stat. 383) and in which there were set out the terms of a proposed amendment to § 214.1 pertaining to the employment of certain nonimmigrants. Representations which were received concerning the proposed rule of February 5, 1971, have been considered. No change was made in the proposed rule. The proposed rule as set out below is hereby adopted:

Section 214.1 is amended by adding paragraph (c) to read as follows:

§ 214.1 Requirements for admission, extension, and maintenance of status.

(c) *Employment.* A nonimmigrant in the United States in a class defined in section 101(a)(15)(B) of the Act as a temporary visitor for pleasure, or section 101(a)(15)(C) of the Act as an alien in transit through this country,

may not engage in any employment. Any other nonimmigrant in the United States may not engage in any employment unless he has been accorded a nonimmigrant classification which authorizes employment or he has been granted permission to engage in employment in accordance with the provisions of this chapter. A nonimmigrant who is permitted to engage in employment may engage only in such employment as has been authorized. Any unauthorized em-

ployment by a nonimmigrant constitutes a failure to maintain status within the meaning of section 241(a) (9) of the Act. (Sec. 103, 66 Stat. 173; 8 U.S.C. 1103)

The basis and purpose of the above-prescribed rule is to preclude a nonimmigrant from engaging in unauthorized employment.

This order shall be effective on the date of its publication in the FEDERAL REGISTER (4-29-71). Compliance with the provisions of section 553 of title 5

of the United States Code (80 Stat. 383), as to delayed effective date, is unnecessary in this instance and would serve no useful purpose because the persons affected thereby will not require additional time to prepare for the effective date of the regulation.

Dated: April 23, 1971.

RAYMOND F. FARRELL,
Commissioner of

Immigration and Naturalization.

[FR Doc.71-5975 Filed 4-28-71;8:48 am]

Proposed Rule Making

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 16]

ENRICHED MACARONI PRODUCTS WITH IMPROVED PROTEIN QUALITY

Identity Standard; Reextension of Time for Filing Comments

In the matter of establishing a standard of identity for enriched macaroni products with improved protein quality:

The notice of proposed rule making in the above-identified matter, published in the FEDERAL REGISTER of March 3, 1971 (36 F.R. 4061), provided for the filing of comments within 30 days after said date. The time for filing comments was extended to May 2, 1971, by a notice published April 9, 1971 (36 F.R. 6835).

The Commissioner of Food and Drugs has received a request to reextend such time and, good reason therefor appearing, the time for filing comments regarding the proposal is reextended to June 1, 1971.

This action is taken pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 401, 701, 52 Stat. 1046, 1055, as amended 70 Stat. 919, 72 Stat. 948; 21 U.S.C. 341, 371) and under authority delegated to the Commissioner (21 CFR 2.120).

Dated: April 22, 1971.

SAM D. FINE,
Associate Commissioner
for Compliance.

[FR Doc. 71-5953 Filed 4-28-71; 8:46 am]

Food and Drug Administration

[21 CFR Part 191]

CERTAIN TOY CAPS

Proposed Exemption From Classification as Banned Hazardous Substances

Section 191.9a(a)(5), promulgated December 19, 1970 (35 F.R. 19266), classifies toy caps (paper or plastic) as banned hazardous substances if they produce impulse-type sound at a peak pressure level at or above 138 decibels when measured in an anechoic chamber at a distance of 25 centimeters in any direction from the source of the sound. Section 191.9a(a)(5) is an interim regulation pending further investigation to determine whether prevention of damage to the hearing of children requires or permits additional promulgation.

To obtain further expert advice in this matter, the Commissioner of Food and

Drugs convened on January 27, 1971, an advisory panel consisting of 10 experts in the field of audiology to consider the significance of the sound pressure levels produced by toy caps. Based on the information presented by the panel, the Commissioner concludes that:

1. Toy caps producing a sound pressure level of not more than 138 decibels when tested in accordance with the method described in § 191.17 (proposed below) are safe for use.

2. Any caps producing sound pressure levels above 158 decibels should not be permitted because of their potential for causing ear injury and hearing loss.

3. Caps producing a sound pressure level between 138 and 158 decibels are in a "gray area" regarding safety; however, Part 191 should be amended as proposed below to permit such caps to be marketed, as an interim measure, if they bear warnings against use indoors and against misuse.

4. Manufacturers and distributors of such caps should make an effort to develop caps that produce a sound level of not more than 138 decibels.

Therefore, pursuant to provisions of the Federal Hazardous Substances Act (secs. 2(f)(1)(D), (s), 3(e)(1), 74 Stat. 372, 374, 375, as amended 83 Stat. 187-89; 15 U.S.C. 1261, 1262) and under authority delegated to him (21 CFR 2.120), the Commissioner proposes that Part 191 be amended by adding a new § 191.17 and by adding to § 191.65a(a) a new subparagraph (6), as follows:

§ 191.17 Method for determining the sound pressure level produced by toy caps.

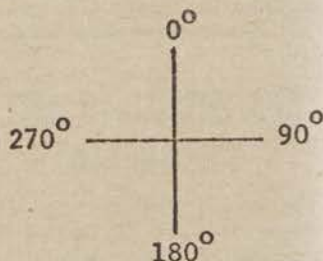
(a) *Equipment required.* The equipment for the test includes a microphone, a preamplifier (if required), and an oscilloscope.

(1) The microphone-preamplifier system shall have a free-field response uniform to within ± 2 decibels from 50 hertz to 70 kilohertz or beyond and a dynamic range covering the interval 70 to 160 decibels relative to 20 micronewtons per square meter. Depending on the model, the microphone shall be used at normal or at grazing incidence, whichever gives the most uniform free-field response. The microphone shall be calibrated both before and after the test of a model of cap. The calibration shall be accurate to within ± 1 decibel. If the calibration is of the pressure type or of the piston-telephone plus electrostatic actuator type, it shall be corrected to free-field conditions in accordance with the manufacturer's instructions.

(2) The oscilloscope shall be the storage type or one equipped with a camera. It shall have a response uniform to within ± 1 decibel from 50 hertz to 250

kilohertz or higher. It shall be calibrated to within ± 1 decibel against an external voltage source periodically during the tests.

(b) *Procedure.* (1) Use the type pistol that would ordinarily be used with the caps being tested. Place the pistol and testing equipment so that neither the pistol nor the microphone is closer than 1 meter from any wall, floor, ceiling, or other large obstruction. Locate the pistol and the microphone in the same horizontal plane with a distance of 25 centimeters between the diaphragm of the microphone and the position of the explosive. Measure the peak sound pressure level at each of the six designated orientations of the pistol with respect to the measuring microphone. The 0° orientation corresponds to the muzzle of the pistol pointing at the microphone. The 90°, 180°, and 270° orientations are measured in a clockwise direction when looking down on the pistol with its barrel horizontal, as illustrated by the following figure:



(2) The hammer and trigger orientations are obtained by rotating the pistol about the axis of the barrel, when the pistol is in the 90° or 270° orientation, so that the hammer and the trigger are each respectively closest to and in the same horizontal plane with the microphone.

(3) Fire 10 shots at each of the six orientations, obtaining readings on the oscilloscope of the maximum peak voltage for each shot. Average the results of the 10 firings for each of the six orientations.

(4) Using the orientation that yields the highest average value, convert the value to sound pressure levels in decibels relative to 20 micronewtons per square meter using the response to the calibrated measuring microphone.

§ 191.65a Exemptions from classification as a banned toy.

(a) The term "banned hazardous substance" as used in section 2(q)(1)(A) of the act shall not apply to the following articles:

* * * * *

(6) Caps (paper or plastic) described in § 191.9a(a)(5), provided:

(i) Such articles do not produce peak sound pressure levels greater than 158 decibels when tested in accordance with § 191.17, and provided any such articles producing peak sound pressure levels greater than 138 decibels but not greater than 158 decibels when tested in accordance with § 191.17 shall bear the following statement on the carton and in the accompanying literature in accordance with § 191.101: "WARNING: Do not fire closer than 1 foot to the ear. Do not use indoors."

(ii) Any person who elects to distribute toy caps in accordance with subdivision (i) of this subparagraph shall promptly notify the Food and Drug Administration, Bureau of Product Safety, 200 C Street SW., Washington, D.C. 20204, of their intention and shall conduct or participate in a program to develop caps that produce a sound pressure level or not more than 138 decibels when tested in accordance with § 191.17.

(iii) Any person who elects to distribute caps in accordance with subdivision (i) of this subparagraph shall, after notification of his intentions to the Food and Drug Administration in accordance with subdivision (ii) of this subparagraph, submit to the Food and Drug Administration, Bureau of Product Safety, 200 C Street SW., Washington, D.C. 20204, a progress report not less frequently than once every 3 months concerning the status of his program to develop caps that produce a sound level of not more than 138 decibels when tested in accordance with § 191.17.

Interested persons may, within 15 days after publication hereof in the FEDERAL REGISTER, file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 6-62, 5600 Fishers Lane, Rockville, Md. 20852, written comments (preferably in quintuplicate) regarding this proposal. Comments may be accompanied by a memorandum or brief in support thereof.

Dated: April 21, 1971.

CHARLES C. EDWARDS,
Commissioner of Food and Drugs.

[FR Doc.71-5921 Filed 4-28-71;8:45 am]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 65]

[Docket No. 11003; Notice 71-11]

MILITARY AIR TRAFFIC CONTROL TOWER OPERATORS

Proposed Experience Requirements for Facility Rating

The FAA is considering amending Part 65 of the Federal Aviation Regulations to allow military air-traffic control tower operators to meet the practical experience requirements for a facility rating at a particular tower by having at least 6

months of experience as an air-traffic control-tower operator. However, that experience need not be had (1) at that tower without a facility rating or (2) at a different tower with a facility rating there, as required of other control tower operators.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the regulatory docket or notice number and be submitted in duplicate to: Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket, GC-24, 800 Independence Avenue, SW., Washington, D.C. 20590. All communications received on or before June 14, 1971, will be considered by the Administrator before taking action on the proposed rule. The proposal contained in this notice may be changed in light of comments received. All comments submitted will be available, both before and after the closing date for comments, in the rules docket for examination by interested persons.

On December 8, 1970, the Directorate of Operations, U.S. Air Force, on behalf of the Armed Forces of the United States, requested that § 65.39 (a) and (b) of the Federal Aviation Regulations be changed to allow military air traffic control tower operators to meet the experience requirements for a facility rating at a particular tower before serving for the prescribed minimum 6 months of experience at that tower without a facility rating or at a different tower with such a rating. According to the Air Force, the Armed Forces have difficulty in complying with these provisions because of the rapid rotation of military personnel. Because of these requirements, it asserted, fewer military personnel are available to conduct tower operations.

Under the skill requirements of Part 65 before Amendment 65-15 issued July 27, 1970 (35 F.R. 12326), an applicant was eligible for a senior rating if he served as an air traffic control trainee for a period of at least 6 months in the service of the United States (and there was no minimum experience requirement with respect to the junior rating). These provisions no longer apply, since senior and junior ratings were dropped upon the adoption of the facility rating concept, and no similar special provision exists for controllers in the service of the United States.

Under the proposed amendment, an air-traffic control-tower operator who is a member of an Armed Force of the United States could meet the experience requirements of § 65.39 by having 6 months of experience as an air-traffic control-tower operator, but not necessarily at that particular tower without a facility rating or at a different tower with a facility rating there.

In consideration of the foregoing, it is proposed to amend § 65.39 of the Federal Aviation Regulations by adding the following flush paragraph at the end thereof:

§ 65.39 Practical experience requirements: facility rating.

However, an applicant who is a member of an Armed Force of the United States meets the requirements of this section if he has satisfactorily served as an air-traffic control-tower operator for at least 6 months.

These amendments are proposed under the authority of sections 313(a) and 601 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421), and of section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Washington, D.C., on April 23, 1971.

ROBERT W. MARTIN,
Acting Director,
Air Traffic Service.

[FR Doc.71-5988 Filed 4-28-71;8:49 am]

[14 CFR Part 71]

[Airspace Docket No. 71-WE-28]

TRANSITION AREA

Proposed Alteration

The Federal Aviation Administration is considering an amendment to Part 71 of the Federal Aviation Regulations that would eliminate the control zone at Siskiyou County Airport, Calif.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Airspace and Procedures Branch, Federal Aviation Administration, 5651 West Manchester Avenue, Post Office Box 92007, Worldway Postal Center, Los Angeles, CA 90009. 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 public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Regional Air Traffic Division Chief. 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.

A public docket will be available for examination by interested persons in the office of the Regional Counsel, Federal Aviation Administration, 5651 West Manchester Avenue, Los Angeles, Calif. 90045.

The military TACAN navigation facility will be decommissioned on April 29, 1971. The control zone for Siskiyou County Airport, Montague, Calif., was originally designated to provide controlled airspace for military aircraft executing prescribed instrument procedures below 1,000 feet above the surface utilizing the TACAN. With the decommissioning of the TACAN and cancellation of associated instrument procedures, the

requirement for the control zone no longer exists.

In consideration of the foregoing, the FAA proposes the following airspace action.

In § 71.171 (36 F.R. 2055) the description of the Montague, Calif., control zone is deleted.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958, as amended (49 U.S.C. 1348(a)), and of section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Los Angeles, Calif., on April 19, 1971.

LEE E. WARREN,
Acting Director, Western Region.

[FR Doc.71-5987 Filed 4-28-71; 8:49 am]

CIVIL AERONAUTICS BOARD

[14 CFR Part 241]

[Docket No. 23307; EDR-199]

UNIFORM SYSTEM OF ACCOUNTS AND REPORTS FOR CERTIFICATED AIR CARRIERS

Realignment of Lease Accounting and Reporting and Provision for Quarterly Statements Related to Funds and Financial Commitments

APRIL 22, 1971.

Notice is hereby given that the Civil Aeronautics Board has under consideration proposed amendments to Part 241 of its Economic Regulations (14 CFR Part 241) which would realign the carrier rent account and the treatment of long-term leases for accounting and reporting, and would provide for quarterly statements of sources and applications of funds and impending financial commitments.

The principal features of the proposed amendment are described in the explanatory statement set forth below and the proposed amendment is set forth in the proposed rule. The amendment is proposed under the authority of sections 204(a) and 407 of the Federal Aviation Act of 1958, as amended (72 Stat. 743, 766; 49 U.S.C. 1324, 1377).

Interested persons may participate in the proposed rule making through submission of twelve (12) copies of written data, views, or arguments pertaining thereto, addressed to the Docket Section, Civil Aeronautics Board, Washington, D.C. 20428. All relevant material received on or before June 1, 1971, will be considered by the Board before taking final action on the proposed rule. Copies of such communications will be available for examination by interested persons in the Docket Section of the Board, Room 712, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., upon receipt thereof.

By the Civil Aeronautics Board.

[SEAL] HARRY J. ZINK,
Secretary.

Explanatory statement. Presently, the information reported by the carriers

under the Uniform System of Accounts and Reports does not provide a base on which to measure the impact of leasing on the carriers' financial statements with regard to such items as the investment base, depreciation expense, interest expense, operating profit, and rate of return. At the same time there has been a dramatic increase during recent years in the acquisition of flight equipment through lease agreements. The growth in this device for acquiring productive resources has been accompanied by substantial differences of opinion within economic and accounting communities concerning the substantive similarities of and distinctions to be drawn between the lease and purchase of properties. Independently of the manner in which this issue may be resolved in any proceedings before the Board or by the accounting and economic communities, it is a basic purpose of the Board's accounting regulations to disclose sufficient information with respect to all major financial transactions to permit the widest possible latitude for alternative opinions and applications to the extent strict adherence to objectivity and integrity of the fundamental accounting processes involved will permit.

In addition the Board's Uniform System of Accounts provides for a classification "Rentals and Landing Fees."¹ Although the account provides for separate subclassification of "Rentals" and "Landing Fees," the inclusion of both in the same general classification might be construed as indicating that landing fees, being essentially a charge for facilities provided by others, are regarded as a form of rental under the Board's Uniform System of Accounts. Also, the Air Transportation Financial Group² in a review of investment standards used by the financial community in considering air carrier financial qualification has called attention to the possibility that the treatment of landing fees in the Uniform System of Accounts could impede the financing capabilities of air carriers. For example, under a New York State statute³ the eligibility of certain investments by insurance companies requires, in essence, earnings within a prescribed period at a prescribed level in relation to fixed charges. As defined by the statute, "fixed charges" includes "rentals for leased property." As a generic matter, it is doubtful whether landing fees, which vary in amount with the actual use of individual airports, could properly constitute "fixed charges." Nevertheless, as indicated previously, the inclusion of "landing fees" in the same classification with "rentals" in the Uniform System of Accounts could conceivably lend force to a construction contrary to the generic one. For these reasons, the Board intends to establish "landing fees" as a distinct expense classification separate from rentals and to amend its accounting and reporting requirements to disclose fully, through distinct classifications and sep-

arate from short-term leases, all essential components of long-term lease obligations.⁴

Since these matters deal with financial qualifications of air carriers, the Board also intends to amend its reporting regulations at this time to close equally significant information gaps with respect to forward commitments and past-period fund flows.

In summary, therefore, the proposed rule would amend the prescribed account structure to: (1) Disclose through separate classifications, without generic characterization, landing fees, long-term lease charges and short-term lease charges; (2) provide for the separation from lease charges, and the recording as such, of any charges for maintenance, insurance and taxes included in lease payments; (3) reflect the separate equity interest components in leased property on bases consistent with the treatment accorded owned property and modifications to leased property by associating long-term prepayments of and modifications to leased property within the general operating property classification; and (4) disclose the cost equivalent of the use rights to leased property by establishing offsetting memoranda balance sheet accounts for pro forma recording of such estimated cost, less implicitly accrued depreciation, and contra reserve. The prescribed reporting requirements would be modified to: (1) Disclose in the balance-sheet, in offsetting memorandum accounts, the estimated depreciated cost and associated reserve for leased properties; (2) provide more detailed identification of leased property on Schedule B-7 and Schedule B-43; (3) provide a new Schedule B-14 for reporting a summary of the basic economic factors pertaining to all property acquired under long-term leases; and (4) establish two new quarterly report schedules supplementing the present statements of financial condition with statements of funds applications for the quarters then ended plus impending commitments and scheduled financing sources.

Proposed rule. It is proposed to amend Part 241 of the Economic Regulations (14 CFR Part 241) as follows:

1. Amend Section 03—Glossary to add the terms "lease, long-term" and "lease, short-term" to read:

Lease, long-term.—A lease contract, not constituting a conditional sale, for a term or terms in excess of 3 years including terms of extension or renewal at the option of the lessee.

Lease, short-term.—A lease contract, not constituting a conditional sale, for a term or terms of 3 years or less including terms of extension or renewal at the option of the lessee.

2. Amend Section 3—Chart of Balance Sheet Accounts to change the title of Account 1607, add a new Account 1641 and establish two subaccounts under each of these accounts so that pertinent parts of the chart read:

⁴ As proposed, short-term leases are defined as 3 years or less.

¹ Sec. 13, Account 44.

² Appointed by the Chairman of the Board and established on Oct. 21, 1970.

³ Section 79 et seq. of the Insurance Law.

Section 3. Chart of Balance Sheet Accounts.

	Operating	Nonoperating
Miscellaneous flight equipment.....	1606	1706
Improvements and prepayments— leased flight equipment.....	1607	1707
Improvements.....	1607.1	1707.1
Long-term prepayments.....	1607.2	1707.2
Flight equipment rotatable parts and assemblies.....	1608	1708
***	***	***
Other buildings and improve- ments.....	1640.9	1740.9
Improvements and prepayments— leased ground property and equipment.....	1641	1741
Improvements.....	1641.1	1741.1
Long-term prepayments.....	1641.2	1741.2
Ground property and equipment....	1649	1749
***	***	***

3. Amend Section 5—Balance Sheet Account Groupings as follows:

A. By revising paragraph (c) of section 5-3 Property and Equipment to read:

(c) Property obtained under an agreement for lease or lease with option to purchase, not constituting a conditional sale, shall not be recorded in the property and equipment classification on the books of the lessee until actual purchase, at which time the price at actual date of purchase plus leasehold improvements shall be recorded in the appropriate property and equipment accounts (See section 5-5a).

B. By revising paragraph (a) of section 5-5 Deferred Charges, the revised paragraph (a) to read:

Sec. 5-5 Deferred charges.

(a) Include in this classification all debit balances in general clearing accounts including charges held in suspense pending receipt of information necessary for final disposition prepayment's chargeable against operations over a period of years not provided for elsewhere, capitalized expenditures of an organizational or development character, property acquisition adjustments, and the costs of patents, copyrights and miscellaneous intangibles.

C. By adding a new section 5-5a to read:

Sec. 5-5a Long-term leases.

Property and equipment acquired under long-term leases as defined in section 03 shall be recorded in the memorandum accounts provided in classification 1900. These memorandum accounts shall be maintained in such a manner as to have no effect upon the air carrier's recorded or reported financial condition or operating results, although the reporting of the constituent elements of long-term leases is required (See section 6-1900).

4. Amend section 6—Objective Classification of Balance Sheet Elements:

A. By revising Account 1607 Improvements to Leased Flight Equipment to change the title and add subaccounts to read:

1607 Improvements and Prepayments—Leased Flight Equipment.

(a) Record here the total cost to the air carrier incurred in connection with modification, conversion or other improvements to leased flight equipment, as provided in section 5-3. Also record here prepayments applicable to periods extending beyond 1 year, including portions allocable to the current year, that are related to leased flight equipment.

(b) Each carrier shall maintain the following subaccounts in which the values assignable to improvements and prepayments shall be separately recorded:

- 1607.1 Improvements.
- 1607.2 Long-term prepayments.

B. By revising Account 1640 Buildings and Other Improvements to remove the reference to leasehold improvements the revised paragraph to read:

Record here the total cost to the air carrier of owned buildings, structures and related improvements, as provided in section 5-3. Each air carrier shall maintain the following subaccounts in which the value fairly assignable to maintenance and other operations shall be separately recorded.

- 1640.1 Maintenance Buildings and Improvements.
- 1640.9 Other Buildings and Improvements.

C. By adding a new Account 1641 Improvements and Prepayments—Leased Ground Property and Equipment to read:

1641 Improvements and Prepayments—Leased Ground Property and Equipment.

(a) Record here the total cost to the air carrier incurred in connection with modification, conversion, or other improvements to leased ground property and equipment, as provided in section 5-3. Also record here prepayments applicable to periods extending beyond 1 year, including portions allocable to the current year, that are related to leased ground property and equipment.

(b) Each carrier shall maintain the following subaccounts in which the values assignable to improvements and prepayments shall be separately recorded:

- 1641.1 Improvements.
- 1641.2 Long-term prepayments.

D. By revising Account 1820 Long-term Prepayments to read:

Record here prepayments of obligations applicable to periods extending beyond one year such as payments for rights or other privileges. Prepayments related to leased property and equipment shall not be recorded in this account but shall be recorded in the appropriate subaccounts of account 1607 or 1641.

E. By adding a new balance sheet account grouping immediately following Account 1890 Other Deferred Charges to read:

LONG-TERM LEASES

1901 Long-term Leases—Flight Equipment.

(a) Record in this memorandum account the estimated cost to the lessor of flight equipment obtained under a long-term lease as defined in section 03. If the estimated cost to the lessor is stipulated in the lease agreement, that amount shall be recorded in this account. If the lessor's estimated cost is not so stipulated, it shall be determined based on the cost of comparable owned equipment, the market value of comparable equipment or independent appraisals; and such estimates, together with sufficient documentary evidence and factual support, shall be submitted to the Director, Bureau of Accounts and Statistics, for approval.

(b) The amounts recorded in this account shall be reduced by amounts equivalent to the imputed depreciation for the reporting period based on the service lives and residual values used by the carrier for comparable owned properties.

(c) The charges and credits to this account shall be offset by corresponding credits and charges to account 1903. Any related balances remaining in this account upon termination of the lease shall be reversed to account 1903.

1902 Long-term Leases—Ground Property and Equipment.

(a) Record in this memorandum account the estimated cost to the lessor of ground property and equipment obtained under a long-term lease as defined in section 03. If the estimated cost to the lessor is stipulated in the lease agreement, that amount shall be recorded in this account. If the lessor's cost is not so stipulated, it shall be determined based on the cost of comparable owned property or equipment, the market value of comparable property or equipment or independent appraisals; and such estimates, together with sufficient documentary evidence and factual support, shall be submitted to the Director, Bureau of Accounts and Statistics for approval.

(b) The amounts recorded in this account shall be reduced by amounts equivalent to the imputed depreciation for the reporting period, based on the service lives and residual values used by the carrier for comparable owned properties.

(c) The charges and credits recorded in this account shall be offset by corresponding credits or charges to account 1903. Any related balances remaining in this account upon termination of the lease shall be reversed to account 1903.

1903 Unmatured Long-term Leases.

Record here the corresponding charges and credits for amounts recorded in accounts 1901 and 1902.

5. Amend section 7—Chart of Profit and Loss Accounts to revise Account 44 Rentals and Landing Fees and to add Account 47 Short-term Leased Property Charges and Account 48 Long-term Leased Property Charges the revised chart in pertinent part to read:

Objective classification of profit and loss elements	Functional or financial activity to which applicable (00)		
	Group I carriers	Group II carriers	Group III carriers
	***	***	***
43.9 Other services—outside.....	52, 53, 69	52, 53, 55, 64, 67, 68.	52, 53, 55, 61, 62, 63, 66, 68.
44 Landing fees.....	69	64	61
45 Aircraft fuels and oils.....	51		
45.1 Aircraft fuels.....		51	51
45.2 Aircraft oils.....		51	51
46 Maintenance materials:			
46.1 Airframes.....		52	52
46.2 Aircraft engines.....		52	52
46.3 Other flight equipment.....		52	52
46.6 Flight equipment.....	52		
46.9 Ground property and equipment.....	52, 53	52, 53	52, 53
47 Short-term leased property charges.....	51, 53, 69	51, 53, 55, 64, 67, 68.	51, 53, 55, 61, 62, 63, 65, 66, 68.
48 Long-term leased property charges.....	51, 53, 69	51, 53, 55, 64, 67, 68.	51, 53, 55, 61, 62, 63, 65, 66, 68.
49 Shop and servicing supplies.....	53, 69	53, 64	53, 61
***	***	***	***

6. Amend section 13—Objective Classification—Operating Expenses as follows:

A. By amending Account 44 Rentals and Landing Fees to read:

44 Landing Fees.

Record here the charges and fees incurred for landing and storing of aircraft while in line operation.

B. By adding new Accounts 47 Short-term Leased Property Charges and 48 Long-term Leased Property Charges to read:

47 Short-term Leased Property Charges.

Record here charges incurred in the use of property and equipment provided by others under short-term leases as defined in section 03. When the lease agreement provides that the amounts paid include charges for maintenance, insurance, or taxes, the amounts related thereto shall not be recorded in this

account but in the appropriate objective expense accounts to which related.

48 Long-term Leased Property Charges.

Record here charges incurred in the use of property and equipment provided by others under long-term leases as defined in section 03. When the lease agreement provides that the amounts paid include charges for maintenance, insurance, or taxes, the amounts related thereto shall not be recorded in this account but in the separate objective expense accounts to which related.

7. Amend section 22—General Reporting Instructions to add to the list of schedules new Schedules B-12 Statement of Source and Application of Funds, B-13 Summary of Projected Financial Commitments and Related Deposits, and B-14 Summary of Property Obtained Under Long-Term Leases; and to delete Schedule B-47 Lease Obligations—Flight Equipment; the revised list in pertinent part to read:

Schedule No.	Description	Filing	
		Frequency	Post mark interval (days)
B-10	Developmental and Preoperating Costs.....	Quarterly	40
B-12	Statement of Source and Application of Funds.....	do	40
B-13	Summary of Projected Financial Commitments and Related Deposits.....	do	40
B-14	Summary of Property Obtained Under Long-term Leases.....	do	40
B-41	Investments Held by, or for the Account of, Respondent.....	Annually	90
B-42	Accounts 1410 Short-Term Prepayments, 1550 Special Funds—Other, 1820 Long-Term Prepayments, 1880 Other Intangibles, 1890 Other Deferred Charges, 2390 Other Deferred Credits.....	do	90
B-43	Inventory of Airframes and Aircraft Engines.....	do	90
B-44	Transactions with Associated Companies.....	do	90
B-46	Long-Term and Short-Term Non-Trade Debt.....	do	90
***	Memorandum Subclassification of Ground Property Investment.....	Quarterly	50
***	***	***	***

8. Amend section 23—Certification and Balance Sheet Elements as follows:

A. By revising the reporting instructions in paragraph (b) of Schedule B-7—Airframes and Aircraft Engines Acquired, the revised paragraph (b) to read:

(b) The indicated data shall be reported for each individual airframe, identified by type, model, and design of cabin as to use for passengers exclusively, cargo exclusively, or both passengers and cargo in combination. Data pertaining to aircraft engines shall be reported in aggregate for each type or model. Airframe units leased from others for a period of

more than 90 days shall be reported in a separate subsection of this schedule. In so reporting, the information in columns 1 through 10 and column 16 shall be provided. In addition, for long-term leases, data shall also be reported in columns 11 through 15, as applicable. The cost reported in column 11 shall separately disclose the cost recorded in account 1901 and any improvements recorded in subaccount 1607.1. The estimated depreciable life (months) in column 14 shall reflect the number of months to be used for purposes of determining imputed depreciation. The life of

the lease in months and the name of the lessor shall be noted in column 16.

B. By adding instructions for new Schedules B-12 Statement of Source and Application of Funds, B-13 Summary of Projected Financial Commitments and Related Deposits, and Schedule B-14 Summary of Property Obtained Under Long-Term Leases to read:

Schedule B-12 Statement of Source and Application of Funds

(a) This schedule shall be filed by all route air carriers.

(b) This schedule shall be filed for the overall or system operations of the air carrier.

(c) In determining funds from operations, net income as reported in item 9799 on Schedule P-1 shall be increased by the indicated nonfund charges and shall be decreased by nonfund credits such as gains on property retirements and undistributed earnings of subsidiaries. The nonfund credits shall be included net on Line 12 "Other miscellaneous nonfund items." If the amount reported on Line 12, Line 23, or Line 38 exceeds 5 percent of the total sources or applications, a footnote shall be added to this schedule disclosing the component amounts.

(d) Generally, all items shall be reported in gross amounts. Thus, nonfund exchanges of bonds or capital stock for fixed assets shall be reported as a source of funds from the incurrence of debt or issuance of stock and a concurrent application of funds for the asset acquisition. Likewise, the conversion of debt for capital stock shall be reported as a source of funds for capital stock issued and an application of funds for the debt retired.

Schedule B-13 Summary of Projected Financial Commitments and Related Deposits

(a) This schedule shall be filed by all route air carriers.

(b) This schedule shall be filed for the overall or system operations of the air carrier.

(c) The indicated data shall be reported in columns 2 through 9 for all firm programs for property acquisition and debt retirement. The total estimated cost of each program shall be reported in column 2, and the amounts reflected in columns 3 through 9 shall agree in total with the amount in column 2.

(d) Financing for which firm arrangements have been made to meet the total projected commitments shall be reported in columns 5 through 9 by appropriate caption under scheduled financing. Financing to be scheduled reported on Line 25 shall equal Line 16 minus Line 21. The use of Lines 23 and 24 to indicate, generally, whether funds to be scheduled are expected to be obtained through internal or external sources is optional.

Schedule B-14 Summary of Property Obtained Under Long-Term Leases

(a) This schedule shall be filed by all route air carriers.

(b) This schedule shall be filed for the overall or system operations of the air carrier.

(c) This schedule shall reflect data for each long-term lease in force at the report date. Property obtained under each lease shall be separately identified as to airframes, aircraft engines, other flight equipment, and ground property and equipment in column 1. The dollar amounts reported shall be the aggregate for all property obtained under the lease and need not be allocated between classes of equipment.

(d) Column 3 "Cost" shall reflect the amount initially recorded in memorandum accounts 1901 or 1902 pursuant to the instructions in section 6. Column 4 "Imputed Depreciation Accrued" shall reflect the total amount of imputed depreciation accrued against the constructive cost.

(e) The indicated lease costs and approximate annual lease cost components shall be reported in columns 5 through 11. The imputed interest rate shall be reported in column 12 and the remaining months of the lease shall be reported in column 13. Column 14 shall indicate whether the lease contains purchase option provisions by insertion of the word "Yes" or "No".

C. By revising the reporting instructions of paragraph (3) of Schedule B-43—Inventory of Airframes and Aircraft Engines, the revised paragraph (e) to read:

(e) The data to be reported shall include owned and rented airframes and aircraft engines currently in operation or in conversion. Data pertaining to rented airframes and engines shall be listed in columns 1 through 7 and in column 13; the cost of improvements related thereto shall be listed in columns 8 through 12. In addition, for long-term leases, data shall also be reported in columns 8 through 12 to reflect in column 8 the estimated cost originally recorded in account 1901 and in columns 9, 10, 11, and 12 the reserve for depreciation, depreciated cost, estimated residual value and estimated depreciable life related to depreciation imputed pursuant to section 6, account 1901.

D. By deleting the instructions for Schedule B-47 Lease Obligations—Flight Equipment.

9. Amend section 32—General Reporting Instructions to add to the list of schedules new Schedules B-12 Statement of Source and Application of Funds, B-13 Summary of Projected Financial Commitments and Related Deposits, and B-14 Summary of Property Obtained under Long-term Leases; and delete Schedule B-47 Lease Obligations—Flight Equipment; the revised list in pertinent part to read:

Schedule No.		Filing	
		Frequency	Post mark interval (days)
B-10	Developmental and Preoperating Costs	do	40
B-11	Current and Long-term Receivables; Current and Long-term Payables	Monthly	30
B-12	Statement of Source and Application of Funds	Quarterly	40
B-13	Summary of Projected Financial Commitments and Related Deposits	do	40
B-14	Summary of Property Obtained under Long-term Leases	do	40
B-41	Investments Held by, or for the Account of, Respondent	Annually	90
B-43	Inventory of Airframes and Aircraft Engines	do	90
B-46	Long-term and Short-Term Non-Trade Debt	do	90
P-1.1	Income Statement—Group I Air Carriers	Quarterly	40

10. Amend section 33—Certification and Balance Sheet Elements as follows:

A. By revising the reporting instructions in paragraph (b) of Schedule B-7—Airframes and Aircraft Engines Acquired, the revised paragraph (b) to read:

(b) The indicated data shall be reported for each individual airframe, identified by type, model, and design of cabin as to use for passengers exclusively, cargo exclusively, or both passengers and cargo in combination. Data pertaining to aircraft engines shall be reported in aggregate for each type or model. Airframe units leased from others for a period of more than 90 days shall be reported in a separate subsection of this schedule. In so reporting, the information in columns 1 through 10 and column 16 shall be provided. In addition, for long-term leases, data shall also be reported in columns 11 through 15, as applicable. The cost reported in column 11 shall separately disclose the cost recorded in account 1901 and any improvements recorded in subaccount 1607.1. The estimated depreciable life (months) in column 14 shall reflect the number of

months to be used for purposes of determining imputed depreciation. The life of the lease in months and the name of the lessor shall be noted in column 16.

B. By adding instructions for new Schedules B-12 Statement of Source and Application of Funds, B-13 Summary of Projected Financial Commitments and Related Deposits, and Schedule B-14 Summary of Property Obtained Under Long-Term Leases to read:

Schedule B-12 Statement of Source and Application of Funds

(a) This schedule shall be filed by each supplemental air carrier.

(b) In determining funds from operations, net income as reported in item 9799 on Schedule P-1 shall be increased by the indicated nonfund charges and shall be decreased by nonfund credits such as gains on property retirements and undistributed earnings of subsidiaries. The nonfund credits shall be included net on Line 12 "Other miscellaneous nonfund items". If the amount reported on Line 12, Line 23 or Line 38 exceeds 5 percent of the total sources or applications, a footnote shall be added

to this schedule disclosing the component amounts.

(c) Generally, all items shall be reported in gross amounts. Thus, nonfund exchanges of bonds or capital stock for fixed assets shall be reported as a source of funds from the incurrence of debt or issuance of stock and a concurrent application of funds for the asset acquisition. Likewise, the conversion of debt for capital stock shall be reported as a source of funds for capital stock issued and an application of funds for the debt retired.

Schedule B-13 Summary of Projected Financial Commitments and Related Deposits

(a) This schedule shall be filed by each supplemental air carrier.

(b) The indicated data shall be reported in columns 2 through 9 for all firm programs for property acquisition and debt retirement. The total estimated cost of each program shall be reported in column 2, and the amounts reflected in columns 3 through 9 shall agree in total with the amount in column 2.

(c) Financing for which firm arrangements have been made to meet the total projected commitments shall be reported in columns 5 through 9 by appropriate caption under scheduled financing. Financing to be scheduled reported on Line 25 shall equal Line 16 minus Line 21. The use of Lines 23 and 24 to indicate, generally, whether funds to be scheduled are expected to be obtained through internal or external sources is optional.

Schedule B-14 Summary of Property Obtained Under Long-Term Leases

(a) This schedule shall be filed by each supplemental air carrier.

(b) This schedule shall reflect data for each long-term lease in force at the report date. Property obtained under each lease shall be separately identified as to airframes, aircraft engines, other flight equipment, and ground property and equipment in column 1. The dollar amounts reported shall be the aggregate for all property obtained under the lease and need not be allocated between classes of equipment.

(c) Column 3 "Cost" shall reflect the amount initially recorded in memorandum accounts 1901 or 1902 pursuant to the instructions in section 6. Column 4 "Imputed Depreciation Accrued" shall reflect the total amount of imputed depreciation accrued against the constructive cost.

(d) The indicated lease costs and approximate annual lease-cost components shall be reported in columns 5 through 11. The imputed interest rate shall be reported in column 12 and the remaining months of the lease shall be reported in column 13. Column 14 shall indicate whether the lease contains purchase option provisions by insertion of the word "Yes" or "No."

C. By revising the reporting instructions of paragraph (e) of Schedule B-43—Inventory of Airframes and Aircraft Engines, the revised paragraph (e) to read:

(e) The data to be reported shall include owned and rented airframes and aircraft engines currently in operation or in conversion. Data pertaining to rented airframes and engines shall be listed in columns 1 through 7 and in column 13; the cost of improvements related thereto shall be listed in columns 8 through 12. In addition, for long-term leases, data shall also be reported in columns 8 through 12 to reflect in column 8 the estimated cost originally recorded in account 1901 and in columns 9, 10, 11 and 12 the reserve for depreciation, depreciated cost, estimated residual value and estimated depreciable life related to depreciation imputed pursuant to section 6, account 1901.

D. By deleting the instructions for Schedule B-47 Lease Obligations—Flight Equipment.

11. By amending CAB Form 41 to delete Schedule B-47 and to add new schedules B-12, B-13, and B-14 which are attached hereto¹ and incorporated herein by reference.

[FR Doc.71-6013 Filed 4-28-71; 8:51 am]

[14 CFR Part 243]

[Docket No. 22881; EDR-200]

REPORT OF CHARTER SERVICES PERFORMED FOR MILITARY AIRLIFT COMMAND

Notice of Proposed Rule Making

APRIL 23, 1971.

Notice is hereby given that the Civil Aeronautics Board proposes to amend Part 243 of the economic regulations to provide more detailed information on the CAB Form 243 "Report of Charter Services Performed for the Military Airlift Command." The principal features of the proposed amendment are detailed in the Explanatory Statement set forth below, and the text of the proposed amendment is also set forth below. The amendment is proposed under the authority of sections 204(a) and 407 of the Federal Aviation Act of 1958, as amended (72 Stat. 743, 766; 49 U.S.C. 1324, 1377).

Interested persons may participate in the proposed rule making through submission of twelve (12) copies of written data, views, or arguments pertaining thereto, addressed to the Docket Section, Civil Aeronautics Board, Washington, D.C. 20428. All relevant matter in communications received on or before June 14, 1971, will be considered by the Board before taking final action. Upon receipt by the Board, copies of such communications will be available for examination by interested persons in the Docket Section of the Board, Room 712, Universal Building, 1825 Connecticut Avenue NW., Washington, DC.

By the Civil Aeronautics Board.

[SEAL] HARRY J. ZINK,
Secretary.

Explanatory statement. In Docket 22881 the Department of Defense (DOD)

¹ Filed as part of the original document.

has filed a petition for rule making to amend Part 243 to provide more detailed information on the CAB Form 243 "Report of Charter Services Performed for the Military Airlift Command" (MAC). In support of its petition, the DOD states that experience has made it increasingly clear that the existing Part 243 format is not capable of satisfactorily fulfilling its intended purpose of acting as a weather vane for trends indicating the need, or lack of need, to undertake a rate study for redetermination of the proper economic level of the MAC minimum charter rates. The DOD adds that it seeks no basic change in the policy underlying Part 243, as it continues to subscribe to the view that military minimum rates should continue to be established by means of a full-scale rate study.

In essence, the implementation of the DOD's petition would expand present Part 243 reported data by prescribing a separation of investment and income data to reflect MAC operations by aircraft type, including revenues earned on commercial backhauls to one-way MAC charters, and more comprehensive data than heretofore required for MAC domestic Logair and Quicktrans charters; also, an annual certification that allocation procedures adopted by the carriers to effect such separation are currently being practiced.

DOD states that expenses recorded for depreciation should be computed on the rate-making basis described in PSDR-25, August 6, 1970; and flight equipment lease rentals should be accounted for in the manner described in PSDR-26, dated September 10, 1970. Since PSDR-25 and PSDR-26 are proposed amendments of the Policy Statements (Part 399) and were subject to revision in the respective rule-making proceedings, it would be inappropriate to grant DOD's request in the form sought. We are proposing, however, to require that flight equipment and rental expense be reported in conformance with the regulatory policies resulting from the Part 399 rule making.¹ To this extent the Board agrees with DOD that the proposed requirement would greatly enhance the value of the Form 243 report for MAC rate reviews. By the same token, the Board realizes that the usefulness of the Form 243 report for costing and statistical purposes would be seriously curtailed if flight equipment data were not reported on the Form 41 basis. Therefore, the Board believes that its overall needs would be best served by requiring flight equipment data to be reported on both bases. Accordingly, the proposed rule would require the reporting of flight equipment depreciation and rental expense computed on both the bases used for regulatory purposes and for Form 41 purposes.

The Board concurs in DOD's view that a need exists for more refined data in the reports filed pursuant to Part 243.

¹ The Policy Statements involving treatment of leased aircraft and treatment of flight equipment depreciation were adopted and became effective on Apr. 8 and 9, 1971. PS-44 and PS-45, respectively.

The reports filed by the carriers to date have not proved to be satisfactory as a vehicle for determining the level of profitability of MAC operations, since the prescribed accounting and reporting techniques are not consistent with those used in establishing MAC minimum rates. In addition, MAC-related data thus reported are lacking in the necessary detail by aircraft type to enable the Board to make such a determination. In fact, it is noted that with the promulgation of Part 243, in ER-522, the Board took cognizance of the fact that it believed it to be only a beginning toward the achievement of the desired end result, namely, that of furnishing the basis for determining the adequacy, or lack thereof, of existing MAC minimum rates.

We also concur with DOD that the added refinements in Form 243 reporting will not enable the Board to dispense with its regular full-scale reviews for the purpose of establishing MAC minimum rates. However, the additional data envisioned by the proposed amendment will greatly enhance the Form 243 reports' effectiveness as a valuable adjunct to the regular reviews by furnishing far more valid historical information relative to MAC operations than has heretofore been available, thereby enabling the Board to expedite the processing of full-scale and emergency rate reviews. This, of course, would be of great benefit to DOD, the Board, and the carriers.

Specifically, to effect a proper matching of MAC-related investment, revenues, expenses, and statistical data by aircraft type, on a basis consistent with that used in MAC rate-making procedures, the Board proposes to expand the format of the presently prescribed Form 243 reports schedules as shown below:

Schedule D-1—Summary of Invested Capital—MAC Charter Contracts²

All components of investment in MAC services shall be shown by aircraft type in lieu of the current basis, which requires a breakdown by aircraft type only on flight equipment cost.

Schedule D-2—Summary of Financial Results of Operation—MAC Charter Contracts

All income items applicable to MAC services shall be shown by aircraft type. This breakdown shall be shown for Category B-Atlantic; Category B-Pacific; Logair; and Quicktrans, in lieu of the overall income statement for each of these types of service presently required. In addition, the revised Schedule D-2 will reflect the inclusion of revenues and related expenses applicable to commercial backhaul miles to one-way MAC

² DOD states that the "Other Investment" section of Schedule D-1 does not require explanation or itemization and requests that § 243.6 be amended to require a breakdown of the principal items making up the "Other Investment" total. Section 243.6(f), however, presently requires a "detailed breakdown" for such items and the schedule itself calls for an explanation of "Other Investment."

charters. Although DOD's proposal provides for the inclusion of only the revenues related to such backhauls, it appears patently clear that the omission of the related expenses would result in a distortion of the overall financial results of the carrier's MAC operations.

Schedule D-3—Summary of Operating Statistics and Aircraft Utilization—MAC Charter Contracts

In addition to requiring additional statistical data as compared with the present schedule, e.g., revenue aircraft hours, aircraft days assigned, ramp-to-ramp hours, the same degree of detail is required for Logair and Quicktrans, as well as for Category B traffic (both Atlantic and Pacific). In the past only summary data (miles flown, directed landings, and average daily aircraft utilization) have been required for Logair and Quicktrans, thus limiting their usefulness. Reporting of the finer detail by aircraft type for all classes of MAC traffic as set forth in proposed Schedule D-3 will provide vitally needed statistical data related to all MAC operations.

Schedule D-4—Statement of Allocation Procedures—MAC Charter Contracts

This new schedule will reflect the carriers' procedures for allocating investment and expense items to MAC operations. In addition, the statistical item "Aircraft Days Assigned—Carrier's Equipment" is included due to the fact that this item is generally derived through allocation rather than by direct charge to MAC operations. Carriers will be required to file this schedule upon adoption of the proposed rule, and thereafter, whenever allocation procedures are changed.

Schedule D-4(a)—Certification of Previously Filed Allocation Procedures—MAC Charter Contracts

This new schedule will provide the Board with an annual certification by the carriers that their allocation procedures on file are currently being followed in actual practice.

An effective date of July 1, 1971, is suggested for the proposed rule.

Proposed rule. Accordingly, it is proposed to amend Part 243 of the Economic Regulations (14 CFR Part 243) as follows:

1. Amend the table of contents by revising the title of § 243.4. As amended the table of contents will read in pertinent part:

Sec.
243.4 Schedule D-4—Statement of allocation procedures—MAC Charter Contracts and Schedule D-4(a)—Certification of previously filed allocation procedures—MAC Charter Contracts.

2. Amend § 243.2 by revising paragraphs (b) and (c) to read:

§ 243.2 Applicability and CAB Form 243 filing requirements.

(b) The CAB Form 243 report consists of:

	<i>Filing frequency</i>	
(1) Certification	Quarterly.	
(2) Schedule D-1—Summary of Invested Capital—MAC Charter Contracts.....	Semi-annually.	
(3) Schedule D-2—Summary of Financial Results of Operations—MAC Charter Contracts	Quarterly.	
(4) Schedule D-3—Summary of Operating Statistics and Aircraft Utilization—MAC Charter Contracts.....	Quarterly.	
(5) Schedule D-4—Statement of Allocation Procedures—MAC Charter Contracts	Initially and upon revision.	
(6) Schedule D-4(a)—Certification of Previously Filed Allocation Procedures—MAC Charter Contracts.....	Annually.	

(c) Schedules D-1 and D-2 of Form 243 shall be filed with the Board (i.e., postmarked) not more than 60 days after the end of each reporting period. Schedule D-3 shall be filed not more than 40 days after the end of each reporting period. Schedule D-4 shall be filed initially, and a revised Schedule D-4 shall be filed not more than 40 days after the end of each reporting period in which allocation procedures were changed. Schedule D-4(a) shall be filed not more than 40 days after the end of the June 30 reporting period, unless a revised Schedule D-4 has been filed for that period. The report shall be addressed to the Civil Aeronautics Board, Attention of the Bureau of Accounts and Statistics, Washington, D.C. 20428.

3. Amend § 243.4 in its entirety to read:

§ 243.4 Schedule D-4—Statement of allocation procedures—MAC Charter Contracts and Schedule D-4(a)—Certification of previously filed allocation procedures—MAC Charter Contracts.

(a) Schedule D-4 shall be prepared initially and at the close of each calendar quarter in which allocation procedures were revised.

(b) Schedule D-4(a) shall be prepared as of June 30, unless a Schedule D-4 has been prepared as of that date.

(c) A complete description shall be given for the bases used for each indicated balance sheet classification on Schedule D-1—Summary of Invested Capital, each expense classification on Schedule D-2—Summary of Financial Results of Operations, and "Aircraft days assigned to service—carrier's equipment" on Schedule D-3—Summary of Operating Statistics and Aircraft Utilization. Those carriers who do not separate aircraft and traffic servicing expenses shall describe the bases of allocation for these expenses under aircraft servicing.

(d) With respect to Schedule D-1, "Ground equipment cost" may, at the carrier's option, be derived from the ratio of ground equipment to flight equipment cost as set forth in the carrier's report of investment allocated to MAC charter

services submitted in connection with the last MAC ratemaking proceeding.

(e) On Schedule D-2, each category of indirect operating expense (except passenger service) may, at the carrier's option, be derived from the ratio of such expenses to the total of direct operating expenses plus passenger service expense as set forth in the carrier's report of operating expense allocated to MAC charter services submitted in connection with the last MAC ratemaking proceeding.

4. Amend § 243.6 in its entirety to read:

§ 243.6 Schedule D-1—Summary of invested capital—MAC Charter Contracts.

(a) This schedule shall be prepared as of December 31 and June 30.

(b) Data reported on this schedule shall conform with the instructions pertaining to balance sheet classifications within Part 241 of the Economic Regulations in this chapter and the pertinent regulatory policies within Part 399—Statements of General Policy of this chapter.

(c) Each indicated balance sheet classification, allocated in accordance with procedures that are submitted as required by § 243.4, shall be reported for the respective charter services by aircraft type.

(d) Only cost data relating to equipment actually furnished by the carrier shall be included in this schedule. Do not report equipment furnished by MAC.

(e) The flight equipment depreciation reserve shown on line 3a "Form 41 components" shall reflect depreciation computed on the basis used for reporting on Form 41. This line item represents a memorandum entry only and is not to be considered in the computation of line 4 "Net flight equipment."

(e-1) The flight equipment depreciation reserve shown on line 3b "Regulatory components" shall reflect depreciation computed on the basis used for regulatory purposes as set forth in Part 399—Statements of General Policy of this chapter.

(f) A detailed breakdown of amounts reported on line 11 "Other" shall be provided in footnote.

5. Amend § 243.7 in its entirety to read:

§ 243.7 Schedule D-2—Summary of financial results of operations—MAC Charter Contracts.

(a) This schedule shall be prepared for each calendar quarter.

(b) Data reported on this schedule shall conform with the instructions pertaining to expense classifications within Part 241 of the Economic Regulations in this chapter and the pertinent regulatory policies within Part 399—Statements of General Policy of this chapter.

(c) Each indicated revenue classification, representing actual revenue earned, shall be reported for the respective charter services by aircraft type.

(c-1) Each indicated expense classification, allocated in accordance with procedures that are submitted as required

by § 243.4, shall be reported for the respective charter services by aircraft type.

(d) This paragraph applies only to those carriers whose contracts specify Category X charter services. Category X charter revenue may be included with Category B on lines 1, 2, and 3, as appropriate. (See § 243.2(a).) If included, the amount of such revenue shall be shown in footnote for each line, segregated by aircraft type. If not included, the footnote should state "No Category X revenue is included in this schedule."

(e) Line 5 "Paid ferry trips" shall reflect revenue for ferry trips performed in the course of round-trip MAC charters as required by § 288.9 of the Economic Regulations in this chapter.

(f) "Operating expenses" shall include all expenses incurred in both empty and commercial backhauls to one-way MAC charters, consistent with mileages reported on Schedule D-3.

(g) Lines 9b(1) and 9d(1) "Form 41 components" shall reflect flight equipment rental expense and depreciation, respectively, computed on the bases used for reporting on Form 41. These line items represent memorandum entries only, and are not to be considered in the computation of line 11 "Total operating expenses."

(g-1) Lines 9b(2) and 9d(2) "Regulatory components" shall reflect flight equipment rental expense and depreciation, respectively, computed in accordance with the regulatory policies in Part 399—Statements of General Policy of this chapter.

(h) Carriers reporting aircraft and traffic servicing expenses separately on Form 41 shall report these expenses separately on lines 10d (1) and (2). Carriers reporting aircraft and traffic servicing expenses on a combined basis on Form 41 shall report these expenses on a combined basis on line 10d.

6. Amend § 243.8 in its entirety to read:

§ 243.8 Schedule D-3—Summary of operating statistics and aircraft utilization—MAC Charter Contracts.

(a) This schedule shall be prepared for each calendar quarter.

(b) [Reserved]

(c) Separate data shall be presented for each aircraft type.

(d) This paragraph applies only to those carriers whose contracts specify Category X charter services. Category X revenue aircraft miles flown may be included with Category B revenue aircraft miles flown on lines 2, 4, and 6, as appropriate. (See § 243.2(a).) If included, such miles shall be shown in footnote for each line, segregated by aircraft type. If not included, the footnote should state "No Category X miles are included in this schedule."

(e) Miles flown in Category B (and Category X) charters shall be reported on the basis of the great-circle distance, in statute miles, between airports served. Line 10 "Total revenue aircraft miles flown" shall reflect the total miles flown under MAC contracts and service orders. Miles reported for Logair and Quicktrans

charters shall be the course flown statute miles flown under MAC contracts and service orders.

(f) Line 9 "Paid ferry miles" shall reflect ferry miles flown in the course of round-trip charters and paid for by MAC as required by § 288.9 of the Economic Regulations in this chapter.

(g) On trips designated "convertible" by MAC, the miles flown with passengers shall be reported on line 7, not line 2; and the miles flown with cargo shall be reported on line 8, not line 4.

(g-1) Commercial backhaul miles include all revenue-producing miles flown returning from one-way MAC charters for any person or organization other than the Department of Defense.

(g-2) Empty backhaul miles include all miles flown returning from a one-way MAC charter which are not commercial backhaul miles as defined in § 243.8 (g-1).

(g-3) Line 17 "MAC charter aircraft hours flown (airborne)" shall reflect all hours that relate to "Total MAC charter miles flown."

(g-4) Line 18 "Aircraft days assigned to service—carrier's equipment" shall be based on aircraft owned or acquired through rental or lease that are available for use in the carrier's MAC charter operations.

(h) Line 19 "MAC charter hours per aircraft day" shall be determined by dividing line 18 "Aircraft days assigned to service—carrier's equipment" into the 17 "MAC charter aircraft hours flown (airborne)."

(i) "Directed landings" reported on line 20 shall reflect the number of landings directed by MAC and performed by the carrier for Logair and Quicktrans services, for which the carrier receives a fixed compensation in addition to the line-haul rate.

(j) Line 21 "MAC charter aircraft hours flown (ramp-to-ramp)" shall reflect all hours that relate to "Total MAC charter miles flown."

(k) Line 22 "Commercial backhaul revenue ton-miles" shall reflect all ton-miles that relate to commercial backhaul miles flown as reported on lines 13 and 14.

7. Amend CAB Form 243 by deleting old Schedules D-1, D-2, and D-3 and by adding new Schedules D-1, D-2, D-3, DX4, and D-4(a) as shown in Exhibits A, B, C, D, and E attached hereto and incorporated herein by reference.

[FR Doc. 71-6014 Filed 4-28-71; 8:51 am]

[14 CFR Part 399]

[Docket No. 23310; Reg. PSDR-30]

"CONFIRMED RESERVED SPACE" BY TELEPHONE AS AN UNFAIR OR DECEPTIVE PRACTICE

Notice of Proposed Rule Making

APRIL 23, 1971.

Notice is hereby given that the Civil Aeronautics Board is proposing to amend

² Exhibits A, B, C, D, and E are filed as part of the original document.

Part 399 of the regulations (14 CFR Part 399) by the addition of a new § 399.83, which would establish a policy that the practice of air carriers or ticket agents in orally confirming reserved space to prospective passengers on scheduled flights in air transportation before a ticket is issued is considered an unfair or deceptive practice and an unfair method of competition in air transportation or the sale thereof within the meaning of section 411 of the Act. The proposed amendment and a statement explaining its principal features are set forth below. The rule is proposed under the authority of sections 204, 403 and 411 of the Federal Aviation Act of 1958, as amended (72 Stat. 743, 758 (as amended by 74 Stat. 445), 769, 49 U.S.C. 1324, 1373, 1381) and section 4 of the Administrative Procedure Act (80 Stat. 378, 381; 5 U.S.C. 553).

Interested persons may participate in the proposed rule making through submission of twelve (12) copies of written data, views, or arguments pertaining thereto, addressed to the Docket Section, Civil Aeronautics Board, Washington, D.C. 20428. All relevant material in communications received on or before June 1, 1971, will be considered by the Board before taking final action on the proposed rule. Copies of such communications will be available for examination by interested persons in the Docket Section of the Board, Room 712, Universal Building, 1825 Connecticut Avenue NW., Washington, DC, upon receipt thereof.

By the Civil Aeronautics Board.

[SEAL]

HARRY J. ZINK,
Secretary.

Explanatory statement. The Board is concerned about the current practice of air carriers or ticket agents in making oral representations by telephone to prospective passengers on scheduled flights that their reservations are "confirmed" when, in fact, under the terms of the carriers' typical tariffs, these persons do not have "confirmed" reservations. This at times results in a prospective passenger arriving at the airport only to be told that there is no available space for him. This prospective passenger would not be entitled to denied boarding compensation under the Board's economic regulation¹ because under that rule entitlement to such compensation is conditioned on the existence of "confirmed reserved space" as defined therein. This term is defined as space on a specific date and specific flight and class of service which has been requested by a passenger and which the carrier has verified as reserved for such passenger "by appropriate notation on the ticket." Thus, it is clear that an oral representation of confirmed space is not "confirmed reserved space" within the meaning of the denied boarding compensation regulation.

¹ Part 250, 14 CFR Part 250, titled Priority Rules, Denied Boarding Compensation Tariffs and Reports of Unaccommodated Passengers.

A typical air carrier tariff filed with the Board contains the following rule:

CONFIRMATION OF RESERVED SPACE

A reservation of space is tentative only and shall not be valid until passenger has received a ticket specifying thereon his confirmed reserved space.²

To the extent that this rule is applicable, carriers which declare on the telephone that a reservation is confirmed would appear to be violating their tariffs.

The Board is tentatively of the view that the carriers' or ticket agents' use of the term "confirmed" or similar representations in accepting reservations from prospective passengers by telephone or other means of communication when a ticket is not contemporaneously delivered to the prospective passenger constitutes an unfair or deceptive practice and an unfair method of competition in air transportation or the sale thereof within the meaning of section 411 of the Act. We believe that when a carrier or ticket agent accepts a reservation by telephone, it should inform a prospective passenger that his reservation is accepted but that it will only become confirmed space after a ticket is issued.

Accordingly, the Board is proposing to adopt the following policy statement.

Proposed rule. It is proposed to amend Part 399, Statements of General Policy (14 CFR Part 399) as follows:

1. Amend the table of contents by adding a new § 399.83 as follows:

Sec.
399.83 Unfair or deceptive practice of air carrier or ticket agent in orally confirming to prospective passenger reserved space on scheduled flights.

2. Add new § 399.83 as follows:

§ 399.83 Unfair or deceptive practice of air carrier or ticket agent in orally confirming to prospective passenger reserved space on scheduled flights.

It is the policy of the Board to consider the practice of an air carrier or ticket agent of stating to a prospective passenger by telephone or other means of communication that a reservation of space on a scheduled flight in air transportation is confirmed before a passenger has received a ticket specifying thereon his confirmed reserved space to be an unfair or deceptive practice and an unfair method of competition in air transportation or the sale thereof within the meaning of section 411 of the Act.

[FR Doc.71-6015 Filed 4-28-71;8:51 am]

² Rule 60 on 7th Revised page 20 of Airline Tariff Publishers, Inc., Agent's CAB No. 142.

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 73]

[Docket No. 18179; FCC 71-424]

AVAILABILITY OF TELEVISION PROGRAMS PRODUCED BY NON-NETWORK SUPPLIERS

Order Extending Time for Filing Comments and Reply Comments

In regard the matter of amendment of Part 73 of the Commission's rules with respect to the availability of television programs produced by non-network suppliers to commercial television stations and CATV systems.

1. The Commission has before it the petition of certain program suppliers¹ for a 2-week extension of time within which to file comments and reply comments in the above-entitled docket. Petitioners assert that they retained a statistical research company to gather pertinent data; that this company had to devise a frame of analysis for its study and to develop a uniform report format for all participating suppliers to insure comparability; that this has been done and the staffs of the various companies have worked diligently in order to compile the requisite information covering several years and thousands of transactions, but the mass of work has turned out to be so overwhelming that the delivery of the raw data cannot be completed for approximately another 10 days; that thereafter, the raw data compiled by each company will have to be combined with the data of the other suppliers for tests of statistical significance. Petitioners assert their belief that the studies made will be helpful but that all their efforts and substantial expenditures on these studies would be wasted unless they are available for the interpretation and evaluation for a reasonable time prior to the filing of comments. Accordingly, they request the extension for 2 weeks.

2. We find good cause for this short extension on the foregoing showing. *Accordingly, it is ordered,* That the time for filing comments and reply comments for this proceeding is extended to and

¹ Allied Artists Pictures Corp., Columbia Pictures Industries (and its wholly owned subsidiary, Screen Gems, Inc.), Independent Television Corp., Metro-Goldwyn-Mayer, Inc., Metromedia Producers Corp., Paramount Pictures Corp., Twentieth Century-Fox Film Corp., United Artists Corp., Warner Bros., Inc.

including May 17, 1971, and June 17, 1971, respectively.

Adopted: April 14, 1971.

Released: April 21, 1971.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[FR Doc.71-6008 Filed 4-28-71;8:51 am]

FEDERAL POWER COMMISSION

[18 CFR Part 141]

[Docket No. R-420]

REPORTING OF RETAIL RATE CHANGES BY ELECTRIC UTILITIES

Notice of Proposed Rule Making

APRIL 22, 1971.

Notice is hereby given, pursuant to 5 U.S.C. 551, et seq. (1967) and sections 301, 304, 309, 311 of the Federal Power Act [49 Stat. 854, 855, 858, 859; 16 U.S.C. 825, 825c, 825h, 825j] that the Commission proposes to amend FPC Form 82, "Retail Rate Level Change," as prescribed by § 141.27 in Part 141, Subchapter D—Approved Forms, Federal Power Act, Chapter I, Title 18 of the Code of Federal Regulations, to require specific reference to any rate change which is subject to possible refund by order of a State Commission or local regulatory authority, or to any rate change which is a reduction resulting from such a refund order.

The reason for requiring the additional information is to assist the Commission in the proper administration of the Federal Power Act generally, to aid in the evaluation of the information which is presently being submitted on FPC Form 82 and to clarify the reporting of such information.

Any interested person may submit to the Federal Power Commission, Washington, D.C. 20426, not later than June 7, 1971, views and comments in writing concerning the proposed rule making. An original and 14 conformed copies of such comments shall be filed with the Acting Secretary of the Commission and shall contain the name, title and mailing address of the person or persons to whom communications concerning the proposal should be addressed; and shall state whether the person filing comments requests a conference at the Federal Power Commission to discuss the proposed amendments to FPC Form 82. In addition, interested persons wishing to have their comments considered in the

clearance of the proposed changes in FPC Form 82 pursuant to 44 U.S.C. 3501-3511 may, at the same time, submit a conformed copy of their comments directly to the Clearance Officer, Office of Statistical Policy, Office of Management and Budget, Washington, D.C. 20503. The Commission will consider all written submittals and responses before acting on the matter herein proposed.

The proposed amendments of FPC Form 82—"Retail Rate Level Change," would be issued under the authority granted to the Federal Power Commission by the Federal Power Act as amended, particularly sections 301, 304, 309, 311 [49 Stat. 854, 855, 858, 859; 16 U.S.C. 825, 825c, 825h, 825j].

Accordingly, it is proposed to amend FPC Form 82—"Retail Rate Level Change," prescribed by § 141.27, Chapter I, Title 18 of the Code of Federal Regulations, by:

1. Inserting immediately following the third sentence in the "Instructions", a new sentence which will read: "If the change is an increase subject to possible refund by order of the State Commission or local regulatory authority, or if the change is a reduction as a result of such a refund order, so state in Block J, Remarks."

2. Adding a new narrow column entitled "FPC Use Only" next to Column (F), Class of Service. This new column is solely for the use of our ADP in coding those rates which will be subject to refund.

A copy of FPC Form 82 as proposed to be revised is set out in Attachment A hereto.¹

The Acting Secretary shall cause prompt publication of this notice to be made in the FEDERAL REGISTER.

By direction of the Commission.

KENNETH F. PLUMB,
Acting Secretary.

[FR Doc.71-5968 Filed 4-28-71;8:48 am]

GENERAL ACCOUNTING OFFICE

[4 CFR Part 20]

BID PROTEST PROCEDURES

Notice of Proposed Rule Making

There has been a steady increase in the volume of protests filed with the U.S. General Accounting Office challenging the legality and propriety of awards made or proposed to be made by Federal contracting agencies. Changes in the present procedure (4 CFR Part 20) for handling such protests are needed to make the process more expeditious and more effective. In a substantial number of cases under the existing procedure, award has been made before the protest is decided by the General Accounting Office. In such cases, even when the GAO does not agree that the award was proper, performance has

¹ Attachment A filed as part of original document.

been completed to such an extent that cancellation of the contract is impractical because it would cause to great delay in delivery of urgently needed supplies or would require payment of very substantial termination costs by the Government. The proposed changes would provide for the withholding of award in more cases until GAO renders a decision. Because of this, to prevent undue delay in procurements, steps must be taken to expedite the decision-making process. To this end, time limits are proposed (a) for the submission of material both by protesting bidders and the procuring agencies and (b) for the rendering of final decisions by the General Accounting Office. Time limits are also proposed for the filing of protests depending on when the basis for protest is or should be known to bidders. The procedure is designed to be fair to all interested parties, but it has been kept informal in the interest of expedition and economy.

It is recognized that the GAO has no authority to regulate the withholding of awards by the contracting agencies or to establish time limits for agency reports on protests. However, in the interest of improving the bid protest procedure it is hoped that the agencies will agree to be bound by the proposed requirements in these areas.

Therefore, notice is hereby given that, pursuant to section 311, 42 Stat. 28, as amended, 31 U.S.C. 52, and application of section 305, 42 Stat. 24, 31 U.S.C. 71, and section 304, 42 Stat. 24, 31 U.S.C. 74, it is proposed to revise completely Title 4, Chapter I, Part 20, of the Code of Federal Regulations relating to protests by bidders on government contracts, as hereinafter shown. Interested parties are invited to submit any comments, suggestions, or objections in writing to the General Counsel, General Accounting Office, Washington, D.C. 20548, within 45 days from the date of publication in the FEDERAL REGISTER.

- Sec.
- 20.1 Filing of protest.
 - 20.2 Time for filing.
 - 20.3 Notice of protest.
 - 20.4 Withholding of award.
 - 20.5 Time for submission of agency report.
 - 20.6 Time for submission of comments on agency report.
 - 20.7 Time for submission of additional information.
 - 20.8 Furnishing of information on protests.
 - 20.9 Time for ruling by Comptroller General.
 - 20.10 Effect of judicial proceedings.
 - 20.11 Computation of time.

AUTHORITY: The provisions of this Part 20 issued under sec. 311, 42 Stat. 28, as amended, 31 U.S.C. 52. Interpret or apply sec. 305, 42 Stat. 24, 31 U.S.C. 71; sec. 304, 42 Stat. 24, as amended, 31 U.S.C. 74.

§ 20.1 Filing of protest.

An interested party wishing to protest the proposed award of a contract, or the award of a contract, by an agency of the Federal Government whose accounts are subject to settlement by the U.S. General Accounting Office may do so by addressing a telegram or letter to the Comptroller General of the United

States, U.S. General Accounting Office, Washington, D.C. 20548.

§ 20.2 Time for filing.

The General Accounting Office will not consider any protest against the terms of a solicitation unless such protest is filed with the General Accounting Office prior to the date for submission of final bids or proposals, and will not consider any protest against the responsiveness of other bids or proposals or against the responsibility of other bidders or proposers unless such protest is filed with the General Accounting Office within 5 days after the final date for submission of bids under a formally advertised procurement and in the case of negotiated procurements within 5 days after information as to the matters protested is available to the protestor. The initial protest filed with the General Accounting Office must identify the procuring agency, the number of the solicitation, request a ruling by the General Accounting Office, and a copy of the protest must be furnished to the procurement contracting officer simultaneously. One copy of a complete statement of all grounds of protest with all factual information to be relied on in support thereof must be filed with the General Accounting Office and two copies with the procurement contracting officer within 5 days after the initial protest is filed.

§ 20.3 Notice of protest.

Notice of receipt of a protest shall be given in writing by the General Accounting Office to the procuring agency within one day. Upon receipt of notice that a protest has been filed with the General Accounting Office, the procurement contracting officer shall promptly notify, and furnish copies of protest material to, any other bidders or proposers who will be affected adversely if the protest is upheld, advising them to submit to the General Accounting Office within 20 days any comments they may wish to make on the protest.

§ 20.4 Withholding of award.

When notice is given the procuring agency that a protest against a procurement has been filed with the General Accounting Office, award of the procurement shall not be made prior to a ruling on the protest by the Comptroller General. Earlier award may be made upon the request of an Assistant Secretary (or equivalent) of the procuring department or agency and the concurrence of the General Counsel of the General Accounting Office, or upon a certification by the head of the military or civilian department or agency, or his deputy, that the urgency of the procurement will not permit the delay until issuance of a ruling by the Comptroller General.

§ 20.5 Time for submission of agency report.

The report of the procuring agency on the protest shall be submitted to the General Accounting Office within 20 days

after its receipt of the complete statement of the grounds of protest and supporting factual information, if any, unless a longer time is agreed to by the General Accounting Office or is approved in writing by an Assistant Secretary (or equivalent) of the department or agency.

§ 20.6 Time for submission of comments on agency report.

Concurrently with its submission to the General Accounting Office, the procuring agency shall furnish a copy of its report to the protestor, who shall file any comments thereon he may wish to make with the General Accounting Office and with any other bidder designated by the procuring agency or the General Accounting Office within 10 days after his receipt of the agency report.

§ 20.7 Time for submission of additional information.

Any additional information requested by the General Accounting Office from the procuring agency, the protestor, or another bidder shall be submitted within 10 days.

§ 20.8 Furnishing of information on protests.

The General Accounting Office will, upon request, furnish to any party mentioned in the preceding paragraph any information relating to the protest submitted by any party or Government agency except to the extent that disclosure of such information would be inconsistent with the regulations set forth in § 81.6 of this chapter. The protestor and other bidders may request a conference with the General Accounting Office attorney who has been assigned primary responsibility for handling the protest.

§ 20.9 Time for ruling by Comptroller General.

A ruling on the protest shall be issued by the Comptroller General within 20 days after receipt of all information submitted by all parties and conclusion of any conferences held. This ruling may be in the form of a summary decision followed by a later explanatory opinion.

§ 20.10 Effect of judicial proceedings.

The General Accounting Office may refuse to rule on any protests where issues raised by the protest are pending in a court of competent jurisdiction.

§ 20.11 Computation of time.

All days referred to in this part are deemed to be "working days."

[SEAL]

PAUL G. DEMBLING,
General Counsel.

[FR Doc.71-5995 Filed 4-28-71;8:51 am]

Notices

DEPARTMENT OF THE TREASURY

Office of the Secretary

[Treasury Dept. Order 220]

OFFICES OF LAW ENFORCEMENT, TARIFF AND TRADE AFFAIRS, AND OPERATIONS

Establishment

By virtue of authority vested in the Secretary of the Treasury, including the authority in Reorganization Plan No. 26 of 1950, and pursuant to the authority delegated to me as Assistant Secretary (Enforcement and Operations), including that delegated to me by Treasury Department Order No. 190 (Revision 7), dated September 4, 1969, there are hereby established in the Office of the Secretary the following three offices:

Office of Law Enforcement.
Office of Tariff and Trade Affairs.
Office of Operations.

These three offices shall be under the policy guidance of the Assistant Secretary (Enforcement and Operations); the Office of Law Enforcement and the Office of Tariff and Trade Affairs shall be under his immediate direction and supervision; and the Office of Operations shall be under the immediate supervision of the Deputy Assistant Secretary (Enforcement and Operations). The functions, responsibilities, and relationships of the Deputy Assistant Secretary and of these offices shall include, but shall not be limited to, the following:

DEPUTY ASSISTANT SECRETARY

1. Acts as Assistant Secretary (Enforcement and Operations) during any absences of the Assistant Secretary.
2. Supervises the Bureau of the Mint, the Bureau of Engraving and Printing, the Consolidated Federal Law Enforcement Training Center and the Office of Operations and keeps the Assistant Secretary informed about the activities of these organizations.
3. Keeps fully informed about the work of the Offices of Law Enforcement and Tariff and Trade Affairs and provides assistance, as appropriate, to facilitate their smooth and effective functioning.
4. Supervises the internal operations of the Office of the Assistant Secretary to assure and facilitate its smooth operation and in this connection develops or coordinates the development and maintenance of a work program for the Office with input from each individual office director; assures the development of appropriate work programs by the bureaus; establishes necessary controls, including periodic activity reports for evaluation of office and bureau performance; consolidates and evaluates information received; advises and makes recommendations to the Assistant Secretary,

as appropriate, and keeps offices and bureaus informed about progress.

5. Represents the Assistant Secretary in the review and promotion of the budget submission of the bureaus supervised.

6. Reviews and decides penalty and seizure cases submitted for mitigation determinations.

OFFICE OF LAW ENFORCEMENT

1. Provides the focal and contact point at the Office of the Secretary level for all law enforcement initiatives and interactions with the individual bureaus of the Treasury; other departments and agencies of the Federal Government; and with other levels of government, the governments of other nations and INTERPOL.

2. Develops Treasury law enforcement policy; reviews law enforcement policy proposals by the bureaus; assesses bureau regulatory proposals for their effect on existing Treasury law enforcement policies; and reviews and makes recommendations to the Assistant Secretary (Enforcement and Operations) on proposed legislation, regulatory changes, or other policy matters concerning law enforcement.

3. Develops policy, coordinates operations, monitors activities and evaluates performance and results for Treasury participation in national law enforcement programs and efforts, including the organized crime drive, the suppression of narcotic and dangerous drug smuggling, and any other interdepartmental law enforcement programs that may arise from time to time.

4. Coordinates Treasury's law enforcement plans, programs and intelligence operations.

5. Under the leadership of the Assistant Secretary (Enforcement and Operations) monitors and reviews Treasury-wide law enforcement activities and operations, coordinates inspection policies of the several enforcement agencies; selectively reviews enforcement and performance reports and instigates followup actions as appropriate; and makes recommendations to the Assistant Secretary leading to more effective Treasury law enforcement operations.

6. Provides for the Assistant Secretary, liaison and a link of communication with IRS, Customs and Secret Service on all enforcement policies, programs and activities; reviews their law enforcement executive reports; meets with their supervisory enforcement personnel; and reviews and advises on long range enforcement projects and plans.

7. Assists in bringing about the most effective cooperation between the several Treasury bureaus and the State, local and other national law enforcement agencies by keeping abreast of law enforcement developments and problems

of the bureaus and legislative and regulatory developments in the States and local units of government which might affect Treasury's law enforcement intelligence, and by arranging the optimum deployment and cross utilization of resources.

8. Assures the coordination of Treasury-wide law enforcement activities throughout the Treasury field service through supervision of a system of Treasury Law Enforcement Coordinators located in major cities throughout the country (at the present 22 cities), and through chairmanship of the Treasury Law Enforcement Coordination Council.

9. Provides advice and assistance to the Assistant Secretary (Enforcement and Operations) on protective operations carried out by the Secret Service. Evaluates the effectiveness of protective operations and policies and, in conformance with broad guidance by the Assistant Secretary, provides policy direction to the Secret Service on protective operations and related issues.

10. Represents the Assistant Secretary on interdepartmental law enforcement committees and task forces; maintains liaison with other national, local, and foreign law enforcement agencies; provides public information on Treasury law enforcement matters and maintains and arranges for the use of the Treasury Law Enforcement Exhibit; supervises and coordinates INTERPOL activities, through direction of the National Central Bureau; and provides a central point of contact in Treasury on law enforcement matters.

11. Evaluates Treasury's law enforcement training needs and experience and provides input on training requirements in terms of new or changed curriculum to the Director, Consolidated Federal Law Enforcement Training Center. Maintains close liaison with him and all Treasury enforcement agencies on training needs and effectiveness.

12. With guidance by the Assistant Secretary (Enforcement and Operations), provides leadership and stimulation to Treasury's law enforcement agencies in seeking out, planning and initiating the most effective approaches to Treasury law enforcement, and new concepts and ideas for crime suppression, avoidance, and detection.

13. Coordinates Treasury's policies and programs for research and development and conducts scientific testing programs for law enforcement; provides leadership to the Treasury Laboratory Coordination and Review Board; sponsors research into law enforcement techniques and approaches related to Treasury's law enforcement mission; and exploits the latest developments in enforcement-related technology.

OFFICE OF TARIFF AND TRADE AFFAIRS

1. Serves as the principal support for the Assistant Secretary (Enforcement and Operations) in all tariff and trade matters, including the administration of antidumping and countervailing duty laws and regulations.

2. Assists the Assistant Secretary (Enforcement and Operations) in formulating and carrying out the plans and policies for overall top level administration of Treasury's responsibilities in tariff and classification matters.

3. Reviews all antidumping and countervailing duty cases investigated by the Bureau of Customs and recommends their disposition to the Assistant Secretary.

4. Conducts meetings of interested parties to antidumping proceedings to provide a final opportunity for complete exchange of views before a Treasury decision is made.

5. Provides the focal point on trade policy matters in the Office of the Assistant Secretary (Enforcement and Operations) for liaison with other components of the Department and of the Office of the Secretary, as well as with other departments and agencies of the Federal Government.

6. Reviews and makes recommendations to the Assistant Secretary (Enforcement and Operations) on proposed legislation, regulatory changes or other policy proposals on tariff and trade matters.

7. Represents the Assistant Secretary (Enforcement and Operations) on departmental, interdepartmental and international meetings or committees concerned with tariff and trade matters.

8. Prepares material for presentation to congressional committees on tariff and trade affairs and, in the absence of the Assistant Secretary (Enforcement and Operations) presents this material in direct testimony.

9. Prepares material for release in public media and responds to public inquiries on Treasury views on tariff and trade matters.

OFFICE OF OPERATIONS

1. Serves as the principal support for the Assistant Secretary (Enforcement and Operations) and the Deputy Assistant Secretary (Enforcement and Operations) in the administrative management and supervision of the bureaus assigned, i.e., the Bureau of Customs, the Secret Service, the Bureau of Engraving and Printing, the Bureau of the Mint and the Consolidated Federal Law Enforcement Training Center.

2. Except in the area of law enforcement, develops policy and programs, monitors operation and activities, and evaluates performance and results of the bureaus under the supervision of the Assistant Secretary (Enforcement and Operations) and makes recommendations as appropriate.

3. Reviews financial plans of the bureaus and makes recommendations on

budget estimates, submissions and justifications.

4. Identifies issues and matters requiring coordination among bureaus, the Office of the Assistant Secretary and other segments of the Office of the Secretary and the Department, and assures that such coordination takes place.

5. Coordinates with other departments and agencies significant operational matters (other than law enforcement) referred by or involving the bureaus supervised.

6. Coordinates the review and recommends to the Deputy Assistant Secretary (Enforcement and Operations) and the Assistant Secretary, as appropriate, the disposition of proposals for changes in organization, staffing and procedures by the bureaus supervised.

7. Reviews penalty and seizure cases prepared by the Bureau of Customs; arranges for and monitors conferences between petitioners and Treasury officials; and makes recommendations to the Deputy Assistant Secretary on disposition of cases including mitigation.

8. Reviews and makes recommendations on proposed legislation and regulatory changes affecting the bureaus supervised, excepting in the areas of law enforcement or tariff and trade affairs.

9. Operates for the Office of the Assistant Secretary (Enforcement and Operations) a secretariat for monitoring incoming correspondence and replies, and reviews correspondence on operational matters (other than law enforcement) for the Assistant Secretary's signature.

10. Assists the Office of Public Affairs in reviewing public affairs policy and projects of the bureaus supervised and in preparing material for release in public media; responds to Congressional and public inquiries concerning Treasury views on bureau operations.

Dated: April 23, 1971.

[SEAL] EUGENE T. ROSSIDES,
Assistant Secretary
(Enforcement and Operations).

[FR Doc.71-6016 Filed 4-28-71; 8:51 am]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management
CALIFORNIANotice of Termination of Proposed
Withdrawal and Reservation of Lands

APRIL 22, 1971.

Notice of an application, Serial No. S 1491, for withdrawal and reservation of lands was published as F.R. Doc. 68-5541 on page 6993 of the issue for May 9, 1968.

On November 30, 1970, the application was amended to include additional land for an access road. Subsequently, it was determined that the request for a withdrawal would be properly handled under the principles of 44 L.D. 513. Accordingly, an appropriation for the access road under the principles of 44 L.D. 513 for the

protection of the road has been assigned Serial No. S 4420 and noted on Sacramento Land Office records.

Therefore, pursuant to the regulations contained in 43 CFR Subpart 2350, the subject lands will be at 10 a.m. on June 2, 1971, relieved of the segregative effect of the application concerned herein.

The lands involved in this notice of termination are:

MOUNT DIABLO MERIDIAN, CALIFORNIA

T. 1 N., R. 13 E.,

Sec. 25, SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$;

Sec. 27, portion of NE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$.

ELIZABETH H. MIDTBY,

Chief,

Lands Adjudication Section.

[FR Doc.71-5974 Filed 4-28-71; 8:48 am]

Geological Survey

[No. 5]

CALIFORNIA

Coal Land Classification Order

Pursuant to authority under the Act of March 3, 1879 (20 Stat. 394; 43 U.S.C. 31), and as delegated to me by Departmental Order 2563, May 2, 1950, under authority of Reorganization Plan No. 3 of 1950 (64 Stat. 1262), the following described lands, insofar as title thereto remains in the United States, are hereby classified as shown:

MOUNT DIABLO MERIDIAN

NONCOAL LANDS

T. 20 S., R. 12 E.,

Sec. 8, SE $\frac{1}{4}$;

Sec. 9, S $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$;

Sec. 10, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$,

S $\frac{1}{2}$ SE $\frac{1}{4}$;

Sec. 13, SW $\frac{1}{4}$ SW $\frac{1}{4}$;

Sec. 14, SW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$, SE $\frac{1}{4}$;

Secs. 15 and 16;

Sec. 17, NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$;

Sec. 20, NE $\frac{1}{4}$ NE $\frac{1}{4}$;

Sec. 21, N $\frac{1}{2}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$;

Sec. 22, N $\frac{1}{2}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;

Secs. 23 to 25, inclusive;

Sec. 26, NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$,

N $\frac{1}{2}$ SE $\frac{1}{4}$;

Sec. 27, NE $\frac{1}{4}$ NE $\frac{1}{4}$;

Sec. 36, N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$.

The area described aggregates about 6,600 acres.

W. A. RADLINSKI,

APRIL 19, 1971.

[FR Doc.71-5958 Filed 4-28-71; 8:47 am]

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric
Administration

[Docket No. A-571]

GABRIEL MCKILLY

Notice of Loan Application

APRIL 22, 1971.

Gabriel McKilly, Box 2731, Kodiak, AK 99615 has applied for a loan from

the Fisheries Loan Fund to aid in financing the purchase of a used 31.7-foot registered length wood vessel to engage in the fishery for salmon, halibut, herring, and shrimp.

Notice is hereby given, pursuant to the provisions of 16 U.S.C. 742c, Fisheries Loan Fund Procedures (50 CFR Part 250, as revised), and Reorganization Plan No. 4 of 1970, that the above-entitled application is being considered by the National Marine Fisheries Service, National Oceanic and Atmospheric Administration, Department of Commerce, Interior Building, Washington, D.C. 20235. 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, National Marine Fisheries Service, 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 operation of the vessel will or will not cause such economic hardship or injury.

JAMES F. MURDOCK,
Chief,

Division of Financial Assistance.

[FR Doc.71-5942 Filed 4-28-71;8:45 am]

[Docket No. G-497]

MYRON W. WILLIS

Notice of Loan Application

APRIL 22, 1971.

Myron W. Willis, Star Route, Box 37B, Atlantic, NC 28511, has applied for a loan from the Fisheries Loan Fund to aid in financing the purchase of a new 45-foot length overall wood vessel to engage in the fishery for shrimp, oysters, hard clams, blue crabs, and black sea bass.

Notice is hereby given, pursuant to the provisions of 16 U.S.C. 742c, Fisheries Loan Fund Procedures (50 CFR Part 250, as revised), and Reorganization Plan No. 4 of 1970, that the above-entitled application is being considered by the National Marine Fisheries Service, National Oceanic and Atmospheric Administration, Department of Commerce, Interior Building, Washington, DC 20235. 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, National Marine Fisheries Service, 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 operation of the vessel will or will not cause such economic hardship or injury.

JAMES F. MURDOCK,
Chief,

Division of Financial Assistance.

[FR Doc.71-5957 Filed 4-28-71;8:47 am]

Office of the Secretary

[Dept. Administrative Order 201-4]

INTERAGENCY COMMITTEE CONSULTATION ON EXPORT CONTROLS

Functions and Procedures

The following order was issued by the Secretary of Commerce on April 15, 1971. This material supersedes the material appearing at 34 F.R. 6746 of April 22, 1969.

SECTION 1. Purpose. This revision continues in effect and updates the provisions for the Advisory Committee on Export Policy and restates how it shall function in relation to overall arrangements for carrying out interagency consultation requirements on export controls called for by the Export Administration Act of 1969.

SEC. 2. Background. .01 By Executive Order 11533 of June 4, 1970, the Secretary of Commerce is delegated the President's power, authority and discretion to carry out the provisions of the Export Administration Act of 1969 (the "Act") (Public Law 91-184; 83 Stat. 841), effective as of January 1, 1970. This Executive order supersedes a number of previous Executive orders under which the Secretary of Commerce was responsible for carrying out provisions of predecessor Acts.

.02 Section 5(a) of the Act requires that the department or agency making certain determinations with respect to exports authorized by the Act shall seek advice and information from other departments or agencies concerned. For this purpose under the predecessor Export Control Act of 1949, the Secretary on October 5, 1950, through the issuance of Department Order 125, established the Advisory Committee on Export Policy (ACEP). The ACEP replaced a previous structure for interagency coordination on export control matters.

.03 In Executive Order 11533, the President established the Export Administration Review Board (EARB), consisting of the Secretaries of Defense, State and Commerce, with the last serving as Chairman. The EARB, which replaces the Export Control Review Board which was established May 24, 1961, under the Export Control Act of 1949, as amended, continues the purpose of the earlier board of assuring the highest level of consideration of trade control policies and actions, and, to the extent possible, of obtaining agreed upon action on the part of departments most vitally concerned with advising and counseling the Department of Commerce under provisions of the Act and predecessor Acts. The EARB chiefly functions as a review body whereby problems, on which divergent views remain after consideration through the ACEP structure, may be considered and resolved at the Cabinet level.

SEC. 3. The advisory committee on export policy. .01 The Advisory Committee on Export Policy is hereby continued.

.02 The following departments and agencies, together with the Department of Commerce, constitute the membership of the ACEP, each having designated a representative of the rank of Assistant

Secretary or equivalent on the ACEP upon the invitation of the Secretary of Commerce:

Department of State.
Department of Defense.
Department of Agriculture.
Department of Interior.
Department of Treasury.
Department of Transportation.
Atomic Energy Commission.
National Aeronautics and Space Administration.
Office of Emergency Preparedness.
Central Intelligence Agency.

In addition to its designated representative, each member department and agency may designate one or more alternate representatives. The Chairman of the ACEP may invite other departments and agencies to participate in the discussions of the ACEP when matters affecting their interests or on which they may furnish information are under consideration.

.03 The Assistant Secretary of Commerce for Domestic and International Business (DIB) shall be the chairman of the ACEP. He may designate a Vice Chairman to serve in his absence. He shall designate an official under his line of direction to serve as Executive Secretary of the ACEP, and may establish, as he deems necessary, rules governing the procedures and operations of the ACEP and of its subcommittees or working groups.

SEC. 4. Functions of the ACEP. In accord with section 5(a) of the Act, the ACEP shall inform and advise the Secretary with respect to his determining what shall be controlled under the Act and the extent to which exports shall be limited. More specifically, the ACEP shall review and recommend:

- a. United States export control policy objectives;
- b. Export policies and programs relating to the foreign policy and national security of the United States;
- c. Export control licensing policies, criteria and rating structures, and the listing and delisting of commodities and technical data to be designated and controlled for export from the United States;
- d. Export policies and programs affecting particular foreign countries or areas or otherwise relating to foreign policy and the fulfillment of U.S. international responsibilities;
- e. Export policies and programs for materials in short supply; and
- f. Actions on other significant policy problems, including particular export transactions, and matters on which the Assistant Secretary for DIB may seek information and advice.

SEC. 5. Working structure of the ACEP.

.01 The ACEP shall continue to have a subcommittee, called the Operating Committee (OC), which shall serve as the mechanism for initial interagency consideration of export matters within the purview of the ACEP.

.02 The OC shall consist of a senior official from each of the member departments and agencies of the ACEP, as designated by their respective ACEP representative. One or more alternate representatives may be similarly designated by each ACEP representative.

.03 The Executive Secretary of ACEP shall serve as Chairman of the OC, but not as the Department of Commerce representative to the OC.

SEC. 6. Interagency consultation procedures. .01 Matters within the scope of the ACEP's review and advisory functions normally shall be initially referred to its OC for consideration on behalf of the ACEP, but at the election of any member of ACEP or the EARB, any such matter may be initially considered directly by the ACEP proper or by the EARB.

.02 The OC Chairman shall report to the Assistant Secretary for DIB the information and advice of the OC representatives on each matter considered in the OC, except where the OC Chairman is otherwise authorized or directed by the Assistant Secretary for DIB to follow other procedures. This shall include the Chairman's recommendation thereon, and the concurrences and objections, if any, of the representatives with respect to the Chairman's recommendation.

a. If there is no objection to the OC Chairman's recommendation, the Assistant Secretary for DIB shall take steps to implement the recommended action or, if he disagrees with it, refer the matter back to the OC for reconsideration or to the ACEP proper for consideration.

b. If the OC Chairman's recommendation on a matter is objected to by an OC representative, the Assistant Secretary for DIB shall refer the matter to the ACEP proper for further consideration, unless he believes further consideration by the OC may be desirable or direct referral by the Secretary to the EARB is indicated.

.03 On any matter reviewed by the ACEP proper, the Assistant Secretary for DIB as its Chairman shall report to the Secretary of Commerce the information and advice of the ACEP representatives, together with his recommendation thereon, and the concurrences and objections, if any, of the representatives with respect to his recommendation.

a. If there is no objection to the ACEP Chairman's recommendation, the Secretary will, if he is in agreement, authorize and approve the taking of recommended action by the Department of Commerce. If the Secretary disagrees with the proposed action he normally will refer the matter back to the ACEP for reconsideration or direct to the EARB.

b. If the ACEP Chairman's recommendation on a matter is objected to by an ACEP representative, the Secretary normally will refer the matter back to the ACEP for further consideration in light of his own views on the subject or submit it to the EARB for resolution of the disagreement.

.04 The advisory position of each OC representative and of each ACEP representative concerned with the subject matter shall be recorded on all substantive matters considered by each group.

.05 The Assistant Secretary for DIB may assign to a Deputy Assistant Secretary under him the responsibility for reviewing and the authority for acting on

recommendations of the OC Chairman as set forth in paragraph .02 above.

Effective date: April 15, 1971.

LARRY A. JOBE,
Assistant Secretary
for Administration.

[FR Doc.71-5990 Filed 4-28-71; 8:50 am]

[Dept. Organization Order 25-5A, Amdt. 1]

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

Authority and Functions

The following amendment to the order was issued by the Secretary of Commerce on April 16, 1971. This material amends the material appearing at 35 F.R. 16600 of October 24, 1970.

Department Organization Order 25-5A, dated October 9, 1970, is hereby amended as follows:

In section 3 *Delegation of authority*:
a. Subparagraph .01n. is amended to read:

n. The functions in the following sections of Executive Order 11023: sections 1 (a), (b), (c), (f), (g), (h), (i), (j), and (l); section 2(l); section 3; section 5; and section 6. These relate to the appointment, retirement, separation, and resignation of commissioned officers of NOAA, and to the employment of public vessels.

b. A new subparagraph .01 is added to read:

o. The functions in title II of the National Housing Act, as amended (12 U.S.C. 1715m), which pertain to mortgage insurance for commissioned officers to and in the construction or purchase of homes.

c. The present subparagraphs .01o. through .01q. are renumbered .01p. through .01r.

Effective date: April 16, 1971.

LARRY A. JOBE,
Assistant Secretary
for Administration.

[FR Doc.71-5989 Filed 4-28-71; 8:50 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[Docket No. FDC-D-274; Various NADA's]

NEW ANIMAL DRUG APPLICATIONS

Notice of Opportunity for Hearing

Notice is hereby given to each holder of a NADA (new animal drug application) listed herein that the Commissioner of Food and Drugs proposes to issue an order under the provisions of sections 505(e) and 512(e) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355 (e) and 360b(e)) withdrawing approval of such applications and all approved supplements thereto on the grounds that:

The applicants have repeatedly or deliberately failed to make required re-

ports in accordance with the notice regarding drug effectiveness which was published in the FEDERAL REGISTER of July 9, 1966 (31 F.R. 9426), for each new animal drug listed herein. This notice required holders of new drug applications approved between 1938 and October 10, 1962, to submit certain data, including data supporting efficacy of the products, in order to facilitate review of the products, by the National Academy of Sciences-National Research Council (NAS-NRC). The purpose of this review was to determine whether there may be grounds for withdrawing approval of the application. This action is intended to close the listed NADA's because they have been inactive for several years and the sponsors have failed to submit the required efficacy data. Of the firms listed below, the first 68 are not now registered as producers of drugs as required by § 132.2 of the drug regulations (21 CFR 132.2). Letters addressed to these 68 firms were returned by the Post Office Department as undeliverable. Further investigations revealed that these firms were no longer located at the address given in their respective applications. In addition there was no evidence to indicate that any of these companies are manufacturing their products at another address. The other listed applicants notified the Administration that the requested information was not submitted because the products are no longer manufactured or marketed.

Upon request, the Commissioner will provide any interested person affected by this notice a statement of the composition of any of the listed drugs to the extent that such information was disclosed or is required by law to be disclosed in the labeling.

Notice is hereby given to the holders of the below-listed NADA's and any interested persons who may be adversely affected that the Commissioner proposes to issue an order under the provisions of sections 505(e) and 512(e) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(e) and 360b(e)) withdrawing approval of all of these NADA's and all amendments and supplements thereto:

- American Veterinary Laboratories, Inc., 1336 East Fifteenth Street, Kansas City, Mo. 64106.
NADA's:
3-340V, Phenothiazine.
3-440V, Phenothiazine Compressed Tablets.
- Associated Laboratories, Inc., 17 West Mount Royal Avenue, Baltimore, Md. 21201.
NADA 8-023V, Hepto-Mix.
- Atlantic Supply Co., 17 West Mount Royal Avenue, Baltimore, Md. 21201.
NADA's
6-622V, ASQ (Veterinary).
6-740V, ASQ Sulfaquinoxaline Veterinary.
6-744V, ASQ Liquid.
8-112V, ASQ-Solubilized (Veterinary).
8-139V, AR-Son-Al.
8-172V, Hepto-Sol.
- Aurora Laboratories, Inc., 10 North LaSalle Street, Chicago, Ill. 60602.
NADA 2-594V, Pupup.

5. Baker's & Co., 410 Johnson Street, Keokuk, Iowa 52632.
NADA 3-455V, Baker's Supplemental Poultry Minerals.
6. Barile Foster, Stonewall, Okla. 74871.
NADA 1-774V, Dog-Eze.
7. Barlow, Wright & Shores, Cedar Rapids, Iowa 52402.
NADA 5-899V, Hydro-Cide.
8. Boots Pure Drug Co., 270 Park Avenue, New York, N.Y. 10013.
NADA 8-111V, Heptosan.
9. Burlington Spaight Laboratories, Inc., c/o Bill M. Spaight, Holyoke, Colo. 80734.
NADA 3-386V, Burlington-Spaight for Hogs, Chickens, & Turkeys.
10. Caphenin Chemical Co., 400-402 West Bremer Avenue, Waverly, Iowa 50677.
NADA 8-838V, 3 C Hog & Poultry Tablets.
11. Casa Laboratories, 2850 Clafin Avenue, Bronx, N.Y. 10468.
NADA's:
3-570V, Pigeon Brand Cankercide Swab.
3-571V, Pigeon Brand Eye Lotion.
3-572V, Pigeon Brand Eye Salve.
3-573V, Pigeon Brand Vitaplex Caps.
3-574V, Pigeon Brand Antiseptic Scalp Powder.
3-575V, Pigeon Brand Antiseptic Scalp Ointment.
3-576V, Pigeon Brand Asceto Kaphedrin Kaps.
3-577V, Pigeon Brand Spraino.
3-579V, Pigeon Brand Bev Tone.
3-580V, Pigeon Brand Warto.
12. Central Eureka Corp., Post Office Box 880, Berryessa Road, San Jose, Calif. 95133.
NADA's:
6-842V, F.P.C. Iodinated Protein.
6-936V, KM 7.
7-270V, K.I.C. Swine Growth Stimulant.
13. 3 L Chemical Co., Waterloo, Ind. 46793.
NADA 054V, Acorn Nixem.
14. Chemo-Puro Manufacturing Co., 26-32 Skillman Avenue, Long Island, N.Y. 11101.
NADA 8-211V, Chemo-Puro Arsanilic Acid & Sodium Arsanilate.
15. George W. Clayton Co., 1520 West Devon Avenue, Chicago, Ill. 60626.
NADA's:
579V, Dr. Clayton's Vermifuge Soft Capsules.
2-974V, Dr. Clayton's Vermifuge.
16. Dietz Laboratories, Inc., 4140 Chippewa Street, St. Louis, Mo. 63116.
NADA 7-331V, Sulfaquinoxaline Sodium Tablets.
17. Dog Remedies, Inc., 50 East Broad Street, Columbus, Ohio 43215.
NADA's:
023V, Dog Remedies Laxative.
070V, Dog Remedies Roundworm and Tapeworm Tablets.
071V, Cod Liver Oil.
073V, Dog Remedies Sulfur Flowers.
18. Dolan Laboratories, 7370 Dale Avenue, St. Louis, Mo. 63117.
NADA 7-293V, Dolan's Quin-X.
19. The Don Co., & Burson Labs., Brenon Laboratory, 3920 West Century Boulevard, Inglewood, Calif. 90303.
NADA 8-030V, Medochin.
20. Drugs for Veterinary Medicine, Inc., 307 Fifth Avenue, New York, N.Y. 10016.
NADA 12-817V, Cerumenex Vet. Drops.
21. Peter B. Dubiel, Independence, Wis. 54747.
NADA 3-398V, Calif-O.
22. Fairview Chemical Co., Humboldt, S. Dak. 57035.
NADA 2-839V, Phenothiazine.
23. Ferro Laboratories, Inc., Woodland, Calif. 95695.
NADA 3-888V, Ferroxcide.
24. Fitzsimmons Products, c/o Bigelow-Clark, Inc., 360 Meacham Avenue, Elmont, N.Y. 11003.
NADA's:
509V, Fitzsimmons Leg Paint.
3-847V, Maldermx.
25. Fravel's Remedy Co., National Stock Yards, Ill. 62071.
NADA 036V, Fravel's Cough Syrup.
26. Paul W. Fry, 305 Manhattan Bldg., Muskogee, Okla. 74401.
NADA 2-851V, DogLo.
27. Happy Chick Laboratories, 19 North Alabama Street, Indianapolis, Ind. 46204.
NADA 404V, Phenex Tablets (19.5g).
28. Hill Poultry Service, 500 East Jefferson, Dallas, Tex. 75203.
NADA's:
6-820V, Dr. Martins S-Q-N.
7-003V, Hy-Sulfa.
7-296V, Chemic Sulfaquinoxaline Premix.
29. House of Houston, Inc., Coral Gables, Fla. 33834.
NADA 7-475V, Itch-Witch.
30. C. E. Jamieson & Co., 1962-80 Trombley Road, Detroit, Mich. 48230.
NADA's:
3-619V, Master Brand N-B Capsules for Dogs.
3-620V, Master Brand N-B Capsules for Puppies.
31. Alexander Kaufmann & Co., 6506 Correctionville Road, Sioux City, Iowa 51106.
NADA 4-240V, Kaufmann's Udder Balm.
32. Kilz-Jerm Laboratories, 5552 Edgewater Drive, Toledo, Ohio 43611.
NADA 7-432V, Sulfa-Ton.
33. Cyril F. Klinefelter, 3733 Veazey Street, N.W., Washington, D.C. 20016.
NADA 1-281V, Kline's Kanine Kapsules (capsule A & B).
34. George H. Lee, Co., 115 Harney Street, Omaha, Nebr. 68102.
NADA's:
6-061V, Lee's Acidox.
6-629V, Sulfaquinoxaline Compound and Sulfaquinoxaline Sodium Solution.
8-543V, Juv-A-Ton.
35. Lindsey-Robinson & Co., Roanoke, Va. 23240.
NADA 8-058V, Fair Acre Poultry Wormer.
36. Livestock Remedy Co., c/o Dr. George R. Miller, York, Nebr. 68467.
NADA's:
1-052V, Dr. Miller's Hog-O-Vato.
1-053V, Chick-O-Vato.
1-054V, Chick-O-Vato No. 2.
1-055V, Dr. Miller's Liquid Preparation for Poultry.
37. LuMar Laboratories, Charles City, Iowa 50616.
NADA's:
9-137V, LuMar CEC Powder.
9-138V, LuMar Poultry Sulfa Tables (23 gr).
9-139V, LuMar Hog Wormer.
9-140V, LuMar Hog Tablets.
9-141V, LuMar Turkey Tablets.
9-142V, LuMar Arsonic Powder.
9-143V, LuMar Poultry Sulfa (18 gr).
9-144V, LuMar Poultry Tablets.
9-155V, LuMar Hog and Poultry Tablets (18 gr).
38. MacDonald Laboratories, 500 Robert Street, St. Paul, Minn. 55107.
NADA 8-665V, Anabiote.
39. The Marshall Co., Marengo, Ohio 42334.
NADA 400V, Marshall's Hog Special.
40. Master Laboratories, Inc., Post Office Box 1135, 27th & N Streets, Omaha, Nebr. 68107.
NADA 1-203V, Master Liquid Dogtone.
41. Master Poultry Breeders, Inc., Glen Coe, Minn. 55336.
NADA 1-634V, Sodisulla.
42. Merillat-Laine Co., 1827 South Wabash Avenue, Chicago, Ill. 60616.
NADA 3-177V, Phenothiazine Powder, Phenothiazine "Slip Cap" Roll, and Phenothiazine "Kernals."
43. Mirsol Co., Post Office Box 847, Spokane, Wash. 99210.
NADA 3-166V, Mirsol.
44. Morse Laboratories, 511 Grand Street, Hoboken, N.J. 07030.
NADA 11-303V, Hydrocortisone-Neomycin Ophthalmic Ointment with Tetracaine, Vet.
45. Richard A. Lemon, Pacific Laboratories, Inc., 2254 Bancroft Way, Berkeley, Calif. 94704.
NADA's:
8-773V, ACTH, Vet. Solution Pacific.
8-941V, ACTH-Gel Pacific.
46. Richard A. Lemon, Pharmco Laboratories, 2254 Bancroft Way, Berkeley, Calif. 94704.
NADA 8-968V, Mastrex.
47. Pratt Food Co., 124 Walnut Street, Philadelphia, Pa. 19106.
NADA's:
2-858V, Pheno-Thi-Azine.
7-362V, Pratt's Sul-Plus.
8-122V, Pratt's Sulfaquinoxaline Liquid.
48. Prevac Co., 123 Liberty Street, New York, N.Y. 10006.
NADA 1-327V, Gramiol Injection.
49. Quaker States Chemical Co., Chalfont, Pa. 18914.
NADA 8-178V, K-G-3.
50. Quadratone Co., c/o Mr. M. H. Walther, Rochelle Arms Apts., Wissahickon, Philadelphia, Pa. 19144.
NADA 1-299V, Quadratone Tonic.
51. Random Veterinary Products, Green Bay, Wisc. 54301.
NADA 7-013V, L. A. Capsules.
52. A. A. Schnier, Schnier's X-P-Dite Co., Fegenbush Lane, Buschel, Ky. 40218.
NADA 6-055V, Schnier's X-P-Dite Powder.
53. The Sem Co., Dyersville, Iowa 52040.
NADA 1-668V, SEM.
54. The Shores Co., Inc., 712 Sixteenth Street, NE., Cedar Rapids, Iowa 52402.
NADA's:
3-287V, Corn King Phenothiazine Tablets for Sheep.
3-288V, Corn King Phenothiazine Tablets for Hogs.
4-300V, Phenothiazine Drench.
55. Silmo Chemical Corp., Vineland, N.J. 08360.
NADA 10-350V, Silmo Vitamin D2.
56. W. W. Simpson's Drug Co., 2701 Jule Street, St. Joseph, Mo. 64501.
NADA's:
2-029V, Simpson's Ointment.
2-331V, Simpson's Chicken & Turkey Powder.
57. Smithson Products Co., 100 North Adams, Peoria, Ill. 61602.
NADA 1-748V, Chen-Oil Compound.
58. Specified, Inc., Post Office Box 55-263, Indianapolis, Ind. 46205.
NADA's:
7-324V, Quinamix.
8-077V, Extended Specified Arsonic Acid, DV.
11-927V, PA-12.
59. Dr. Calvin A. Trapkey, 2224 Shasta Place, Cincinnati, Ohio 45201.
NADA 2-631V, Catheo.
60. U.S. Chemical Co., Inc., Newington, Conn. 06111.
NADA 10-737V, Bolets Chem-Mycin.
61. USV Pharmaceutical Co., (Formerly U.S. Vitamin Corp.), 26 Vark Street, Yonkers, N.Y. 10701.
NADA's:
2-923V, Pervinal.
6-521V, Aquasol A Parenteral Vet.
62. Vassar Laboratories, Ltd., Inc., 2248 Broadway, New York, N.Y. 10024.
NADA 6-876V, Ichor Solution.
63. Vita-Vim Millers, 135 Scott Street, Buffalo, N.Y. 14204.
NADA 8-195V, Sulfaquinoxaline.

64. Vo-Gel Products, Post Office Box 335, Se-
verna Park, Md. 21144.
NADA 9-266V, Viro-Cide.
65. The Ward Co., Winona, Minn. 55987.
NADA 7-330V, Ward's Sulfa-Quin.
66. Wene Poultry Laboratories, 1046 East
Landis Avenue, Vineland, N.J. 08360.
NADA 9-873V, Wene Waverm.
67. William C. Wilcox, 334 A Street, Idaho
Falls, Idaho 83401.
NADA 1-874V, Wilcox's Hoof Paste.
68. Robert J. Wilkinson, Wilkinsons Products
Co., RFD No. 1, Box 179, Excanaba, Mich.
49829.
NADA 8-449V, Wilkinson Fungus Prepara-
tion.
69. A. Aaron Co., Inc., 1470 Miner Street, Des
Plaines, Ill. 60016.
NADA 4-360V, Dr. Sylvester's Phenaron-
zine.
70. Aome Scientific Co., Post Office Box 8826,
Richmond, Va. 23225.
NADA's:
6-734V, Sul-Nox Solution.
8-903V, Ketox.
71. Advance Livestock Supply (Formerly
Central Livestock Products Co.), 102
North Seventh, Brighton, Colo. 80601.
NADA 9-197V, Aquatrol.
72. Agway, Inc., 560 Delaware Avenue, Post
Office Box 128, Buffalo, N.Y. 14202.
NADA 10-827V, Medicated Lacto Life.
73. Albers Milling Co., Carnation Building,
5045 Wilshire Boulevard, Los Angeles,
Calif. 90036.
NADA 7-219V, Selfade.
74. Allied Biochemical Laboratories, 33 Berry
Street, San Francisco, Calif. 94107.
NADA 11-243V, Tricolone.
75. Amdal Co., Division Abbott Laboratories,
North Chicago, Ill. 60064.
NADA's:
576V, Calcium Levulinate (15% W/V)
(Sterile Solution).
1-692V, Thiuride and Thiuride Cream.
5-285V, Diethylstilbestrol Dipropionate
Veterinary.
7-602V, Thénylene Hydrochloride.
7-603V, Desoxyn Hydrochloride.
11-229V, Gallium Injactable.
76. American Chemical Co., 433 East Erie
Street, Chicago, Ill. 60611.
NADA 3-796V, Phenobole, Phenothiazine
Crystalline Powder and Phenothiazine
Tablets.
77. American Cyanamid Co., Post Office Box
400, Princeton, N.J. 08540.
NADA's:
652V, Calcium Boro-Hibate.
3-221V, Phenothiazine.
3-222V, Phenothiazine.
3-264V, Calcium Boro-Hibate.
3-297V, Calcium Boro-Hibate w/Dex-
trose.
4-492V, Fluorescin Diagnostic Solution.
4-553V, Sulfanilamide Veterinary Pow-
der, Tablets, Bolets and Suspensal
(39%).
4-562V, Sulfapyridine Powder and Tab-
lets, Veterinary.
4-576V, Carbon Disulphide Capsules.
4-632V, Sterile Milk, Protein, Veterinary.
4-945V, Pentobarbital Sodium Capsules,
Veterinary.
5-245V, Diethylstilbestrol Veterinary
Capsules, Injactable, Ca-Pon-Ets.
5-296V, Butyryl Sulfanilamide Solution
Parenteral, Veterinary.
5-403V, Kemvite Powder, Kemvite Oblets.
5-522V, Uterine Antiseptic Tablets, Vet-
erinary.
5-641V, P. N. Powder, Veterinary and
P. N. Tablets Veterinary.
6-078V, Veta-Merazine.
6-481V, Deravet Thiouracil.
7-407V, Enheptin Premix.
8-117V, Enheptin Tablets.
8-384V, Arsanilic Acids.
- 8-385V, Megasul A.
10-879V, Quivet Tablets.
11-399V, Neomycin Sulfate, Veterinary.
12-065V, NeoBiolator Neomycin Dust.
78. American National Mineral Corp., Hills-
boro, Ind. 47949.
NADA 4-755V, Phenothiazine.
79. Armour-Baldwin Laboratories, 8530 K
Street, Omaha, Nebr. 68117.
NADA's:
3-471V, Phenothiazine Technical-Pow-
dered.
4-098V, Phenothiazine Mixture.
4-893V, Ovinar-Sheep.
4-932V, Phenothiazine Suspension.
4-967V, Trol Swine.
5-050V, Sheep Trol.
5-519V, Poultry Trol.
5-591V, Armetan Powder.
5-650V, Cattle Trol.
9-328V, Tryptar-Vet.
9-485V, ACB-12.
9-664V, Dynafac.
10-214V, Tryptar-Vet, Lyophilized.
10-215V, Tryptar-Vet, Topical.
10-216V, Tryptar-Vet, Capsules.
10-217V, Tryptar-Vet, Tablets.
10-466V, Maracarb NC.
10-821V, Torumen.
80. Barker, Moore, & Mein Co., 713 Walnut
Street, Post Office Box 18, Lebanon, Pa.
17042.
NADA's:
6-085V, Barkers Poultry Cecal Coccidiosis
Control Powder.
6-664V, Barker's Sulcox for Poultry.
6-803V, Barker's Sul-Cox Liquid.
7-317V, Barker's Thiocox for Poultry.
8-134V, Thiocox-Plus for Poultry (Thio-
Gro).
81. Barnes-Hind Laboratories, 895 Kifer
Road, Sunnyvale, Calif. 94086.
NADA 11-388V, Prednisolone Injection,
Veterinary.
82. Beacon Milling Co., Water Street, Cayuga,
N.Y. 13034.
NADA's:
5-886V, Beacon C-C Pellets.
9-191V, Beacon Sodium Propionate N. F.
Mixture.
83. Beebe Laboratories, Inc., 2105 East Lar-
penteur Avenue, Post Office Box 2106,
St. Paul, Minn. 55109.
NADA 7-354V, B-B-Q.
84. Bigelow-Clark, Inc., Att: James W. Fitz-
simmons, 360 Meacham Avenue, Elmont,
N.Y. 11003.
NADA's:
0-887V, Fitzsimmons Leg Paint.
2-323V, Fitzsimmons Nasal Jelly.
3-848V, Fitzsimmons Maldermx.
85. Bingham Laboratories, Inc., (Formerly Big
Ten, Inc.), Post Office Box 88, Sarahs-
ville, Ohio 43779.
NADA's:
6-835V, Prevention-4-Chix Tablets.
7-486V, Poultry Formula No. 2.
86. Bio Laboratories, Inc., 50 North Second
Street, Kansas City, Kans. 66118.
NADA's:
12-251V, Poly-Ject.
12-316V, Poly-Ject 75.
87. Biactol Laboratories, Inc., 109-111 West
High Street, Montpelier, Ind. 47359.
NADA 6-371V, Biactol (new formula).
88. Boxil Co., Room 102, 406 Water Street,
Baltimore, Md. 21202.
NADA 4-959V, Boxil.
89. Boyd-Conlee Co., North 1002 Division
Street, Spokane, Wash. 99202.
NADA 7-299V, Farmway Dairy Cow Lacta-
tion Stimulant.
90. Breon Laboratories, Inc., 2405 Grand
Avenue, Kansas City, Mo. 64116.
NADA's:
1-503V, Sulfanilamide Tablets.
3-522V, Sulfanilamide Tablets.
91. Burroughs Wellcome & Co., 1 Scarsdale
Road, Tuckahoe, N.Y. 10707.
NADA's:
12-160V, Franten-50 mg. Caps.
12-161V, Franten-200 mg. Caps.
92. Cardinal Products, Inc., Post Office Box
828, Durham, N.C. 27702.
NADA's:
6-873V, Solution of Sulfaquinoxaline
Sodium.
6-864V, Solution of Sulfaquinoxaline
Sodium (Vet).
93. Carson Chemicals, Inc., New Castle, Ind.
47362.
NADA's:
9-819V, Asca RX #1.
9-820V, Asca RX #2.
9-822V, Asca RX #4.
94. Central Laboratories, Bensenville, Ill.
60106.
NADA 6-023V, Cecacen Tablets.
95. Champlon Laboratories, 2310 Formosa
Street, Orlando, Fla. 32804.
NADA 0-341V, Champion Worm Treatment
for Horses and Mules (Double Treat-
ment).
96. Chatham Pharmaceuticals, Inc., Post
Office Box 39, Deal, N.J. 07723.
NADA 11-393V, Fungi-Ban.
97. Chevron Chemical Co., 940 Hensley Street,
Richmond, Calif. 94801.
NADA's:
7-032V, ISOTOX Dairy Spray.
8-560V, ORTHO 1038 Screw Worm Con-
trol.
9-761V, ORTHO 1038 Screw Worm Bomb.
11-197V, ORTHO Dog Powder.
98. Earl E. Clore, D.V.M., 300 North Madison
Avenue, Greenwood, Ind. 66142.
NADA 4-034V, Phenothiazine Powder.
99. Commercial Solvents Corp., 1331 South 1st
Street, Terre Haute, Ind. 47801.
NADA's:
6-850V, Bacitracin Ointment C.S.C.
6-851V, Bacitracin C.S.C.
100. Conal Pharmaceuticals, Inc., 6201 South
Freeway, Post Office Box 1959, Fort
Worth, Tex. 76101.
NADA 11-157V, Vermizine.
101. Consumer's Cooperative Assn., c/o
Farmland Industries, Inc., Post Office
Box 7305, Kansas City, Mo. 64116.
NADA's:
7-487V, Sulfaquinoxaline Premix=20%.
9-603V, Coop Cadmium Hog Wormer
Premix.
102. Cooper Laboratories, Inc., and William
Cooper & Nephews, Inc., 1909 North
Clifton Avenue, Chicago, Ill. 60614.
NADA's:
2-132V, Vita Vurv Powder.
9-697V, Pulvex Worm Remedy for Pup-
pies; Pulvex Worm Caps—Dog Size,
Pulvex Worm Caps—Puppy Size; Pul-
vex Cat Caps; Cooper Piperazine Adi-
pate Stock Wormer; Cooper Piperazine
Adipate Poultry Wormer; Cooper Piper-
azine Adipate Hog Wormer.
103. Corn Products Co., 717 Fifth Avenue,
New York, N.Y. 10022.
NADA 11-654V, Kasco Mom 'N' Pup.
104. Curtis Laboratories, Inc., 812 Woods-
wether Road, Kansas City, Mo. 64105.
NADA's:
6-781V, Sulfazene or sulfaquon.
6-956V, Sulfaquon Liquid.
7-373, Borea.
105. Cutter Laboratories, 4th and Parker
Streets, Berkeley, Calif. 94710.
NADA 5-907V, Chemozine.
106. Dalare Associates, 2300 Locust Street,
Philadelphia, Pa. 19103.
NADA's:
3-278V, Tru-Sol Phenothiazine.
3-282V, Tru-Sol Phenothiazine Drench
Grade Powder.
3-283V, Tru-Sol Phenothiazine Emul-
sion.

107. Dawe's Laboratories, Inc., 4800 South Richmond Street, Chicago, Ill. 60632.
NADA's:
10-712V, Daw's Adrogen Diethylstilbestrol-Vitamin A Vitamin D Premix.
10-746V, Daw's Shielded Diethylstilbestrol Premix.
108. Del-Mar-Va Poultry Laboratories, Inc., Millsboro, Del. 19966.
NADA's:
6-727V, Del-Mar-Va S.Q. and Wene S.Q.
6-728V, Del-Mar-Va S.Q. 25.
6-912V, Del-Mar-Va S.Q. 10.
109. Denver Veterinary Laboratories, Inc., 5030 York Street, Denver, Colo. 80216.
NADA's:
3-212V, Phenothiazine.
8-841V, Solution of Sulfaquinoxaline Sodium.
110. Dixie Mills, Co., 10th and Walnut Streets, East St. Louis, Ill. 62201.
NADA 9-094V, Dixie Pig Wormall.
111. Dorsey Laboratories, Division of Sandoz-Wander, Inc., NE. U.S. Hwy. 6 & Interstate 80, Lincoln, Nebr. 68501.
NADA 4-665V, Private Formula No. 2007.
112. Dow Chemical Co., Post Office Box 512, Midland, Mich. 48641.
NADA's:
2-532V, Phenothiazine N.F.
3-545V, Phenothiazine Mixture.
5-402V, Hexachlorethane.
114. Elanco Products Co., Post Office Box 1750, Indianapolis, Ind. 46206.
NADA's:
10-870V, Statomycin Sulfa Tablets.
10-871V, Statomycin I.M.
10-872V, Statomycin Tablets.
12-778V, Tylocine Oral.
13-238V, Dizan Powder With Piperazine Adipate.
13-361V, Parasone Tablets.
115. Emerson Pharmaceutical Co., 41 South Main, Spencer, Ind. 47460.
NADA 4-195V, Phenothiazine Veterinary.
116. Endo Laboratories, 1000 Stewart Avenue, Garden City, N.Y. 11530.
NADA 2-765V, Veterinary Solution Sopen-tal.
117. ESSCO Co., Salisbury, Md. 21801.
NADA's:
6-717V, Sulfaquinoxaline Premix Compound.
6-757V, Coxynox Concentrate-Sulfaquinoxaline Sodium.
118. Ray Ewing Co., 1097 South Marengo Avenue, Pasadena, Calif. 91106.
NADA's:
9-092V, Ray Ewing Sodium Phthalysulfacetamide Powder, Veterinary.
9-265V, Ray Ewing Antibiotic.
119. Fellows-Testagar, 12741 Capital, Oak Park, Mich. 48237.
NADA 12-297V, PHYTEX-VET (BORO-PLEX-VET).
120. Fisher Brothers, 155 Greeley Avenue, Grant City, Staten Island, N.Y. 10306.
NADA 2-530V, Fisher's Salve.
121. Flory Milling Co., Inc., 45 North Main Street, Box 191, Bangor, Pa. 18013.
NADA 6-667V, Flory Poultry Worming Mash 3%.
122. FMC Corp., Food Machinery Division, 100 Niagara Street, Middleport, N.Y. 14105.
NADA 6-364V, Niagara Lambrand Sulphur.
123. Foremost Foods Co., Western Condensing Co., Post Office Box 739, Appleton, Wis. 54911.
NADA 11-619V, Peebles' Medicated Ketolac.
124. Fort Dodge Laboratories, 800 Fifth Avenue NW., Fort Dodge, Iowa 50501.
NADA's:
3-704V, Phenothiazine Powder, Cap Tabs and Tablets.
3-779V, Phenothiazine Cap-Tabs 12 Grams.
3-780V, Phenothiazine Tablets Fowls.
3-781V, Phenothite.
- 6-231V, Formula 144 Tablets.
6-466V, Kaosate.
6-889V, Sulquin.
7-030V, Piroplasmin 5%.
7-749V, Cecazole.
7-840V, Sulsox.
7-979V, Soxisol Sterile 25% w/v Injectable.
7-980V, Soxisol and Soxisol No. 2 for Poultry.
8-965V, Corticotropin Gel.
9-571V, Phenohep.
10-007V, Erythromycin-Triple Sulfa Tablets.
11-450V, Prednisolone Solution.
11-886V, Halsan.
125. The Fox Co., Newfield, N.J. 08344.
NADA's:
6-683V, Foxquin.
8-094V, Foxquin Solution of Sulfaquinoxaline Buffered.
8-095V, Foxquin Solution of Sulfaquinoxaline Sodium.
126. Franklin Laboratories, Inc., 1777 South Bellaire Street, Denver, Colo. 80222.
NADA's:
8-253V, Franklin Tapeworm Treatment.
12-137V, Franklin Injectable Iron Dextrin 100.
127. Globe Laboratories, Division of Chas. Pfizer & Co., 235 East 42nd Street, New York, N.Y. 10017.
NADA's:
317V, Globe Hog Tonic Powder, Mineralized.
3-559V, Phen-ovine Sheep and Goat Drench.
3-560V, Globe Adult R.T. Tablets.
3-561V, Globe Pullet R.T. Tablets.
3-564V, Globe A-C-Trol.
6-149V, Globe Kome Glo.
6-565V, Globe Cocci-Ade.
7-252V, Globe Sulfaquinoxaline Solution.
7-891V, Globe Blackhead Formula and Globe Blackhead Formula Soluble.
8-116V, Globe Sodium Arsanilate Tablets.
9-590V, Globe Enteritis Mixture.
12-115V, Globe Swl-Rcn, Globe Swl-Ron-100.
128. Greavers Products, Sulphur Spring Road, Chilhowie, Va. 24319.
NADA's:
3-048V, Greever's P.W.T.
6-711V, Greever's Sul-Q-Nox Powder, Greever's Sul-Q-Nox-5 Powder, and Greever's Sul-Qui-Nox 25%.
6-768V, Greever's Sul-Q-Nox Solution and Greever's Sul-Qui-Nox Concentrate.
129. The J. F. Hartz Co., 780 West Eight Mile Road, Ferndale, Mich. 48220.
NADA 8-749V, Sulfaquinoxaline Sodium Tablets, Veterinary.
130. Haver-Lockhart Laboratories, 815 Woodswether Road, Box 676, Kansas City, Mo. 64141.
NADA's:
2-803V, Phenothiazine and H-G Phenothiazine Suspension.
5-117V, Sulfapyridine Sodium Capsules, 6 Grams.
5-118V, Sulfapyridine Tablets, 60 grams.
6-908V, Sulmark Solution.
9-286V, Sulben Oral Solution, Sulben A Parenteral Sulben Tablets, Sulben Tabsules, Sulben Hexatabs.
11-449V, Cantil Veterinary Tablets.
131. Dr. Heinz Co., Midland Avenue, Bloomington, Ohio 43105.
NADA 2-809V, FENA.
133. Hilltop Laboratories, Inc., 2035-2135 East Larpenteur Street, St. Paul, Minn. 55109.
NADA 8-068V, Amino-Mor Soluble and Premix.
134. Holt Products Co., 820 East Locust Street, Milwaukee, Wis. 53212.
- NADA's:
5-968V, Vicolix.
8-811V, Bovinate.
135. Huard Laboratories, Post Office Box 386, Norwich, Conn. 06360.
NADA 4-834V, Early Bird Worm Expeller for Dogs.
136. Hubbard Milling Co., 424 North Front Street, Mankato, Minn. 56001.
NADA's:
6-910V, Hubbard's Sunshine Sulfaquinoxaline Premix.
8-216V, Hubbard's Sunshine Sodium Arsanilate Premix.
137. Hunt Manufacturing Co., Lisbon Road, Cleveland, Ohio 44104.
NADA 6-120V, #1354-A Chick Drinking Water Disinfectant.
138. Imperial Chemical Industries, Ltd., Mereside, Alderley Park, Macclesfield, Cheshire, England.
NADA's:
6-932V, Udolac.
7-145V, Anavenol Suspension.
7-938V, Anavenol K.
139. International Minerals & Chemical Corp., Industrial Chemicals Division, Post Office Bin B, Fifth & F Streets, Wasco, Calif. 93280.
NADA 9-125V, Aterrimin.
140. Interstate Chemical Co., 609 Livestock Exchange Building, Kansas City, Mo. 64120.
NADA 12-808V, Surfazine 20.
141. Iowa Testing Laboratories, Highway 60, Eagle Grove, Iowa 50533.
NADA 6-517V, Amar Tabs.
142. Leonard James Co., c/o City Drug Store, Post Office Box 877, San Saba, Tex. 76877.
NADA 4-288V, Phenothiazine Drench and Caps.
143. Jensen-Salsbery Laboratories, 520 West 21st Street, Kansas City, Mo. 64141.
NADA's:
701V, Canine Rectal Ointment.
702V, Tablets "Sal-Matic".
703V, Vitour Powder RX 1839.
704V, Extract of Pineal Gland.
1-091V, Stibsol.
1-098V, Tablets B-Flex.
1-344V, Pirtol.
1-356V, Yurea Eye Ointment (A.K.A.) Ureka Eye Ointment.
1-601V, Kolate Liquid.
1-700V, Alkamagnol.
1-928V, Otisil.
1-929V, Sulfonite.
1-946V, C-D Gel Capsules.
2-169V, Halatal Tablets.
2-184V, Phenothiazine.
2-226V, Phenite.
2-314V, Keno Capsules #3.
2-417V, Equine Strongyli Gel Capsules.
2-561V, Ce-Em-Be Sterile Solution.
2-802V, Phenothiazine Tablets.
3-657V, Ascorbic Acid Solution.
4-344V, Solution Stilbestrol.
4-354V, B-Caps.
4-383V, Sulfathiazole Tablets.
4-384V, Ointment Sulfathiazole.
4-608V, Silvox.
4-770V, Sulfapyridine Tablets 7.7 Grains, Sulfapyridine Powder, Sulfapyridine Sodium Powder.
6-857V, Aquinoxin.
6-975V, Ribophene-D.
7-733V, Tablets Motion Sickness.
8-159V, Durathesin.
8-269V, Sufacin Solution and Tablets.
8-601V, Boviphene-D.
8-960V, Proforan.
8-976V, DCM Solution, Improved.
9-012V, ACTH.
9-029V, Sodium Propionate, N.F.
9-136V, ACTH Gel.
10-276V, Cortisone Acetate Suspension.
10-867V, Tricortan.

- 11-279V, Stereocide Bolus and Stereomide Tablets.
144. King Castle Inc., (Formerly Corn King Co.), Post Office Box 189, Marion, IA 52302.
NADA's:
3-280V, Poultry Tablets of Phenothiazine.
6-572V, Quin-Sulfa Powder.
6-704V, Quin-Sulfa Liquid.
8-795V, Hep-2-5.
8-914V, Poultry Sulfa Tablets.
9-041V, Poultry Sulfa.
9-043V, Arsonic Powder.
145. Knoll Pharmaceutical Co., 377 Crane Street, Orange, N.J. 07050.
NADA 12-667V, Rapacodin Bitartrate Ampules.
146. Kremers-Urban Co., Post Office Box 2038, Milwaukee, Wisc. 53201.
NADA 3-769V, Cilco.
147. Dr. Hiram N. Lasher, Millsboro, Del. 19966.
NADA's:
7-884V, L.S.Q. Solution.
7-885V, L.S.Q. 25.
148. La Verne Chemical Co., Att: Dr. L. D. Smith, 1210 Bankers Trust Building, 406 Sixth Avenue, Des Moines, Iowa 50309.
NADA's:
2-363V, Vetrone.
2-364V, M-R-X Powder.
149. Dr. LeGear, Inc., 4161 Beck Avenue, St. Louis, Mo. 63116.
NADA's:
3-661V, Dr. LeGear's Improved Cow Prescription, Concentrated.
3-662V, LeGear's Improved Hog Prescription, Concentrated.
3-663V, LeGear's Improved Poultry Prescription, Concentrated.
3-664V, LeGear's Improved Stock Powder, Concentrated.
4-381V, Dr. LeGear's Hog Capsules.
4-661V, Dr. LeGear's Pig Capsules.
6-494V, Dr. LeGear's Calf Dehorner.
6-537V, Coccidiosis Control.
6-556V, Dr. LeGear's Hog Worm Powder.
7-764V, LeGear's Antihistamine Tablets.
8-262V, Sulfaquinoxaline Solution Buffered.
9-665V, Zirco Tightener.
10-703V, LeGear's Pip-Ezy.
150. Lemmon Pharmacal Co., Cathill & Lonely Roads, Box 30, Sellersville, Pa. 18960.
NADA 6-837V, Solution Sulfaquinoxaline.
151. Lipscomb Grain & Seed Co., Post Office Box 1125, S.S. Station, Springfield, Mo. 65805.
NADA 4-238V, Wocon.
152. Lookout Products Manufacturing Co., 339 Saint Elmo Avenue, Chattanooga, Tenn. 37409.
NADA 9-056V, Lookout 6X Sulfaquinox.
153. Lowman Co., Waterloo, Ind. 46793.
NADA 1-736V, Acorn Nicareca Tablets.
154. M & R Laboratories, 610 North 12th Street, Quincy, Ill. 62301.
NADA 600V, M & R Korene Concentrate.
155. Man-O-War Remedy Co., Lima, Pa. 19060.
NADA 3-122V, Strongylezine.
156. C. J. Martin & Sons, Inc., 1181 Airport Boulevard, Post Office Box 6187, Austin, Tex. 78702.
NADA 8-617V, Mar-Quinsol.
157. Dr. I. W. Martin, Sibley Veterinary Supply Co., Post Office Box 206, Sibley, Iowa 51249.
NADA 6-500V, Avizine.
158. S. E. Massengill Co., 527 Fifth Street, Bristol, Tenn. 37620.
NADA's:
3-214V, Veterinary Suspension of Phenothiazine.
6-812V, Greever's Sul-Q-Nox Tablets.
7-007V, Solution Sulfaquinoxaline Sodium.
8-145V, Thalislul Tablets.
159. Mayrand, Inc., Post Office Box 20246, Greensboro, N.C. 27420.
NADA 7-850V, M-S-Q.
160. McClellan Veterinary Laboratories, Inc., 19600 Sixth Street, Lakeview, Calif. 92353.
NADA's:
6-789V, Sol-Nox-Aquine Powder.
6-897V, Sul-Nox-Aquine Liquid.
7-843V, Sul-Nox-Aquine Solubilized Powder.
8-521V, Nitro Black Soluble Powder.
8-522V, Nitro Black 20% Premix.
8-523V, Nitro Black Soluble Tablets.
161. McNeil Laboratories, Inc., Fort Washington, Pa. 19034.
NADA 12-117V, Tablets GRIFULVIN VETERINARY.
162. Mifflin, McCambridge Co., 6400 Rhode Island Avenue, Riverdale, Md. 20840.
NADA's:
9-978V, Hydrocortisone Tablets, Al-Corta.
9-983V, Ellifed Tablets Col-Corta.
10-380V, Elcarmycin.
10-406V, Sulfacarmycin Tablets.
163. Miller Veterinary Supply Co., 1224 West Daggett Avenue, Post Office Box 470, Porth Worth, Tex. 76101.
NADA 4-193V, Fly Smear, Formula No. 62.
164. Merck & Co., Division Merck Sharp & Dohme, 126 East Lincoln Avenue, Rahway, N.J. 07065.
NADA's:
818V, Lentin 1:1000 Aqueous Solution.
1-402V, Sulfanilamide Compressed Tablets 60 Grains-Vet.
3-395V, Monochlorothymol.
3-582V, Phenothiazine.
4-112V, Phenothiazine Compressed Tablets.
5-802V, Bovoc Pinkeye Powder.
6-001V, Vetrilalm.
6-268V, Veterinary Sulfamethazine Powder.
6-578V, Sulfowl Tablets.
6-582V, Merameth Sterile Solution.
6-611V, Merameth Tablets.
6-657V, Sulfaquinoxaline Sodium Tablets, Vet.
6-892V, Sulfowl Solution Sulfaquinoxaline.
6-940V, B-F-I-Utherine Tablets.
6-984V, Bovimide Triple Sulfonamide Suspension with Kaolin & Pectin.
7-233V, Sulfaquinoxaline Buffered Solution, Vet.
8-071V, Soluthricin Solution and Soluthricin Concentrate.
8-480V, Thalivet Sulfathalidine Arsenic Tablets.
8-483V, Cortone Acetate Saline Suspension, Vet.
9-134V, Sulfathalidine Arsenic Tablets, Vet.
9-230V, Sulfaquinoxalene Capsules.
9-270V, Hydrocortisone Acetate Saline Solution, Vet.
9-560V, Darstine Bromide Tablets.
9-875V, Hydrocortone TBA Suspension, Vet.
10-049V, Tyotocin Veterinary.
10-053V, Cyclaine Jelly.
10-343V, Alforone Acetate Ophthalmic Ointment with Neomycin Sulfate Veterinary.
10-356V, Delta (Prednisone) Tablets.
10-368V, Hydeldra Prednisolone Tablets, Vet.
10-488V, Mephyton Emulsion, Mephyton Tablets.
10-558V, Co Delta.
10-560V, Co-Hydeldra Prednisolone Buffered Tablets.
10-839V, Cathomyacin Sodium Novobiocin Capsules.
10-874V, Delta Prednisone Suspension.
11-308V, Glycamide.
11-438V, Neobovoc.
11-732V, Buffered Powder Sulfabrom.
12-082V, Dexamethasone Tablets.
12-083V, Dexamethasone Solution.
12-138V, Agrozyme.
12-314V, Gro-Aid, Gro-Aid 2X.
12-347V, Hepzide Nithiazide Tablets, Vet.
12-639V, Sulfabrom Tablets.
12-975V, Diuril Intravenous.
165. Moorman Manufacturing Co., 501 South Front Street, Quincy, Ill. 62301.
NADA's:
2-901V, E-Z-EX.
5-836V, Coxicurb.
7-809V, Moor Man's New Coxicurb Chick Mintrate.
11-517V, Rid-Ezy.
166. L. A. Mosher Co., 2130 Marietta Boulevard, Atlanta, Ga. 30318.
NADA's:
033V, Solution Sodium Nicotinate 5%.
901V, Rot-O-Tox.
2-862V, Phenothiazine.
3-361V, Butylol.
6-901V, Sulfaquin Solution LAMCO.
167. Murphy Products Co., Inc., 124 South Dodge Street, Burlington, Wis. 53105.
NADA 7-841V, "Sulfaquinoxaline Feed Mixture".
168. National Drug Co., Division of Richardson-Merrell, 4663 Stenton Avenue, Philadelphia, Pa. 19144.
NADA 8-988V, Purified Corticotropin (ACTH).
169. National Laboratories Corp., 1722 Main Street, Kansas City, Mo. 64108.
NADA's:
6-953V, Sodium Sulfaquinoxaline Solution.
11-920V, Benzachlor.
170. Nicholas Laboratories, Ltd, c/o Miller & Phipps, Ltd., 1 Park Avenue, New York, N.Y. 10016.
NADA 10-760V, Megimide Injection Veterinary.
171. Carl W. Nidy and Co., 1350 East Court Avenue, Des Moines, Iowa 50316.
NADA 13-212V, Absorbable Iron-100.
172. Nopco Chemical Co., Inc., 60 Park Place, Newark, N.J. 07101.
NADA's:
8-759V, Nopco Arsanilic Acid Custom Mix ANU.
10-724V, Super Drex "3000", Super Drex Capsules.
12-218V, Iron, Hydrogenated (Injectable Iron Hydrogenated Dextran Complex).
173. Norden Laboratories, 601 West Cornhusker Highway, Lincoln, Nebr. 68521.
NADA's:
2-242V, Methylene Blue Solution.
2-251V, Phenozine Bolets.
2-541V, Methylene Blue Solution 2%.
3-186V, Nicotinate Solution.
3-742V, Phenozine Suspension.
4-162V, Guaisodide.
6-619V, Sulfoxaline Powder.
6-662V, Sulfoxaline Solution.
6-663V, Sulfoxaline Tablets.
7-262V, Sulfoxaline Powder (Soluble).
7-627V, Heptazeen.
8-764V, Narcotropin.
9-565V, Mercol.
11-319V, Nordisolone.
11-772V, Dexiron.
174. Northern States Laboratories, Post Office Box 158, Luverne, Minn. 56156.
NADA 10-610V, Nox Liquid Hog Wormer.
175. Ortho Pharmaceutical Corp., Highway 202, Raritan, N.J. 08869.
NADA's:
6-238V, Veterinary Triple Sulfa Cream.
6-269V, Sulfa-Citrate Buffer Tablets.
6-724V, Dinovex.
6-809V, Difusin.

176. Osborn Laboratories, Inc., Second & Oak Streets, Le Sueur, Minn. 56058.
NADA 6-841, Sox Liquid.
177. Parke Davis & Co., Joseph Campau at the River, Detroit, Mich. 48232.
NADA's:
3-473V, Nemazene Tablets.
6-245V, C.T. Nicotine-Phenothiazine (Veterinary) & Nicotine-Phenothiazine Powder (Veterinary).
9-068V, Aeroderm Liquid.
178. Parlam Corp., 266 South Dean Street, Englewood, N.J. 07631.
NADA's:
10-458V, Mikedimide 3%.
12-232V, Sebumsol 25% and Sebumsol.
179. Paul's Products Co., Post Office Box 372, Mankato, Minn. 56001.
NADA's:
7-188V, Sulfa-Q-Lene.
9-401V, N-Hepdex.
180. Pay Way Feed Mills, Inc., 3d & Broadway, Kansas City, Mo. 64105.
NADA's:
7-126V, Sentrex.
8-446V, Pay Way Extra Rich Sentrex.
181. E. M. Peet Manufacturing Co., 33 South Twenty-Fifth Street, Council Bluffs, Iowa 51501.
NADA 3-981V, Phenothiazine.
182. Pendergrast Chemical Co., 313 Chester Avenue, S.E., Atlanta, Ga. 30316.
NADA's:
7-142V, Sulfa-Quinox.
7-385V, Sol-Nox.
183. Peters Serum Co., Laboratories, Livestock Exchange Building, Kansas City, Mo. 64120.
NADA 3-773V, Peters Swine Mixture Powder.
184. Pfeiffer Co., 3965 Laclede Avenue, St. Louis, Mo. 63108.
NADA 3-686V, Lynn's Tape Worm Tablets.
185. Chas. Pfizer & Co., Inc., 235 East 42d Street, New York, N.Y. 10017.
NADA's:
8-100V, Crystalline Terramycin Ophthalmic Solution.
8-101V, Crystalline Terramycin Hydrochloride Ophthalmic Ointment.
8-175V, Crystalline Terramycin Hydrochloride Ointment for Udder Infusion.
8-698V, Terramycin I.V., Terramycin I.M., Vet.
8-766V, Terramycin Ointment With Polymyxin B. Sulfate.
9-593V, Magnamycin Tablets, Vet.
9-673V, Bonamine Tablets.
9-793V, Terramycin SF—for Oral Suspension.
10-108V, Ketrane.
10-828V, Sterane Tablets and Sterane Intramuscular.
10-857V, Terra-Cortril Ophthalmic Suspension.
10-898V, Blo-Trol.
11-373V, Tran-Q.
11-709V, Tran-Q Premix.
12-183V, Pfizer Iron Injectable.
186. Phillips Roxane, Inc., 2621 North Belt Highway, St. Joseph, Mo. 64502.
NADA's:
6-986V, Sulfa-Q-Oxaline Liquid.
7-417V, Wilke Triple Purpose Pink Drench.
8-783V, Solution of Sulfaquinoxaline Sodium.
9-318V, Sulfaquinoxaline Sodium Solution.
187. Pitman-Moore, Inc., Camp Hill Road, Fort Washington, Pa. 19034.
NADA's:
2-762V, Nicofer.
4-545V, Diethylstilbestrol Injection & Tablets.
5-516V, Tick-Tox No. 2.
6-399V, Chlor-Ethamine Compound.
- 6-870V, Cocciquin.
7-184V, Pyrahistine and Pyrahistine-B.
8-810V, Vetatycin Tablets.
9-253V, Meratycin Tablets.
10-442V, Cortrovet.
10-499V, Omnidiops Solution.
11-465V, Repositol Vetacortrone.
12-853V, Dexamethasone.
12X854V, Parenteral Solution Repositol Vetacortrone-D.
12-899V, Ropad Tablets.
188. Prentiss Drug & Chemical Co., Inc., 101 West 31st Street, New York, N.Y. 10001.
NADA 8-401V, Plasmylac.
189. Quaker Oats Co., Merchandise Plaza, Chicago, Ill. 60654.
NADA 6-284V, "The Big Q".
190. Ralston Purina Co., 835 South 8th Street, St. Louis, Mo. 63199.
NADA's:
6-671V, Sulfa Nox.
8-002V, Enheptin Soluble, Purina Disinfectant and Purina Enheptin Black-head Control.
10-014V, Purina Liquid Wormer for Poultry and Swine.
13-036V, Purina Tylan Injectable.
191. Reed Pharmacal Co., (Formerly Hopkins & Hopkins Pharm. Co.), SW Corner Emerald & Stella Streets, Philadelphia, Pa. 19131.
NADA's:
6-616V, Quinox.
6-651V, Quinox Powder.
7-546V, Antihep.
7-782V, Antihep Tablets.
8-037V, Antihep Soluble Tablets and Powder.
8-042V, Concentrated Quinox Solution.
8-206V, Hopkingro Feed Supplement.
8-207V, Soluble Quinox Powder.
8-479V, Hopkingro-Quinox Feed Supplement.
8-837V, Hopkingro Solution, Vet.
192. Rhinecliff Laboratories, Inc., 733 East Manchester Avenue, Los Angeles, Calif. 90001.
NADA 12-370V, Polysulfamide.
193. Riker Laboratories, Northridge, Calif. 91324.
NADA 9-051V, Solution of I.V. Rikelate Calcium or Solution I.V. Calcium Disodium Versenate for Veterinary Use.
194. Salsbury Laboratories, Rockford Road (Hwy. 14), Charles City, Iowa 50616.
NADA's:
4-224V, Phen-O-Sal.
6-427V, Dr. Salsbury's Cloro-Caps.
6-840V, Dr. Salsbury's Chlordane 4.
7-263V, Nitro-Sal.
7-975V, Wormal Granules.
8-498V, Paranate.
8-754V, Wormal Tablets.
9-065V, Pronide.
195. Savoy Drug & Chemical Co., 16 South Peoria Street, Chicago, Ill. 60607.
NADA 6-832V, Sulfaquinoxaline Sodium Sulfate Tablets.
196. Schering Corp., 86 Orange Street, Bloomfield, N.J. 07003.
NADA's:
2-606V, Shipp's O.S.G. Dog Capsules.
6-349V, A.S.L. R-Sen-O.
6-593V, Tablets Thalamyd.
6-626V, Laxeptic.
8-297V, A.S.L. Heptrol Feed Mix and A.S.L. Sulfa Q-50.
8-938V, Thalamyd-Veterinary, Sodium Thalamyd-Veterinary.
9-161V, Sulfa Q-50.
9-584V, SCH-3132.
9-682V, Cortogen Acetate Injection (IM) Cortomyd Ophthalmic, Suspension, Cortogen Tablets.
10-011V, Meticorten Tablets.
10-305V, Variton Compound, Boluses and Tablets.
- 11-238V, Meticortelone Intravenous Soluble, Vet.
11-406V, Variton Aerosol, Vet.
12-325V, Azium Acetate, Aqueous Suspension.
12-414V, Fulvidex Aerosol Veterinary.
197. Sealtest Foods, National Dairy Research Lab., Inc., National Dairy Products Corp., 605 Third Avenue, New York, N.Y. 10016.
NADA 10-674V, Soluble Lactates Mix.
198. Standard Chemical Co., 1013-1017 High Street, Des Moines, Iowa 50309.
NADA's:
668V, Coll-Camph Mixture Rx1.
669V, Coll-Camph Mixture Rx2.
753V, Stanex Canine Tablets, Stanex Canine Powder.
754V, Stan-Nico.
1-492V, Veterinary Rogolen.
3-210V, Phenothiazine.
199. Strassenburg Laboratories, 755 Jefferson Road, Rochester, N.Y. 14603.
NADA's:
006V, Thiotrite Tablets.
876V, Utabs.
1-629V, Argentis Ointment.
1-630V, Quick Drying Pyoktol Veterinary.
2-492V, Sulfanilamide.
2-726V, Ributyl with Phenol Phthalein Veterinary Capsules.
2-742V, Phenothiazine Poultry Tablets.
3-227V, Pheno-Thiazine Suspension.
3-304V, Pheno-Thiazine Tablets.
3-433V, U.S.B. Veterinary Solution.
3-594V, Tablets Pheno-Thiazine, 30 gr.
3-793V, Povage.
3-846V, I.V. Solution Sodium Pentobarbital.
4-074V, Alopecose Veterinary Powder with Metropine.
5-566V, Reazol Veterinary Solution.
6-656V, Gexane Liquid Veterinary.
6-786V, Sulfaquinoxaline Sodium Tablets.
7-248V, Renstamin Veterinary.
7-323V, Sulfaquinoxaline Sodium Solution.
200. E. R. Squibb & Sons, Georges Road, New Brunswick, N.J. 08900.
NADA's:
3-873V, Novoxil.
4-951V, Dicoce.
6-731V, Novoxil Utercaps.
8-400V, Plasmylac.
8-841V, Veterinary Ointment Spectrocin.
9-256V, Proloactyl H.P.
9-777V, Solactyl H.P.
10-304V, Florinef Acetate Suspension Veterinary.
10-706V, Lotion Florinef-S.
11-112V, Sucostrin Chloride.
11-195V, Florotic For Otic Suspension Veterinary.
11-261V, Rubramin.
- E. R. Squibb & Sons (formerly CIBA Pharmaceutical Co., 566 Morris Avenue, Summit, N.J. 07901).
NADA's:
3-453V, Berol for Poultry.
3-859V, Mikets (Small Size).
3-860V, Mikets (Large Size).
4-667V, Micules.
5-666V, Fowlax.
5-700V, Coridene.
5-852V, Gland-O-Lac Turk-A-Ton.
5-922V, Arcol.
6-583V, Gland-O-Lac Coritene.
6-618V, Sulfaline.
6-753V, Sulfaline Solution.
7-146V, Vioform Powder.
9-081V, Formo-Cibazol Powder.
9-109V, Coxine or Cocc VAC.
11-692V, Gland-O-Lac Hep-A-Lac.
12-099V, Gland-O-Lac Pig-An Injectable Iron.
201. Taylor Pharmacal Co., Post Office Box 1230, Decatur, Ill. 62525.

- NADA 11-622V, Sterile Prednisolone Suspension, Veterinary.
202. Tesco Chemicals, Post Office Box 4748, Atlanta, Ga. 30302.
NADA 6-852V, Sulfaquinolox Liquid.
203. Texas Phenothiazine Co., 2021 North Grove Street, Box 4186, Fort Worth, Tex. 76106.
NADA's:
6-795V, Dr. Rogers' Sul-Quo-Mix-25.
6-810V, Dr. Rogers' Sul-Quo-Liquid, Vet.
204. Thompson-Hayward Chemical Co., 5200 Speaker Road, Kansas City, Kans. 66106.
NADA's:
6-725V, TRI-6 No. 120W.
6-771V, TRI-6 No. 50W.
205. Thuron Industries (Formerly Agricultural Specialties), 12200 Denton Drive, Dallas, Tex. 75234.
NADA 8-180V, E.Q. 335 Screw Worm Remedy.
206. Travenol Laboratories, 6301 Lincoln Avenue, Morton Grove, Ill. 60053.
NADA 9-322V, Gentran.
207. Upjohn Co., 7171 Portage Road, Kalamazoo, Mich. 49001.
NADA's:
3-825V, Phenothiazine.
9-034V, Coated Tablets Erythromycin.
9-064V, Neomycin Veterinary Powder.
9-124V, Veterinary Cortisone Acetate SAS.
9-598V, Mycisulfa Compressed Tablets.
9-690V, Lotion F-Cortef Acetate.
9-691V, I.V. Cortef Vet.
9-715V, Compressed Tablet Cortef.
9-718V, Ointment F-Cortef Acetate.
9-722V, Depo-ACTH.
9-773V, Mycifraden Sulfate Compressed Tablets.
9-774V, Ophthalmic Ointment Neo-Cortef.
9-775V, Ophthalmic Ointment Neo-Cortef 1.5%.
9-776V, Ointment Neo-Cortef 1% and 2.5%.
9-836V, Ophthalmic Suspension Cortef Acetate Drops.
9-858V, S.A.S. Cortef Acetate, Vet.
9-881V, Cortef Intramuscular, SAS.
9-886V, Solu Cortef.
9-909V, Oral Suspension Cortef.
9-998V, Neo-Cortef Lotion Vet.
10-079V, Tablets Delta-Cortef.
10-080V, Deltasone Tablets.
10-096V, Sterile Injectable Suspension Neo-Cortef.
10-297V, Neo-Delta-Cortef Ointment.
10-298V, Neo-Delta-Cortef, Eye-Ear Ointment.
10-299V, Neo-Delta-Cortef, Eye-Ear Drops.
10-393V, Albamycin Capsules.
0-664V, Cordex-Forte, Cordex-Forte (Buffered).
10-665V, Albamycin Drops.
10-666V, Albamycin Syrup.
10-667V, Albamycin.
10-975V, Solu-Delta-Cortef (Veterinary).
12-021V, Neo-Oxylone Ointment.
12-308V, Prodox Drops.
12-309V, Prodox Tablets, Vet.
208. Vernost Products, Post Office Box 2818, Columbus, Ohio 43204.
NADA's:
2-603V, Vernost Improved Hog Powder.
3-320V, Liquideen For Hogs.
209. Vineland Poultry Laboratories, 2285 East Landis Avenue, Vineland, N.J. 08360.
NADA's:
5-628V, Sulfathiazole, U.S.P.
8-051V, Blackhep.
8-189V, Vineland Blackhep Soluble, Vet.
8-993V, Vineland Sulfaquinoloxalline Compound Veterinary.
12-210V, Anti-Pig Anemia Injectable.
210. Vita Vet Laboratories, Post Office Box 108, Marion, Ind. 46952.
NADA's:
8-996V, Sodium Propionate.
9-686V, Niaterra.
211. Vulcan Chemical Co., Post Office Box 383, Decatur, Ga. 30031.
NADA 7-452V, Sul Nox Liquid.
212. Carter-Wallace Inc., Half Acre Road, Cranbury, N.J. 08517.
NADA's:
6-276V, Tyrothricin Solution Vet.
6-318V, Tyrothricin Capsules, Veterinary.
6-321V, Penicile.
6-490V, T-Cap Fungicidal Tincture, Vet.
213. Warner-Lambert Pharmaceutical Co., 201 Tabor Road, Morris Plains, N.J. 07950.
NADA's:
10-624V, Triocil Topical Ointment.
11-077V, Triocil Solution (Shamplex).
11-269V, Triocil Spray.
214. Westerfield Laboratories (formerly Arnold Laboratories), 3941 Brotherton Road, Cincinnati, Ohio 45209.
NADA 6-814V, Sulfonox.
215. White Star Concentrates Co., 223 SE. 3d Avenue, Portland, Oreg. 97214.
NADA's:
6-805V, White Star Sulpha Q.
7-021 V, White Star Sulfa Q Liquid & Powder.
216. Whitmire Research Laboratories, Inc., 339 South Vandeventer Avenue, St. Louis, Mo. 63110.
NADA 8-434V, Whitmire's Screw Worm Bomb.
217. Wick and Fry, Inc., Division of Porter Steel Specialties, Inc., Cumberland, Ind. 46229.
NADA 8-351V, Quin-Sul-Nox.
218. Wilson Laboratories, 4221 South Western Boulevard, Chicago, Ill. 60609.
NADA 8-931V, Purified Corticotropin Gel (Wilson) Vet.
219. Winthrop Laboratories (formerly Winthrop Chemical Co.), 1450 Broadway, New York, N.Y. 10018.
NADA's:
2-794V, Quarcyl, Brand of Glomarcon.
4-477V, Sulfathiazole.
220. Wisconsin Alumni Research Foundation, 506 North Walnut Street, Madison, Wis. 53705.
NADA 9-306V, Kafmalak.
221. Woodbury Chemical Co., Post Office Box 788, St. Joseph, Mo. 64502.
NADA's:
6-877V, Dannel Coxid-X (SQ 32).
7-044V, Coxid-X Powder.
7-045V, Coxid-X Tablets.
222. Wyeth Laboratories, Post Office Box 8299, Philadelphia, Pa. 19101.
NADA's:
7-756V, Wydase.
9-098V, Plaviolex Injection.

In accordance with the provisions of sections 505(e) and 512(e) of the act (21 U.S.C. 355(e) and 360b(e)), the Commissioner will give the applicants, and any interested person who would be adversely affected by an order withdrawing such approval, an opportunity for a hearing at which time such persons may produce evidence and arguments to show why approval of the above-named new animal drug applications should not be withdrawn.

Within 30 days after the date of publication of this notice in the FEDERAL REGISTER, such persons are requested to file with the Hearing Clerk, Department of Health, Education, and Welfare, Office of the General Counsel, Room 6-62, 5600 Fishers Lane, Rockville, Md. 20852, a written appearance electing whether:

1. To avail themselves of the opportunity for a hearing; or
2. Not to avail themselves of the opportunity for a hearing.

If such persons elect not to avail themselves of the opportunity for a hearing, the Commissioner, without further notice, will enter a final order withdrawing approval of the new animal drug applications.

Failure of such persons to file a written appearance of election within said 30 days will be construed as an election by said persons not to avail themselves of the opportunity for a hearing.

The hearing contemplated by this order will be open to the public except that any portion of the hearing that concerns a method or process which the Commissioner finds is entitled to protection as a trade secret will not be open to the public, unless the respondent specifies otherwise in his appearance.

If such persons elect to avail themselves of the opportunity for a hearing, they must file a written appearance requesting the hearing and giving the reasons why approval of the new animal drug application should not be withdrawn together with a well-organized and full-factual analysis of the clinical and other investigational data they are prepared to prove in support of their opposition to the grounds for this notice. A request for a hearing may not rest upon mere allegations or denials, but must set forth the specific fact that requires a hearing. When it clearly appears from the data in the application, and from the reasons and factual analysis in the request for the hearing that no genuine and substantial issue of fact precludes the withdrawal of approval of the application, the Commissioner will enter an order stating his findings and conclusions on such data. If the hearing is requested and justified by the response to this notice, the issues will be defined, a hearing examiner will be named, and he will issue a written notice of the time and place at which the hearing will commence. The time shall be not more than 90 days after the expiration of said 30 days unless the hearing examiner and the applicant otherwise agree.

This notice is issued pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 505, 512, 52 Stat. 1052-53, as amended, 82 Stat. 343-51; 21 U.S.C. 355, 360b) and under authority delegated to the Commissioner (21 CFR 2.120).

Dated: April 15, 1971.

SAM D. FINE,
Associate Commissioner for
Compliance.

[FR Doc.71-5947 Filed 4-28-71;8:45 am]

[DESI 11210]

CERTAIN ANTITUSSIVE DRUGS Drugs for Human Use; Drug Efficacy Study Implementation

The Food and Drug Administration has evaluated reports received from the National Academy of Sciences-National

Research Council, Drug Efficacy Study Group, on the following drugs:

1. Tessalon Perles containing benzonatate; marketed by Ciba Pharmaceutical Co., 556 Morris Avenue, Summit, New Jersey 07901 (NDA 11-210).

2. Novrad Suspension and Pulvules containing levopropoxyphene napsylate; marketed by Eli Lilly & Co., Post Office Box 618; Indianapolis, Indiana 46206 (NDA 12-928).

3. Ulo Syrup containing chlophedianol hydrochloride and chloroform; marketed by Riker Laboratories, Inc., 19901 Nordhoff Street, Northridge, California 91326 (NDA 12-126).

Such drugs are regarded as new drugs (21 U.S.C. 321(p)). Supplemental new-drug applications are required to revise the labeling in and to update previously approved applications providing for such drugs. A new-drug application is required from any person marketing such drug without approval.

A. Effectiveness classification. The Food and Drug Administration has considered the Academy's reports, as well as other available evidence, and concludes that these drugs are effective for the symptomatic relief of cough.

B. Conditions for approval and marketing. The Food and Drug Administration is prepared to approve abbreviated new-drug applications and abbreviated supplements to previously approved new-drug applications under conditions described herein.

1. *Form of drug.* These preparations are in syrup, suspension or capsule form suitable for oral administration.

2. *Labeling conditions.* a. The labels bear the statement "Caution: Federal law prohibits dispensing without prescription."

b. The drugs are labeled to comply with all requirements of the Act and regulations. The labeling bears adequate information for safe and effective use of the drug and is in accord with the guidelines for uniform labeling published in the FEDERAL REGISTER of February 6, 1970. The "Indications" section is as follows:

INDICATIONS

Symptomatic relief of cough.

3. *Marketing status.* Marketing of such drugs may be continued under the conditions described in the notice entitled "Conditions for Marketing New Drugs Evaluated in Drug Efficacy Study" published in the FEDERAL REGISTER July 14, 1970 (35 F.R. 11273), as follows:

a. For holders of "deemed approved" new-drug applications (i.e., an application which became effective on the basis of safety prior to October 10, 1962), the submission of a supplement for revised labeling and an abbreviated supplement for updating information as described in paragraphs (a) (1) (i) and (iii) of the notice of July 14, 1970.

b. For any person who does not hold an approved or effective new-drug application, the submission of an abbreviated new-drug application as described in paragraph (a) (3) (i) of that notice.

c. For any distributor of the drug, the use of labeling in accord with this

announcement for any such drug shipped within the jurisdiction of the Act as described in paragraph (b) of that notice.

A copy of the Academy's report has been furnished to each firm referred to above. Any other interested person may obtain a copy by request to the Food and Drug Administration, Press Relations Office (CE-200), 200 C Street SW., Washington, D.C. 20204.

Communications forwarded in response to this announcement should be identified with the reference number DESI 11210, directed to the attention of the appropriate office listed below, and addressed to the Food and Drug Administration, 5600 Fishers Lane, Rockville, Maryland 20852:

Supplements (identify with NDA number): Office of Scientific Evaluation (BD-100), Bureau of Drugs.

Original abbreviated new-drug applications (identify as such): Drug Efficacy Study Implementation Project Office (BD-5), Bureau of Drugs.

All other communications regarding this announcement: Drug Efficacy Study Implementation Project Office (BD-5), Bureau of Drugs.

This notice is issued pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 502, 505, 52 Stat. 1050-53, as amended; 21 U.S.C. 352, 355) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120).

Dated April 1, 1971.

SAM D. FINE,
Associate Commissioner
for Compliance.

[FR Doc.71-5948 Filed 4-28-71; 8:46 am]

[DESI 9794]

CERTAIN DRUGS FOR TOPICAL USE CONTAINING HYDROCORTISONE AND PANTHENOL

Drugs for Human Use; Drug Efficacy Study Implementation

The Food and Drug Administration has evaluated a report received from the National Academy of Sciences-National Research Council, Drug Efficacy Study Group, on the following drugs:

Pantho-F 0.2 percent and 1 percent Cream, containing hydrocortisone and panthenol; marketed by USV Pharmaceutical Corp., 800 Second Avenue, New York, New York 10017 (NDA 9-794).

The drugs are regarded as new drugs. The effectiveness classification and marketing status are described below.

A. Effectiveness classification. The Food and Drug Administration has considered the Academy's report, as well as other available evidence, and concludes that these hydrocortisone-panthenol creams are possibly effective for all of their labeled indications in steroid-sensitive dermatologic conditions.

B. Marketing status. Marketing of such drug with labeling which recommends or suggests its use for indications for which it has been classified as possibly effective may be continued for 6 months as described in paragraphs (d),

(e), and (f) of the notice "Conditions for Marketing New Drugs Evaluated in Drug Efficacy Study," published in the FEDERAL REGISTER July 14, 1970 (35 F.R. 11273).

The above-named holder of the new-drug application for this drug has been mailed a copy of the Academy's report. Any interested person may obtain a copy of these reports by writing to the Food and Drug Administration, Press Relations Office (CE-200), 200 C Street SW., Washington, D.C. 20204.

Communications forwarded in response to this announcement should be identified with the reference number DESI 9794, directed to the attention of the office named below, and addressed to the Food and Drug Administration, 5600 Fishers Lane, Rockville, Maryland 20852:

Supplements (identify with NDA number): Office of Scientific Evaluation (BD-100), Bureau of Drugs.

Original new-drug applications: Office of Scientific Evaluation (BD-100), Bureau of Drugs.

All other communications regarding this announcement: Drug Efficacy Study Implementation Project Office (BD-5), Bureau of Drugs.

This notice is issued pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 502, 505, 52 Stat. 1050-53, as amended; 21 U.S.C. 352, 355) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120).

Dated: April 5, 1971.

SAM D. FINE,
Associate Commissioner
for Compliance.

[FR Doc.71-5950 Filed 4-28-71; 8:46 am]

[DESI 5590]

PITUITARY-CHORIONIC GONADOTROPINS

Drugs for Human Use; Drug Efficacy Study Implementation

The Food and Drug Administration has evaluated a report received from the National Academy of Sciences-National Research Council, Drug Efficacy Study Group, on the following drug:

Synapoidin Steri-Vial containing pituitary-chorionic gonadotropins, marketed by Parke-Davis and Co., Box 118, G.P.O., Detroit, Michigan 48232 (NDA 5-590).

The Academy commented that the unfavorable imbalance between benefit and risk of serious untoward effects with gonadotropins of animal origin does not warrant their continued use inasmuch as other available means have equivalent benefit and much less risk. The Academy observed that the use of gonadotropins of animal origin entails the risk of eliciting the formation of antibodies to its animal protein content so that allergic reactions may be produced by its use. The Food and Drug Administration concludes, therefore, that there is a lack of substantial evidence that the effectiveness of

gonadotropins of animal origin is sufficient to justify their use in view of their known hazards. Accordingly, the Commissioner intends to initiate proceedings to withdraw approval of the above-listed new-drug application and all other new-drug applications for drugs which contain gonadotropins of animal origin for parenteral use in man.

Prior to initiating such action, however, the Commissioner invites the holder of the above new-drug application and any interested person who may be adversely affected by the removal of preparations containing gonadotropins of animal origin from the market to submit any pertinent data bearing on the proposal within 30 days after publication of this notice in the FEDERAL REGISTER.

To be acceptable for consideration in support of the safety and effectiveness of a drug, any such data must be previously unsubmitted, well organized, and include data from adequate and well-controlled clinical investigations (identified for ready review) as described in § 130.12(a)(5) of the regulations published as a final order in the FEDERAL REGISTER of May 8, 1970 (35 F.R. 7250). Carefully conducted and documented clinical studies obtained under uncontrolled or partially controlled situations are not acceptable as a sole basis for the approval of claims of effectiveness, but such studies may be considered on their merits for corroborative support of efficacy and evidence of safety.

This announcement of the proposed action and implementation of the NAS-NRC report for such drugs is made to give notice to persons who might be adversely affected by their withdrawal from the market. Promulgation of an order withdrawing approval of the new-drug applications will cause any such drug on the market to be a new drug for which an approved new-drug application is not in effect and will make it subject to regulatory action.

The above-named holder of the subject new-drug application has been mailed a copy of the NAS-NRC report, and any interested person may obtain a copy on request from the office named below.

Communications forwarded in response to this announcement should refer to DESI number 5590 which identifies this announcement and should be directed to the following appropriate office and addressed to the Food and Drug Administration.

Requests for NAS-NRC report: Press Relations Office (CE-200), 200 "C" Street SW., Washington, D.C. 20204.
All other communications regarding this announcement: Drug Efficacy Study Implementation Project Office (BD-5), Bureau of Drugs, 5600 Fishers Lane, Rockville, Maryland 20852.

This announcement is issued pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sections 502, 505, 52 Stat. 1050-53, as amended; 21 U.S.C. 352, 355) and under authority delegated to

the Commissioner of Food and Drugs (21 CFR 2.120).

Dated: April 8, 1971.

SAM D. FINE,
Associate Commissioner for
Compliance.

[FR Doc.71-5949 Filed 4-28-71; 8:46 am]

[Docket No. FDC-D-331; NDA 6-046]

BREWER AND CO.

Sodium Succinate Injection; Notice of Opportunity for Hearing on Proposal To Withdraw Approval of New-Drug Application

In a notice (DESI 6046) published in the FEDERAL REGISTER of March 27, 1970 (35 F.R. 5190), the Commissioner of Food and Drugs announced his conclusions pursuant to the evaluation of a report received from the National Academy of Sciences-National Research Council, Drug Efficacy Study Group, on Soduxin (sodium succinate) for intravenous use, provided for by new-drug application No. 6-046, held by Brewer and Co., 6 Roosevelt Avenue, Box 190, Mystic, Connecticut 06355, stating that this drug is regarded as effective, possibly effective, and lacking substantial evidence of effectiveness for its various labeled indications. The possibly effective indications have been reclassified as lacking substantial evidence of effectiveness in that no new evidence of effectiveness of this drug has been submitted within the period provided, nor has the new drug application been satisfactorily supplemented in accordance with the March 27, 1970 announcement.

Therefore, notice is hereby given to Brewer and Co., and to any interested person who may be adversely affected, that the Commissioner proposes to issue an order under section 505(e) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(e)) withdrawing approval of NDA 6-046 and all amendments and supplements thereto on the grounds that new information before him with respect to such drug, evaluated together with the evidence available to him when the application was approved, shows there is a lack of substantial evidence that the drug will have all the effects it purports or is represented to have under the conditions of use prescribed, recommended, or suggested in its labeling.

In accordance with the provisions of section 505 of the Act (21 U.S.C. 355) and the regulations promulgated thereunder (21 CFR Part 130), the Commissioner will give the applicant, and any interested person who would be adversely affected by an order withdrawing such approval, an opportunity for a hearing to show why approval of the new-drug application should not be withdrawn.

Within 30 days after publication hereof in the FEDERAL REGISTER, such persons are required to file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 6-62, 5600 Fishers Lane, Rockville, Maryland 20852, a written appearance electing whether:

1. To avail themselves of the opportunity for a hearing; or

2. Not to avail themselves of the opportunity for a hearing.

If such persons elect not to avail themselves of the opportunity for a hearing, the Commissioner without further notice will enter a final order withdrawing approval of the new-drug application. Failure of such persons to file a written appearance of election within said 30 days will be construed as an election by such persons not to avail themselves of the opportunity for a hearing.

The hearing contemplated by this notice will be open to the public except that any portion of the hearing that concerns a method or process the Commissioner finds entitled to protection as a trade secret will not be open to the public, unless the respondent specifies otherwise in his appearance.

If such persons elect to avail themselves of the opportunity for a hearing, they must file within 30 days after the publication of this notice in the FEDERAL REGISTER a written appearance requesting the hearing, giving the reasons why approval of the new-drug application should not be withdrawn together with a well-organized and full-factual analysis of the clinical and other investigational data they are prepared to prove in support of their opposition. A request for a hearing may not rest upon mere allegations or denials, but must set forth specific facts showing that a genuine and substantial issue of fact requires a hearing. When it clearly appears from the data in the application and from the reasons and factual analysis in the request for the hearing that no genuine and substantial issue of fact precludes the withdrawal of approval of the application, the Commissioner will enter an order on these data, making findings and conclusions on such data.

If a hearing is requested and justified by the response to this notice, the issues will be defined, a hearing examiner will be named, and he shall issue, as soon as practicable after the expiration of such 30 days, a written notice of the time and place at which the hearing will commence (35 F.R. 7250, May 8, 1970; 35 F.R. 16631, Oct. 27, 1970).

This notice is issued pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 505, 52 Stat. 1052-53; as amended; 21 U.S.C. 355) and under authority delegated to the Commissioner (21 CFR 2.120).

Dated: April 20, 1971.

SAM D. FINE,
Associate Commissioner for
Compliance.

[FR Doc.71-5951 Filed 4-28-71; 8:46 am]

[Docket No. FDC-D-319; NADA No. 9223V and 9-600V]

RALSTON PURINA CO. AND FARM CHEMICALS CO.

Cadmium Salts; Notice of Opportunity for Hearing

In the FEDERAL REGISTER of February 1, 1969 (34 F.R. 1609), the Commissioner

of Food and Drugs announced the conclusions of the Food and Drug Administration and the National Academy of Sciences-National Research Council Drug Efficacy Study Group, following evaluation by the Administration of reports received from the Academy for preparations which contain Cadmium Salts as the designated active drug ingredient for use as an anthelmintic in dogs and swine.

The announcement invited the holders of new animal drug applications for cadmium salts and any other interested persons to submit pertinent data on the drugs' effectiveness.

No data were received in response to the announcement and available information fails to provide substantial evidence of effectiveness of the drug for its recommended uses.

Efficacy data covering the below-listed products have been reviewed by the Administration. These products are similar in composition to the drugs named in said announcement but were not furnished for review by the Academy as requested in the notice regarding drug effectiveness which was published in the FEDERAL REGISTER of July 9, 1966 (31 F.R. 9426). They were, therefore, not evaluated by the Academy. The above-mentioned findings of the Administration regarding drug effectiveness apply equally to the following products:

1. Purina Pig Wormer and Purina Pig Wormer Concentrate; NADA No. 9-223V; Ralston Purina Co., St. Louis, Mo. 63199.
2. C-O Pig Wormer; NADA No. 9-600V; Farm Chemicals Co., Post Office Box 108, Marion, Ind. 46952.

Therefore, notice is given to the above-named firms and to any interested person who may be adversely affected that the Commissioner proposes to issue an order under section 512(e) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360b (e)) withdrawing approval of the new animal drug applications listed above and all amendments and supplements thereto held by said firms for the listed drug products on the grounds that:

Information before the Commissioner with respect to the drugs was evaluated together with the evidence available to him when the applications were approved. These data do not provide substantial evidence that the drugs have the effect they purport or are represented to have under the conditions of use prescribed, recommended, or suggested in their labeling.

In accordance with the provisions of section 512 of the act (21 U.S.C. 360b), the Commissioner will give the applicants and any interested person who would be adversely affected by an order withdrawing such approval an opportunity for a hearing at which time such persons may produce evidence and arguments to show why approval of the above-named new animal drug applications should not be withdrawn. Promulgation of the order will cause any drug similar in composition to the above-listed drug products and recommended for similar conditions of use to be a new animal drug for which an approved new animal drug application is not in effect.

Any such drug then on the market would be subject to regulatory proceedings.

Within 30 days after publication hereof in the FEDERAL REGISTER, such persons are required to file with the Hearing Clerk, Department of Health, Education, and Welfare, Office of the General Counsel, Room 6-62, 5600 Fishers Lane, Rockville, Md. 20852, a written appearance electing whether:

1. To avail themselves of the opportunity for a hearing; or
2. Not to avail themselves of the opportunity for a hearing.

If such persons elect not to avail themselves of the opportunity for a hearing, the Commissioner without further notice will enter a final order withdrawing the approval of the new animal drug applications.

Failure of such persons to file a written appearance of election within said 30 days will be construed as an election by such persons not to avail themselves of the opportunity for a hearing.

The hearing contemplated by this notice will be open to the public except that any portion of the hearing that concerns a method or process the Commissioner finds entitled to protection as a trade secret will not be open to the public, unless the respondent specifies otherwise in his appearance.

If such persons elect to avail themselves of the opportunity for a hearing, they must file a written appearance requesting the hearing and giving the reasons why approval of the new animal drug application should not be withdrawn together with a well-organized and full-factual analysis of the clinical and other investigational data they are prepared to prove in support of their opposition to the grounds for this notice. A request for a hearing may not rest upon mere allegations or denials but must set forth specific facts showing that a genuine and substantial issue of fact requires a hearing. When it clearly appears from the data in the application and from the reasons and factual analysis in the request for the hearing that no genuine and substantial issue of fact precludes the withdrawal of approval of the application, the Commissioner will enter an order stating his findings and conclusions on such data. If a hearing is requested and justified by the response to this notice, the issues will be defined, a hearing examiner named, and he shall issue a written notice of the time and place at which the hearing will commence. The time shall be not more than 90 days after the expiration of said 30 days unless the hearing examiner and the applicant otherwise agree.

This notice is issued pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 512, 82 Stat. 343-51; 21 U.S.C. 360b) and under authority delegated to the Commissioner (21 CFR 2.120).

Dated: April 20, 1971.

SAM D. FINE,
Associate Commissioner
for Compliance.

[FR Doc.71-5942 Filed 4-28-71;8:46 am]

ATOMIC ENERGY COMMISSION

LOS ALAMOS SCIENTIFIC LABORATORY PLUTONIUM FACILITY

Notice of Availability of General Manager's Draft Environmental Statement

Notice is hereby given that a document entitled, "Draft Environmental Statement—Los Alamos Scientific Laboratory Plutonium Facility," issued pursuant to the Atomic Energy Commission's implementation of section 102(2)(C) of the National Environmental Policy Act of 1969 is being placed in the Commission's Public Document Room, 1717 H Street NW., Washington, DC 20545, and in the Commission's Albuquerque Operations Office, Post Office Box 5400, Albuquerque, NM 87115; the San Francisco Operations Office, 2111 Bancroft Way, Berkeley, Calif. 94704; the Chicago Operations Office, 9800 South Cass, Argonne, IL 60439; and the New York Operations Office, 376 Hudson Street, New York, NY 10014. This statement covers the environmental aspects of AEC's proposed construction of a new plutonium facility at its Los Alamos Scientific Laboratory.

The draft environmental statement will be furnished upon request addressed to the General Manager, U.S. Atomic Energy Commission, Washington, D.C. 20545.

Dated at Washington, D.C., this 22d day of April 1971.

For the Atomic Energy Commission.

W. B. McCool,
Secretary of the Commission.

[FR Doc.71-5941 Filed 4-28-71;8:45 am]

CIVIL AERONAUTICS BOARD

[Docket No. 16080; Order 71-4-163]

AIR TRANSPORT ASSOCIATION OF AMERICA

Order Regarding Containerization

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 23d day of April 1971.

Beginning in 1965, the Board authorized carrier and shipper-carrier discussions regarding the use of containers in domestic air freight service.¹ Such discussions were periodically renewed during subsequent years,² and an ensuing series of agreements were approved by the Board, subject to conditions in some instances. The current agreement (CAB 21225) was approved by the Board by Order 69-12-27 dated December 4, 1969.³

¹ Orders E-22190, E-22276, E-22398, E-22556, E-22872, and E-23104.

² Orders E-26678, 68-7-124, 69-2-15, 69-5-47, and 69-6-44.

³ Appendix A to Order 69-12-27 sets forth the current domestic industry container program in considerable detail.

The agreement and the carriers' container tariff are marked to expire June 3, 1971.⁴

By letter dated December 9, 1970, as amended on February 2, 1971, the Air Transport Association of America (ATA), on behalf of the airline signatories to Agreement CAB 21225⁵ requests that the Board authorize the carriers to renew discussions among themselves and with their customers for an unspecified period. The request was accompanied by a detailed and extensive agenda and a narrative justification as to why changes in the agreement or tariffs cannot be effected unilaterally by the carriers, why collective discussions and action are believed to be necessary, and why such action is believed to be in the public interest.⁶

Briefly summarized, the carriers state that the Congress has stressed the need for increased air cargo security, which the container program provides; that there is a continuing need for coordination and compatibility with the international air carriers' container program; that customers need assurance for capital investment purposes as to the continuing and uniform configurations of containers, conditions for acceptance, procedures, and discounting techniques; that the current program is successful but needs midcourse correction; that the carrier efforts to date have not been restrictive or retarded the growth of container traffic; and that a continuing dialogue with shippers, including forwarders, would be beneficial to all parties.

The discussion agenda proposed by the airlines concerns such rate-related matters as minimum chargeable weights; new or revised unitization and density incentives, and free-time and tare allowance for existing containers (Types A, B, B-2, D, LD-3, and LD-7, and multiple shipments of such containers); new provisions for shipper-owned Type A containers with a uniform tare allowance; the introduction of smaller new containers, and incentives thereon; extension of the agreement to Alaska and Hawaii; loading and unloading of shipper containers by the carrier; rating of outside pieces accompanying containers; and carrier liability on concealed loss when in containers. Other matters which the carriers propose to discuss relate to compatibility and interchangeability of domestic containers with international containers; and standardization of physical specifications for proposed Type E and

F containers, as well as a Type A pallet-igloo container consisting of a shipper-owned shell to be mounted on a carrier-owned pallet, and for a proposed LD-3 container pre-load insert unit.

In response to the petition of the direct air carriers, the Air Freight Forwarders Association (AFFA), by letter dated January 11, 1971, opposed authorization of discussions to the full extent requested, and stated that the airlines simply want to agree upon container rates, i.e., that uniform discounts produce agreed uniform rates, and that, in effect, what the airlines really want is to restrain competition. The forwarders are opposed to any agreement which prevents any individual carrier from filing incentive discounts or container rates as part of its own individual tariff filing. The forwarders do not oppose, and in fact endorse, the proposed discussions with respect to issues concerning the interchange of container units between carriers, or the question of types, shapes, and sizes of container.

Upon consideration of the carriers' request and the items to be discussed, the opposition expressed by the forwarders, and other relevant matters, the Board will deny the rate-oriented aspects of the petition, and will authorize discussions of other matters. Many aspects of the program dealing with pricing principles, such as unitization and density discounts, appear to be well established at this point in time. The scope of the proposed discussions and intended agreement is largely concerned with rate matters. Thus, the carriers would attempt to agree upon and restrict, inter alia, the maximum dollar incentives for single and multicontainers, whether to introduce discounts, new containers, and similar matters. While past collective carrier actions as authorized by the Board produced results found to be in the public interest and were approved by the Board, at this present stage of development of the use of containers there is much less apparent need to continue intercarrier discussion and any agreement procedure. Indeed, the carriers have made little showing how the public interest would be advanced by further use of this procedure at this time. On the contrary, it appears that the public interest would be best served if future container rates and related economic provisions are established by individual carrier action in the normal competitive framework, which should give maximum opportunity for the exercise of both innovation and efficiency. To the extent that some ensuing rate filings may be deemed uneconomic by competitors, the Board's statutory powers to suspend and investigate should forestall widespread or destructive rate filings.⁷

Conversely, a concerted approach with respect to such matters as physical specifications of the various sizes and shapes of containers, marking and coding thereof, and uniformity of domestic and

⁷ The Board will expect the carriers to continue to report container traffic data to the Board.

international container sizes, marks and codes, does not appear to be adverse to the public interest or in violation of the Act. The Board notes that the forwarders in fact endorse discussions of such matters, provided that the right of individual direct air carrier action to introduce new containers on which agreed standards have not been set should be preserved. The Board will of course expect the direct carriers to give every consideration to this question in the course of their discussions.

As before, the Board will impose the usual conditions on the carriers with respect to notice, agendas, and minutes of meetings, attendance by shippers and Board observers, and the filing of agreements with and approval by the Board prior to implementing such agreements in their tariffs or otherwise.

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly sections 204(a), 412, and 414:

It is ordered, That:

1. The petition of the Air Transport Association of America dated December 9, 1970, as amended February 2, 1971, in Docket 16080, is denied, except as hereinafter approved;

2. All interested scheduled U.S. route air carriers are authorized to engage in discussions for interstate and overseas application for 90 days following the date of this order on the following matters:

(a) The compatibility and interchangeability of domestic containers versus international containers;

(b) Establishment of standard physical specifications on

(i) A shipper-owned Type A pallet-igloo container;

(ii) A Type A container consisting of a combination of a shipper-owned shell and a carrier-owned pallet;

(iii) Shipper-owned containers of less than 63 cubic feet, such as a Type E or F of approximately 20 to 30 cubic feet; and

(iv) A carrier- or shipper-owned pre-load insert for the belly containers of wide-bodied aircraft;

Provided, however, That such discussions shall not include the matter of rates or rate discounts on such containers, or any other economic considerations which tend to affect the pricing of such containers;

3. A notice of any meeting called pursuant to this order shall be filed with the Board in this Docket and mailed to all interested persons upon request and to all scheduled domestic air carriers at least 10 calendar days prior to such meetings;

4. The Civil Aeronautics Board reserves the right to have one or more observers in attendance at these meetings;

5. Interested persons shall have the right to file written comments with the Board in this Docket, and with the carriers, at any time, and shall, upon request, be permitted to meet with and present their views to the carriers;

6. Complete and accurate minutes shall be kept of all discussions by the carriers, and a true copy thereof filed with the Board and mailed to all interested shippers and air carriers not later

⁴ The agreement contained an advance authorization for ATA to petition the Board for renewal of discussions for the purpose of review and possible modification.

⁵ By letter dated Mar. 12, 1971, American Airlines, Inc., has notified the Board of its intention to withdraw from the agreement effective Apr. 15, 1971, and Airlift International, Inc., Braniff Airways, Inc., Eastern Air Lines, Inc., The Flying Tiger Line Inc., Northwest Airlines, Inc., Seaboard World Airlines, Inc., Trans World Airlines, Inc., and United Air Lines, Inc. have stated that they intend to do the same. The carriers still support the request for further discussions, however.

⁶ An earlier brief request by ATA was denied by the Board for lack of definitive information as to the matters to be discussed (Order 70-9-71 dated Sept. 15, 1970).

than 20 days after the conclusion of each meeting;

7. Any agreement or agreements reached as a result of such discussions shall be filed with the Board in accordance with section 412 of the Federal Aviation Act of 1958, and mailed to all interested shippers and air carriers, and approved by the Board prior to being placed in effect or filed in tariff form; and

8. A copy of this order will be served upon the Air Transport Association and the Air Freight Forwarder Association.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HARRY J. ZINK,
Secretary.

[FR Doc.71-6010 Filed 4-28-71;8:51 am]

[Docket No. 20993; Order 71-4-145]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Regarding Specific Commodity Rates

Issued under delegated authority on April 22, 1971.

An agreement has been filed with the Board pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's economic regulations, between various air carriers, foreign air carriers, and other carriers, embodied in the resolutions of the Joint Conferences of the International Air Transport Association (IATA), and adopted pursuant to the provisions of Resolution 590 dealing with specific commodity rates.

The agreement, adopted pursuant to unprotested notices to the carriers, was promulgated in an IATA letter dated April 16, 1971. As indicated below, it specifies a rate under a new specific commodity description, which reflects a significant reduction from the general cargo rates. In addition, the rate on Item 9244 (fishing equipment etc.¹), previously approved by the Board from Zurich to New York, is extended beyond March 31, 1971, to September 30, 1971.

R-4:

Commodity Item 1202—Leather Goods, N.E.S. 183 cents per kg., minimum weight 200 kgs. Bombay/Delhi to New York.

Pursuant to authority duly delegated by the Board in the Board's economic regulations, 14 CFR 385.14, it is not found, on a tentative basis, that the subject agreement is adverse to the public interest or in violation of the Act: *Provided*, That tentative approval thereof is conditioned as hereinafter ordered.

Accordingly, it is ordered, That:

¹ R-3.

Action on Agreement CAB 22332, R-3 and R-4, be and hereby is deferred with a view toward eventual approval, provided that approval shall not constitute approval of the specific commodity descriptions contained therein for purposes of tariff publication; provided further that such tariff filings shall be marked to become effective on not less than 30 days' notice from the date of filing.

Persons entitled to petition the Board for review of this order, pursuant to the Board's economic regulations, 14 CFR 385.50, may, within 10 days after the date of service of this order, file such petitions in support of or in opposition to our proposed action herein.

This order will be published in the FEDERAL REGISTER.

[SEAL] HARRY J. ZINK,
Secretary.

[FR Doc.71-6011 Filed 4-28-71;8:51 am]

[Docket No. 23167]

TEXAS-MEXICO SERVICE INVESTIGATION

Notice of Prehearing Conference

Notice is hereby given that a prehearing conference in the above-entitled matter is assigned to be held on May 13, 1971, at 10 a.m., e.d.s.t., in Room 911, Universal Building, 1825 Connecticut Avenue NW., Washington, DC, before Examiner Robert L. Park.

Requests for information and evidence, proposed statements of issues, and proposed procedural dates shall be submitted by all parties on or before May 7, 1971.

Dated at Washington, D.C., April 26, 1971.

[SEAL] THOMAS L. WRENN,
Chief Examiner.

[FR Doc.71-6012 Filed 4-28-71;8:51 am]

TARIFF COMMISSION

[337-L-44]

COLD-FORMED MOUNTS FOR SEMICONDUCTORS

Notice of Complaint Received

The U.S. Tariff Commission hereby gives notice of the receipt on March 10, 1971, of a complaint under section 337 of the Tariff Act of 1930 (19 U.S.C. 1337), filed by the Nippert Company of Dayton, Ohio, alleging unfair methods of competition and unfair acts in the importation and sale of cold-formed mounts for semiconductors which is embraced within claims of U.S. Patents Nos. 3,197,843 and 3,199,000 owned by the complainant. International Rectifier Corp., 233 Kansas Street, El Segundo, CA, has been named as the importer of the subject products.

In accordance with the provisions of § 203.3 of its rules of practice and procedure (19 CFR 203.3), the Commission has initiated a preliminary inquiry into the allegations of the complaint for the purpose of determining whether there is good and sufficient reason for a full investigation, and if so whether the Commission should recommend to the President the issuance of a temporary order of exclusion from entry under section 337(f) of the Tariff Act.

A copy of the complaint is available for public inspection at the Office of the Secretary, U.S. Tariff Commission, 8th and E Streets NW., Washington, DC, and at the New York office of the Tariff Commission located in Room 437 of the Customhouse.

Information submitted by interested persons which is pertinent to the aforementioned preliminary inquiry will be considered by the Commission if it is received not later than June 11, 1971. Such information should be sent to the Secretary, U.S. Tariff Commission, 8th and E Streets NW., Washington, DC 20436. A signed original and nineteen (19) true copies of each document must be filed.

Issued: April 26, 1971.

By order of the Commission.

[SEAL] KENNETH R. MASON,
Secretary.

[FR Doc.71-5994 Filed 4-28-71;8:50 am]

FEDERAL POWER COMMISSION

[Docket No. G-2790, etc.]

AMOCO PRODUCTION CO.

Notice of Redesignation

APRIL 21, 1971.

On February 22, 1971, Amoco Production Co. filed a petition to advise the Commission that its corporate name had been changed from Pan American Petroleum Corp. by Certificate of Amendment of its Certificate of Incorporation dated January 18, 1971, and effective February 1, 1971.

Accordingly, the name of the certificate holder, applicant, or respondent in each of the dockets set forth in the appendix below is changed from Pan American Petroleum Corp. to Amoco Production Co. and the related FPC gas rate schedules are redesignated as those of Amoco Production Co. with the same numerical designations.

KENNETH F. PLUMB,
Acting Secretary.

FPC gas rate schedule No.	Certificate docket No.	Purchaser code No.	Rate docket No.
505	CI68-600	24	RI69-427.
506	CI68-642	8	
507	CI68-773	20	RI70-190.
508*	CI68-919	9	RI69-325.
509	CI68-1233	38	RI71-3, RI71-638.
510	CI68-1269	6	RI70-982.
511	CI68-1421	21	RI71-638.
512	CI69-17	22	RI70-781.
513	CI68-1433	21	RI70-781.
514	CI69-35	30	
515	CI69-105	35	RI69-296.
516	CI69-114	35	RI69-227, RI71-223.
517	CI69-200	9	RI69-324.
518	CI69-365	21	RI70-660, RI70-781.
519*	CI69-364	21	RI70-644.
520	CI69-549	35	RI68-297.
521	CI69-562	2	RI69-697.
522	CI69-491	40	RI71-638.
523	CI69-529	35	RI71-638.
524	CI69-608	36	RI71-638.
525	CI69-172	36	RI70-1117, RI71-638.
526	CI69-181	36	RI70-1117, RI71-638.
527	CI69-183	36	RI70-1117, RI71-638.
528	CI69-184	36	RI70-1117, RI71-638.
529	CI69-736	9	
530	CI69-740	9	
531	CI69-829	16	RI71-638.
532	CI69-843	14	
533	CI69-231	27	RI70-1117, RI71-638.
534	CI69-749	25	RI70-1373.
535	CI69-1247	9	RI70-291.
536	CI70-100	35	RI71-638.
537*	CI70-292	36	RI71-638.
538	CI70-301	36	RI71-638.
539	CI70-310	39	RI70-1117, RI71-638.
540	CI70-311	35	RI70-1117, RI71-638.
541	CI70-403	33	RI71-281.
542	CI70-429	40	RI71-638.
543	CI70-529	40	RI71-638.
544	CI70-453	32	RI70-1414, RI71-638.
545	CI70-852	22	RI71-113.
546	CI70-906	35	RI71-638.
547	CI70-960	16	RI70-1781, RI71-638.
548	CI70-940	16	RI71-253.
549*	CI71-215	31	RI71-621.
550*	CI71-303	31	RI71-621.
551*	CI71-304	31	RI71-621.
552*	CI71-301	31	RI71-621.
553*	CI71-300	31	RI71-621.
554*	CI71-302	31	RI71-621.
555	CI71-333	6	
556*	CI71-375	32	
557	CI71-394	29	
558	CI71-425	25	
559	CI71-446	36	
560	CI71-421	45	
561 ²			
562 ²			

* (Operator), et al.
 ** (Operator).
 *** Et al.
¹ Rate schedule canceled.
² Supersedes Rate Schedule No. 145.
³ Supersedes Rate Schedule No. 100.

PENDING CERTIFICATE DOCKETS

Certificate Docket No.:	Purchaser Code No.
CI66-910	32
CI71-118	9
CI71-387	22

AREA RATE PROCEEDINGS

- Docket No. AR61-1.
- Docket No. AR61-2.
- Docket No. AR64-1.
- Docket No. AR64-2.
- Docket No. AR67-1.
- Docket No. AR69-1.
- Docket No. AR70-1.

Other proceedings

William Harvey Denman, Trustee, et al. RI67-113, et al.

Pipeline Production Area Rate Proceeding. RP-66-24.

Data for Continuing Regulation of Independent Producer Rates. RI68-625.

Requested Investigation of Adequacy of Natural Gas Reserves. RI69-470.

Transwestern Pipeline Co., et al. CP67-220, et al.

Pipeline Costs Allocable to the Transportation of Liquids, Liquefiable Hydrocarbons, etc. for Others. R-338.

Proposed Amendment to Regulations Under section 7(c) of the Natural Gas Act to Exempt Certain Transport and/or Sales of Liquefied Natural Gas. R-377.

Initial Rates for Future Sales of Natural Gas in the Permian Basin. R-389.

Initial Rates for Future Sales of Natural Gas for All Areas. R-389A.

Limitation on Provisions in Natural Gas Rate Schedules Relating to Minimum Take Provisions. R-400.

Reliability of Electric and Gas Service. R-405.

One-Day Suspension Period. R-407.

Accounting and Rate Treatment of Advance Payments to Suppliers for Exploration and Lease Acquisition of Gas Producing Properties. R-411.

PURCHASER CODE

1. Anadarko Production Co.
2. Arkansas Louisiana Gas Co.
3. Atlantic Richfield Co.
4. Champlin Oil & Refining Co.
5. Cimarron Transmission Co.
6. Cities Service Gas.
7. Colorado Interstate Gas.
8. Dorchester Gas Producing Co.
9. El Paso Natural Gas.
10. Florida Gas Transmission Co.
11. Fort Smith Gas Corp.
12. Hunt, H. L.
13. Hassie Hunt Trust.
14. Kansas-Nebraska Natural Gas Co., Inc.
15. Lone Star Gas Co.
16. Michigan-Wisconsin Pipe Line Co.
17. Mississippi River Transmission Corp.
18. Mobil Oil Corp.
19. Montana-Dakota Utilities Co.
20. Mountain Fuel Supply Co.
21. Natural Gas Pipe Line Co. of America.
22. Northern Natural Gas Co.
23. Nueces Corp., The.
24. Oklahoma Natural Gas Gathering Corp.
25. Panhandle Eastern Pipe Line Co.
26. Phillips Petroleum Co.
27. Sea Robin Pipeline Co.
28. Shamrock Oil & Gas Corp.
29. Shell Oil Co.
30. Southern Natural Gas Co.
31. Southern Union Gathering Co.
32. Tennessee Gas Pipe Line Co.
33. Texas Eastern Transmission Corp.
34. Texas Gas Pipe Line Co.
35. Texas Gas Transmission Corp.
36. Transcontinental Gas Pipe Line Corp.
37. Transwestern Pipeline Co.
38. Trunkline Gas Co.
39. United Fuel Gas Co.
40. United Gas Pipe Line Co.

41. Valley Gas Transmission Inc.
42. Western Gas Service Co.
43. West Lake Natural Gasoline Co.
44. West Texas Gathering Corp.
45. Gas Gathering Corp.

[FR Doc.71-5790 Filed 4-28-71;8:45 am]

[Docket No. G-3687 etc.]

BRAVO OIL CO. ET AL.

Notice of Applications for Certificates, Abandonment of Service and Petitions To Amend Certificates¹

APRIL 21, 1971.

Take notice that each of the applicants listed herein has filed an application or petition pursuant to section 7 of the Natural Gas Act for authorization to sell natural gas in interstate commerce or to abandon service as described herein, all as more fully described in the respective applications and amendments which are on file with the Commission and open to public inspection.

Any person desiring to be heard or to make any protest with reference to said applications should on or before May 13, 1971, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules.

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 all applications in which no petition to intervene is filed within the time required herein if the Commission on its own review of the matter believes that a grant of the certificates or the authorization for the proposed abandonment is required by the public convenience and necessity. Where a petition for leave to intervene is timely filed, or where 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 applicants to appear or be represented at the hearing.

KENNETH F. PLUMB,
 Acting Secretary.

¹ This notice does not provide for consolidation for hearing of the several matters covered herein.

Docket No. and date filed	Applicant	Purchaser and location	Price per Mcf	Pres-sure base
C171-708 A 3-29-71	Oklahoma Natural Gas Co., Post Office Box 871, Tulsa, O.K. 74102.	Northern Natural Gas Co. Parnell South-Morrow-Basal Field, Ochiltree County, Tex.	\$ 20.5	14.65
C171-709 B 3-26-71	Texaco, Inc., Post Office Box 52382, Houston, TX 77052.	Kansas-Nebraska Natural Gas Co., Inc. Luft, Graylin & North-Colo. west Graylin Fields, Logan County, west Graylin Fields, Logan County, Transcontinental Gas Pipe Line Corp. Block 129-A, Eugene Island Area, Offshore Louisiana.	Depleted	-----
C171-710 B 3-29-71	Ocean Drilling & Exploration Co. (Operator) et al., Post Office Box 61780, New Orleans, La. 70160.	Transcontinental Gas Pipe Line Corp. Block 129-A, Eugene Island Area, Offshore Louisiana.	Depleted	-----
C171-712 B 3-26-71	Wm. S. Barnickel & Co. et al., 408 Olive St., St. Louis, MO 63102.	Transcontinental Gas Pipe Line Corp., LaGrange Field, Brooks and Jim Wells Counties, Tex.	(19)	-----
C171-713 A 3-31-71	Maguire Oil Co. et al., 4200 First National Bank Bldg., Dallas, Tex. 75202.	Valley Gas Transmission, Inc., Buena Sueite Field, Duval County, Tex.	16.0	14.65
C171-714 4-1-71	Pan Eastern Exploration Co., Post Office Box 1348, Kansas City, MO 64141.	Panhandle Eastern Pipe Line Co., West Panhandle Field, Carson, Hutchinson, Moore, and Potter Counties, Tex.	\$ 14.5665	14.65
		Panhandle Eastern Pipe Line Co., Hugoton Field, Texas County, Okla.	\$ 13.3825	14.65
		Panhandle Eastern Pipe Line Co., Camrick et al. fields, Texas, Cimarron, Beaver, Roger Mills Counties, Okla.	\$ 20.35	14.65
		Panhandle Eastern Pipe Line Co., Hugoton Field, Grant, Morton, Stevens, and Seward Counties, Kans.	\$ 12.6	14.65
		Panhandle Eastern Pipe Line Co., Greenwood Field, Morton County, Kans.	\$ 17.0275	14.65
		Panhandle Eastern Pipe Line Co., Adams Ranch et al. fields, Meade, Morton, and Seward Counties, Kans.	\$ 18.375	14.65
		Panhandle Eastern Pipe Line Co., Panoma (Council Grove) Field, Stevens County, Kans.	\$ 17.5175	14.65
(CP61-77)	do	Northern Natural Gas Co., Mocane Tonkawa Field, Beaver County, Okla.	\$ 15.0	14.65
(CP63-24)	do	Northern Natural Gas Co., Hugoton Field, Stevens County, Kans.	11.0	14.65
(CP71-99)	do	Colorado Interstate Gas Co., a division of Colorado Interstate Corp., West Panhandle Field, Carson County, Tex.	13.5	14.65
C171-715 A 3-31-71	Commonwealth Gas Corp., 801 Union Bldg., Charleston, W. Va. 25325.	United Fuel Gas Co., Ravenswood District, Jackson County, W. Va.	32.0	15.325
C171-716 B 4-5-71	Bravo Oil Co.	Transcontinental Gas Pipe Line Corp., LaGrange Field, Jim Wells and Brooks Counties, Tex.	(19)	-----
C171-717 (C168-719) F 4-1-71	Macdonald Oil Corp., Operator et al. (successor to W. C. McBride, Inc. (Operator) et al.), 613 Meadows Bldg., Dallas, Tex. 75206.	Colorado Interstate Gas Co., a division of Colorado Interstate Corp., Vilas Field Area, Baca County, Colo.	14.6	14.65
C171-718 A 4-5-71	Perry R. Bass, 12th Floor, Fort Worth National Bank Bldg., Fort Worth, Tex. 76102.	Northern Natural Gas Co., Block 16 Field, Ward County, Tex.	26.5	14.65

Filing code: Initial service.
B—Abandonment.
C—Amendment to add acreage.
D—Amendment to delete acreage.
E—Succession.
F—Partial succession.

See footnotes at end of table.

Docket No. and date filed	Applicant	Purchaser and location	Price per Mcf	Pres-sure base
G 4-5-71	Bravo Oil Co., Post Office Box 1319, Houston, TX 77001.	Natural Gas Pipeline Co. of America, LaGrange Field, Jim Wells and Brooks Counties, Tex.	16.72945	14.65
G 4-023 E 3-11-71	Texas Oil & Gas Corp. (successor to Gulsboro Oil Co.) Fidelity Union Tower, Dallas, Tex. 75201.	Tennessee Gas Pipeline Co., East Placido Field, Victoria County, Tex.	15.0	14.65
G 5-379 C 3-24-71	Skelly Oil Co. (Operator) et al., Post Office Box 1650, Tulsa, O.K. 74102.	El Paso Natural Gas Co., acreage in Lea County, N. Mex.	\$ 11.0	14.65
G 7-645 C 3-22-71	Mobil Oil Corp., Post Office Box 1774, Houston, TX 77001.	Cities Service Gas Co., Guymon-Hugoton (Shallow) Field, Texas County, Okla.	(3)	-----
G 1-2655 D 4-2-71	do	United Gas Pipe Line Co., Bethany Field, Panola County, Tex.	Assigned	-----
G 1-6367 D 3-15-71	Mobil Oil Corp. (Operator) et al.	Transwestern Pipeline Co., Fieldman Field, Lipscomb County, Tex.	(3)	-----
G 1-8297 C 4-5-71	Cities Service Oil Co. (Operator), Post Office Box 300, Tulsa, O.K. 74102.	Kansas-Nebraska Natural Gas Co., Inc., Kimball Gasoline Plant, Kimball County, Nebr.	15.0	16.4
C162-1394 3-8-71	Edwin M. Jones Oil Co., 404 Milam Bldg., San Antonio, Tex. 78205.	Transcontinental Gas Pipe Line Corp., Greta Field, Refugio County, Tex.	(4)	-----
C163-886 3-1-71	H. H. Phillips, Jr., 319 Milam Bldg., San Antonio, Tex. 78202.	Natural Gas Pipeline Co. of America, LaGrange Field, Jim Wells and Brooks Counties, Tex.	\$ 16.72945	14.65
C164-383 3-5-71	Gramplan Co., Ltd., Suite 1300, 1407 Main St., Dallas, TX 75202.	do	do	-----
C164-1124 3-5-71	Ruth Phillips Bisiker, Suite 1300, 1407 Main St., Dallas, TX 75202.	Michigan Wisconsin Pipe Line Co., Northwest Quinlan Field, Woodward County, Okla.	16.45	14.65
C167-180 D 3-16-71	Mobil Oil Corp.	Northern Natural Gas Co., Follett Field, Lipscomb County, Tex.	16.45	14.65
C167-190 E 3-22-71	A. O. Haferkamp Operator and Agent et al. (successor to Imperial Drilling Co. (Operator and Agent) et al.), c/o Merton M. Bulla, Attorney, First National Center, West Oklahoma City, Okla. 73102.	do	(5)	-----
C168-500 B 4-5-71	Frank A. Morrison, 1216 Vaughn Plaza Bldg., Corpus Christi, Tex. 78401.	Natural Gas Pipeline Co. of America, LaGrange Field, Jim Wells and Brooks Counties, Tex.	\$ 17.0	14.65
C168-620 (C168-502) C 3-30-71	Gulf Oil Corp., Post Office Box 1589, Tulsa, O.K. 74102.	do	do	-----
C168-692 D 3-31-71	Newmont Oil Co. (Operator) et al., 2104 First City National Bank Bldg., Houston, Tex. 77003.	Transcontinental Gas Pipe Line Corp., West Mermentau Field, Jefferson Davis Parish, La.	Uneconomical	-----
C169-229 B 4-5-71	E. C. Ward, d.b.a. Pe-Mac 78322, 905 Ross Ave., Alice, TX	Banquete Gas Co., a division of Crestmont Oil & Gas Co., Odem Field, San Patricio County, Tex.	Depleted	-----
C169-1161 B 4-5-71	Gulf Coast Natural Gas Co., 800 Houston Natural Gas Bldg., Houston, Tex. 77002.	United Gas Pipe Line Co., Mustang Island Area, Offshore Nueces County, Tex.	\$ 17.0	14.65
C170-129 D 3-22-71	Cities Service Oil Co.	Transcontinental Gas Supply Corp., Coopers Creek Area, Kanawha County, W. Va.	Depleted	-----
C170-712 B 3-19-71	Lyons Petroleum (Operator) et al., 1500 Beck Bldg., Shreveport, La. 71101.	Transcontinental Gas Pipe Line Corp., Lottie Field, Pohnte Coupee Parish, La.	Depleted	-----
C171-563 A 1-18-71	Hawk Enterprises, Inc., Post Office Box 7007, Dallas, TX 75209.	Warren Petroleum Corp., East Panhandle Field, Wheeler County, TX.	\$ 10.75	14.625
C171-705 A 3-23-71	The Ballard & Cordell Corp., c/o John M. Shuey, Attorney, 604 Johnson Bldg., Shreveport, La. 71101.	Bluebonnet Gas Corp., South Bayou Mallet Field, Acadia Parish, La.	23.0	15.05
C171-706 B 3-25-71	Pennzell United, Inc., 900 South-west Tower Houston, TX. 77002.	Calhot Corp., Acreage in Roane County, W. Va.	Depleted	-----
C171-707 A 3-29-71	Hunt Industries, 1401 Elm St., Dallas, TX 75202.	El Paso Natural Gas Co., Brown Bassett Field, Terrell County, Tex.	22.0	14.65

Docket No. and date filed	Applicant	Purchaser and location	Price per Mcf	Pressure base
C171-719 (C163-1049) F 3-31-71	Atlas Corp. (successor to Northern Natural Gas Producing Co.), 707 National Bank of Tulsa Bldg., Tulsa, Okla. 74103.	El Paso Natural Gas Co., Dakota Field, San Juan County, N. Mex.	* 14.2343	15.025
C171-720 (C163-1051) F 3-31-71	do	do	* 14.2343	15.025
C171-721 (C163-1050) F 3-31-71	do	do	* 14.2343	15.025
C171-722 A 4-5-71	Phillips Petroleum Co., Bartlesville, Okla. 74004	Trunkline Gas Co., Erath and North Erath Fields, Vermillion Parish, La.	* 26.0	15.025
C171-723 A 4-5-71	The Superior Oil Co., Post Office Box 1521, Houston, TX 77001.	United Gas Pipeline Co., Bayou Rambio Field, Terrebonne Parish, La.	28.0	15.025
C171-724 B 4-5-71	Anadarko Production Co., Post Office Box 9317, Fort Worth, TX 76107.	Panhandle Eastern Pipe Line Co., Mokane Laverne Field, Beaver County, Okla.	Depleted	
C171-725 A 4-5-71	Metropolitan Oil Corp., Suite 432, 3891 Kirby, Houston, TX 77006.	Natural Gas Pipeline Co., of America, Hutchins Southwest Miocene 3409 Field, Wharton County, Tex.	24.25	14.65
C171-726 A 4-2-71	McCulloch Oil Corp., 6151 West Century Blvd., Los Angeles, CA 90043.	Panhandle Eastern Pipe Line Co., acreage in Dewey County, Okla.	* 22.0	14.65

¹ Amendment to certificate filed to increase daily contract quantity.

² Casinghead gas.

³ Expiration of leases.

⁴ Adds acreage and provide for increased price for "new" gas.

⁵ Amendment to certificate filed to delete acreage, extend terms of contract and provide for rates of 19 cents, 21 cents and 25 cents per Mcf, depending on vintage.

⁶ Subject to dehydration charge of 0.25 cent per Mcf if performed by buyer.

⁷ No permanent certificate issued—temporary authorization granted only.

⁸ Subject to upward and downward B.t.u. adjustment.

⁹ Original application sought certificate of public convenience and necessity. Applicant now proposes to abandon service previously commenced pursuant to temporary authorization.

¹⁰ Adds acreage acquired from Texas Gas Exploration Corp. et al. and Samedan Oil Corp. in Dockets Nos. C168-502 and C168-309.

¹¹ For acreage acquired from Texas Gas Exploration Corp. Rate in effect subject to refund in Docket No. R170-144.

¹² For acreage acquired from Samedan Oil Corp. Rate in effect subject to refund in Docket No. R170-729.

¹³ Deletes farmed out acreage.

¹⁴ Applicant is filing for certificate to continue its sales of gas now covered by Operator's certificate, pursuant to contracts entered into between its predecessors, Arkansas Louisiana Gas Co. and Lone Star Producing Co. as sellers and Warren Petroleum Corp. as Buyer.

¹⁵ Applicant proposes rate of 10.75 cents per Mcf, minimum rate under Opinion No. 586. Contract rates are 4.875 cents per Mcf (contract between Arkansas Louisiana and Warren); 5.25 cents per Mcf (contract dated Mar. 11, 1957, between Lone Star and Warren); 6.25 cents per Mcf (contract dated Sept. 3, 1963, between Lone Star and Warren).

¹⁶ "Et al." party under Reserve Oil & Gas Co. et al., FPC Gas Rate Schedule No. 26, in Docket No. G-12671.

¹⁷ Expiration of contract.

¹⁸ Applicant proposes to sell gas acquired from Panhandle Eastern Pipe Line Co.

¹⁹ Subject to upward and downward B.t.u. adjustment. Includes 1.0665 cents upward B.t.u. adjustment.

²⁰ Subject to upward and downward B.t.u. adjustment. Includes 0.1325 cent upward B.t.u. adjustment.

²¹ Subject to upward and downward B.t.u. adjustment. Includes 1.55 cents upward B.t.u. adjustment.

²² Subject to upward and downward B.t.u. adjustment. Includes 0.1 cent upward B.t.u. adjustment.

²³ Subject to upward and downward B.t.u. adjustment. Includes 0.4725 cent upward B.t.u. adjustment.

²⁴ Subject to upward and downward B.t.u. adjustment. Includes 0.875 cent upward B.t.u. adjustment.

²⁵ Subject to upward and downward B.t.u. adjustment. Includes 0.0175 cent upward B.t.u. adjustment.

²⁶ Rate in effect subject to refund in Docket No. R169-856.

²⁷ Rate in effect subject to refund in Docket No. R169-432.

²⁸ Rate in effect subject to refund in Docket No. R169-432.

[FR Doc. 71-5791 Filed 4-28-71; 8:45 am]

[Docket No. CP71-251]

CONSOLIDATED GAS SUPPLY CORP.

Notice of Application

APRIL 22, 1971.

Take notice that on April 15, 1971, Consolidated Gas Supply Corp. (applicant), 445 West Main Street, Clarksburg, WV 26301, filed in Docket No. CP71-251 an application pursuant to section 7(c) of the National Gas Act for a certificate of public convenience and necessity authorizing the rendition of increased natural gas storage service for Transcontinental Gas Pipe Line Corp. (Transco), 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 increase the volumes of natural gas stored annually for Transco at applicant's Leidy Storage Pool in Clinton County, Pa., from a maximum of 27,975,000 Mcf to a maximum of 35,225,000 Mcf, and to increase the maximum daily deliveries of natural gas to Transco from 468,500 Mcf to 558,500 Mcf for the storage year beginning April 1, 1971. For the storage years beginning April 1, 1972, and each April 1

thereafter, applicant seeks authorization to store, for Transco, up to 32,975,000 Mcf of natural gas with maximum daily deliveries of 558,500 Mcf.

Applicant states that the increased storage service is necessary to enable Transco to render increased storage service for its customers and that no new facilities are proposed or will be necessary to render this service.

Any person desiring to be heard or to make any protest with reference to said application should on or before May 17, 1971, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

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 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 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.

KENNETH F. PLUMB,

Acting Secretary.

[FR Doc. 71-5965 Filed 4-28-71; 8:48 am]

[Docket No. RP71-101]

MID LOUISIANA GAS CO.

Notice of Proposed Changes in FPC Gas Tariff

APRIL 22, 1971.

Take notice that on April 15, 1971, Mid Louisiana Gas Co. (Mid Louisiana) filed changes in its FPC Gas Tariff to be effective as of June 1, 1971. The proposed tariff revisions would increase charges for jurisdictional sales and services by approximately \$2,329,300 per annum based on operations for the 12 month period ended December 31, 1970, as adjusted.

Mid Louisiana's filing consists of a First Revised Volume No. 1, which provides for an increase in the existing resale rate of 17.69 cents/Mcf to 29.25 cents/Mcf, and a First Revised Volume No. 2, which supersedes Original Volumes Nos. 2, 3, and 4, and pertains to transportation and exchange agreements. The filing further includes an "Agreement as to Rates" containing provision for the company to flow-through to its resale customers the jurisdictional portion of refunds received from gas suppliers; a provision for tracking any future increases or decreases in gas supplier rates; and a moratorium provision under which the company agrees not to place into effect any rate changes, other than those provided for in the agreement, which after full suspension under the Natural Gas Act would become effective prior to June 1, 1972.

The company states that the principal reasons for the changes in its tariff are (1) to recover the expense of increased purchased gas costs resulting from a rate increase allowed its supplier and (2) the additional cost associated with construction and operation of the Hester Storage Field which was recently certificated in Docket No. CP71-169.

Any person desiring to be heard or to make any protest with reference to said application should on or before May 7,

1971, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules. The application is on file with the Commission and available for public inspection.

KENNETH F. PLUMB,
Acting Secretary.

[FR Doc.71-5967 Filed 4-28-71;8:48 am]

[Docket No. RP71-104]

SOUTH GEORGIA NATURAL GAS CO.

Notice of Proposed Changes in Rates and Charges

APRIL 22, 1971.

Take notice that South Georgia Natural Gas Co. (South Georgia) on April 16, 1971, tendered for filing proposed changes in its FPC Gas Tariff, Original Volume No. 1,¹ to become effective June 1, 1971. The proposed rate change would increase charges for jurisdictional service by \$114,043, based on sales volumes for the 12-month period ended March 31, 1971, as adjusted.

South Georgia states that the reason for the proposed rate increase is occasioned solely by and will compensate South Georgia only for an increase in its cost of purchased gas, resulting from the rate increase filing by its supplier Southern Natural Gas Co. (Southern) on April 16, 1971, in Docket No. RP71-103, which is proposed to become effective June 1, 1971. If Southern's proposed increased rates are suspended South Georgia proposes that its rate changes become effective on the same day as Southern's in lieu of the June 1, 1971, requested effective date.

Copies of the filing were served on South Georgia's customers and interested State commissions.

Any person desiring to be heard or to make any protest with reference to said application should on or before May 17, 1971, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must

¹ 10th Revised Sheet No. 11, 11th Revised Sheet No. 9, 14th Revised Sheet No. 12B, 19th Revised Sheet No. 6, 20th Revised Sheet No. 5.

file petitions to intervene in accordance with the Commission's rules. The application is on file with the Commission and available for public inspection.

KENNETH F. PLUMB,
Acting Secretary.

[FR Doc.71-5967 Filed 4-28-71;8:48 am]

FEDERAL RESERVE SYSTEM

CHARTER NEW YORK CORP.

Notice of Application for Approval of Acquisition of Shares of Bank

Notice is hereby given that application has been made, pursuant to section 3(a) (3) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)(3)), by Charter New York Corp., which is a bank holding company located in New York, N.Y., for prior approval by the Board of Governors of the acquisition by applicant of 100 percent (less directors' qualifying shares) of the voting shares of the successor by merger to The Union National Bank of Troy, Troy, N.Y., which would be relocated to Albany, N.Y.

Section 3(c) of the Act provides that the Board shall not approve:

(1) Any acquisition or merger or consolidation under section 3 which would result in a monopoly, or which would be in furtherance of any combination or conspiracy to monopolize or to attempt to monopolize the business of banking in any part of the United States, or

(2) Any other proposed acquisition or merger or consolidation under section 3 whose effect in any section of the country may be substantially to lessen competition, or to tend to create a monopoly, or which in any other manner would be in restraint of trade, unless the Board finds that the anticompetitive effects of the proposed transaction are clearly outweighed in the public interest by the probable effect of the transaction in meeting the convenience and needs of the community to be served.

Section 3(c) further provides that, in every case, the Board shall take into consideration the financial and managerial resources and future prospects of the company or companies and the banks concerned, and the convenience and needs of the community to be served.

Not later than thirty (30) days after the publication of this notice in the FEDERAL REGISTER, comments and views regarding the proposed acquisition may be filed with the Board. Communications should be addressed to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551. The application may be inspected at the office of the Board of Governors or the Federal Reserve Bank of New York.

By order of the Board of Governors,
April 23, 1971.

[SEAL] KENNETH A. KENYON,
Deputy Secretary.

[FR Doc.71-5943 Filed 4-28-71;8:45 am]

FIRST BANCSHARES OF FLORIDA, INC.

Notice of Application for Approval of Acquisition of Shares of Bank

Notice is hereby given that application has been made, pursuant to section 3(a) (3) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)(3)), by First Bancshares of Florida, Inc., which is a bank holding company located in Boca Raton, Fla., for prior approval by the Board of Governors of the acquisition by applicant of 80 percent or more of the voting shares of First National Bank of Palm Beach Gardens, Palm Beach Gardens, Fla., a proposed new bank.

Section 3(c) of the Act provides that the Board shall not approve:

(1) Any acquisition or merger or consolidation under section 3 which would result in a monopoly, or which would be in furtherance of any combination or conspiracy to monopolize or to attempt to monopolize the business of banking in any part of the United States, or

(2) Any other proposed acquisition or merger or consolidation under section 3 whose effect in any section of the country may be substantially to lessen competition, or to tend to create a monopoly, or which in any other manner would be in restraint of trade, unless the Board finds that the anticompetitive effects of the proposed transaction are clearly outweighed in the public interest by the probable effect of the transaction in meeting the convenience and needs of the community to be served.

Section 3(c) further provides that, in every case, the Board shall take into consideration the financial and managerial resources and future prospects of the company or companies and the banks concerned, and the convenience and needs of the community to be served.

Not later than thirty (30) days after the publication of this notice in the FEDERAL REGISTER, comments and views regarding the proposed acquisition may be filed with the Board. Communications should be addressed to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551. The application may be inspected at the office of the Board of Governors or the Federal Reserve Bank of Atlanta.

By order of the Board of Governors,
April 23, 1971.

[SEAL] KENNETH A. KENYON,
Deputy Secretary.

[FR Doc.71-5944 Filed 4-28-71;8:46 am]

SOUTHEAST BANCORPORATION, INC.

Notice of Application for Approval of Acquisition of Shares of Bank

Notice is hereby given that application has been made, pursuant to section 3(a) (3) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)(3)), by

Southeast Bancorporation, Inc., which is a bank holding company located in Miami, Fla., for prior approval by the Board of Governors of the acquisition by applicant of 80 percent or more of the voting shares of Caladesi National Bank at Dunedin, Dunedin, Fla.

Section 3(c) of the Act provides that the Board shall not approve:

(1) Any acquisition or merger or consolidation under section 3 which would result in a monopoly, or which would be in furtherance of any combination or conspiracy to monopolize or to attempt to monopolize the business of banking in any part of the United States, or

(2) Any other proposed acquisition or merger or consolidation under section 3 whose effect in any section of the country may be substantially to lessen competition, or to tend to create a monopoly, or which in any other manner would be in restraint of trade, unless the Board finds that the anticompetitive effects of the proposed transaction are clearly outweighed in the public interest by the probable effect of the transaction in meeting the convenience and needs of the community to be served.

Section 3(c) further provides that, in every case, the Board shall take into consideration the financial and managerial resources and future prospects of the company or companies and the banks concerned, and the convenience and needs of the community to be served.

Not later than thirty (30) days after the publication of this notice in the FEDERAL REGISTER, comments and views regarding the proposed acquisition may be filed with the Board. Communications should be addressed to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551. The application may be inspected at the office of the Board of Governors or the Federal Reserve Bank of Atlanta.

By order of the Board of Governors, April 23, 1971.

[SEAL] KENNETH A. KENYON,
Deputy Secretary.

[FR Doc.71-5945 Filed 4-28-71;8:46 am]

VIRGINIA COMMONWEALTH BANKSHARES, INC.

Notice of Application for Approval of Acquisition of Shares of Bank

Notice is hereby given that application has been made, pursuant to section 3(a) (3) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)(3)), by Virginia Commonwealth Bankshares, Inc., which is a bank holding company located in Richmond, Va., for prior approval by the Board of Governors of the acquisition by applicant of 100 percent of the voting shares of The American Bank of Loudoun, Dulles International Airport, Loudoun County, Va., a proposed new bank.

Section 3(c) of the Act provides that the Board shall not approve:

(1) Any acquisition or merger or consolidation under section 3 which would result in a monopoly, or which would be

in furtherance of any combination or conspiracy to monopolize or to attempt to monopolize the business of banking in any part of the United States, or

(2) Any other proposed acquisition or merger or consolidation under section 3 whose effect in any section of the country may be substantially to lessen competition, or to tend to create a monopoly, or which in any other manner would be in restraint of trade, unless the Board finds that the anticompetitive effects of the proposed transaction are clearly outweighed in the public interest by the probable effect of the transaction in meeting the convenience and needs of the community to be served.

Section 3(c) further provides that, in every case, the Board shall take into consideration the financial and managerial resources and future prospects of the company or companies and the banks concerned, and the convenience and needs of the community to be served.

Not later than thirty (30) days after the publication of this notice in the FEDERAL REGISTER, comments and views regarding the proposed acquisition may be filed with the Board. Communications should be addressed to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551. The application may be inspected at the office of the Board of Governors or the Federal Reserve Bank of Richmond.

By order of the Board of Governors, April 23, 1971.

[SEAL] KENNETH A. KENYON,
Deputy Secretary.

[FR Doc.71-5946 Filed 4-28-71;8:46 am]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 16495]

APPLICATIONS FOR DOMESTIC COMMUNICATIONS SATELLITE FACILITIES ACCEPTED FOR FILING AND CONSIDERATION

APRIL 13, 1971.

1. By previous public notices the Commission accepted for filing and consideration in Docket No. 16495 various applications for domestic communications satellite system facilities submitted by the Western Union Telegraph Co. (Western Union); Hughes Aircraft Co. (Hughes); General Telephone Company of California, General Telephone Company of Indiana, Bethel and Mount Aetna Telephone & Telegraph Co., and General Telephone Company of Florida (General System Cos.); and Hawaiian Telephone Co. (Hawaiian). Public Notice FCC 70-953, issued on September 3, 1970; Public Notice FCC 71-174, issued on February 19, 1971. The Hughes applications were accepted for filing with respect to the Hughes-General System Cos. proposal, but not for the purpose of the further Hughes proposal to transmit television programs for delivery to cable

television operations. In view of an amendment to the Hughes applications submitted on March 2, 1971,¹ the reservation in Public Notice FCC 71-174 as to Files Nos. 5-DSS-P(3)-71, 12-DSE-P-71, and 13-DSE-P-71 is removed and the remaining portions of the Hughes applications will be accepted for filing.

2. In addition to the foregoing, proposals for domestic communications satellite systems were submitted to the Commission on or before March 15, 1971, by the following:

American Telephone and Telegraph Co./
Communications Satellite Corp.
Communications Satellite Corp.
MOI Lockheed Satellite Corp.
Fairchild Hiller Corp.
RCA Global Communications, Inc./RCA
Alaska Communications, Inc. (RCA Globcom/RCA Alascom).
Western Tele-Communications, Inc.
TelePromPTer Corp. (earth stations only).

The Commission has also received additional applications by Western Union and various applications for microwave and/or cable facilities to provide terrestrial interconnection.

3. It appears upon preliminary examination that the applications listed below are sufficiently complete to be acceptable for filing in Docket No. 16495 for consideration with the applications previously listed. Acceptance of the applications for filing does not constitute any determination that the applications are complete in all respects or preclude the Commission from requesting additional information in the course of processing such applications or in light of the comments of the parties. All applicants, see paragraph 6 below.

4. As stated in the Commission's previous public notices (FCC 70-953 and FCC 71-174), applicants and other interested persons are requested to utilize the rule making procedure in Docket No. 16495 rather than filing petitions to deny domestic satellite applications (including interconnecting terrestrial) pursuant to section 309 of the Communications Act.² See report and order in Docket No. 16495 issued on March 24, 1970 (22 FCC 2d 86); notice of proposed rule making in Docket No. 16495 (22 FCC 2d 810); further notice of proposed rule making in Docket No. 16495 (FCC 70-1015). With respect to the point-to-point microwave applications (including those listed on Common Carrier Services Information Reports), the cutoff provisions of § 21.30(b) of the Commission's rules are superseded by the

¹This Mar. 2, 1971, amendment states the present intention of Hughes to locate its operation control centers at or in the immediate vicinity of the Califon and San Juan Capistrano earth stations and to use cable for any necessary interconnections.

²Various applications for terrestrial interconnecting microwave and cable facilities have been listed in the regular Common Carrier Services Information Reports for the convenience of the public. However, the procedures applicable to all facilities associated with domestic communications satellite proposals, including any listed in such Common Carrier Services Information Reports, are those set forth in the Commission's Public Notices FCC 70-953 and FCC 71-174 and reiterated herein.

dates prescribed in Docket No. 16495 except for claims of frequency interference. In accordance with the provisions of § 1.419 of the Commission's rules and the report and order in Docket No. 16495, an original and 14 copies of all comments, replies, pleadings, briefs, or other documents filed in this proceeding shall be furnished to the Commission. In reaching its decision on these applications and on the proposed rule making, the Commission—

5. The applications which are hereby accepted for filing are as follows:

The overall description of a proposal is associated with the application for the lead earth station.

DOMESTIC COMMUNICATIONS SATELLITE SERVICE

SPACE STATIONS

10-DSS-P(4)-71—Communications Satellite Corp. (New), C.P.'s for three spin-stabilized, space stations to be placed in geostationary orbit at 94°, 104°, and 119° W. longitude and one spare on the ground. Each satellite will have 24 transponders with receive frequencies in the 5925-6425 MHz band and transmit frequencies in the 3700-4200 MHz band. Each satellite will have antennas similar to those described in 6-9-DSS-P-71.

(INFORMATIVE: Applicant proposes to use these satellites in conjunction with the earth stations described in 6-10-DSE-P-71 for service to A.T. & T.)

6-DSS-P-71, 7-DSS-P-71, 8-DSS-P-71, 9-DSS-P-71—Communications Satellite Corp. (New), C.P.'s for three spin-stabilized, space stations to be placed in geostationary orbit at 99°, 114°, and 124° W. longitude and one spare on the ground. Each satellite will have 24 transponders with receive frequencies in the 5925-6425 MHz band and transmit frequencies in the 3700-4200 MHz band. Each satellite will have the following antennas:
 One linear, cross-polarized, transmit and receive (T.T. & C.), 45° toroidal (nondespun).
 One 6 GHz linear, horizontally polarized receive, 4½° x 10½°, mechanically despun.
 One 6 GHz linear, vertically polarized receive 3½° x 7½°, mechanically despun.
 Two 4 GHz, linear orthogonally polarized (horizontal and vertical) transmit, 3½° x 7½°, mechanically despun.
 One 4 GHz linear, vertically polarized transmit 4½°, mechanically despun.

(INFORMATIVE: Applicant proposes to use these satellites in conjunction with earth stations described in 18-DSE-P-71, 19-DSE-P-71, 20-DSE-P-71, 21-DSE-P-71, 22-DSE-P-71, 23-DSE-P-71, 24-DSE-P-71, and the 30 transmit-receive and the 102 receive-only earth stations described in its proposed "Multi-Purpose Domestic Satellite Communications System.")

13-DSS-P-71, 14-DSS-P-71, 15-DSS-P-71, 16-DSS-P-71—RCA Global Communications, Inc./RCA Alaska Communications, Inc. (New), C.P.'s for three space stations to be placed in geostationary orbit at 125°, 131°, and 114° W. longitude and one spare on the ground (spin- or 3-axis stabilization). Each satellite will have 12 transponders with receive frequencies in the 5925-6425 MHz band and transmit frequencies in the 3700-4200 MHz band; and two additional transponders for experimental use in the 12/13 GHz band. Each satellite will have the following antennas:

One 4/6 GHz 57-inch diameter transmit-receive with linearly polarized beams; 3° x 9.5° (contiguous United States and Alaska), 3.5° (Hawaii), and 3.5° (Puerto Rico).
 One 4 GHz, Telemetry and Tracking, toroidal, linear polarization.
 One 6 GHz, command toroidal, linear polarization.

Two 12/13 GHz elliptical transmit-receive 3° x 9.5° (contiguous United States and Alaska).
 11-DSS-P-71, 12-DSS-P-71—MCI Lockheed Satellite Corp. (New), C.P.'s for two 3-axis stabilized space stations to be placed in geostationary orbit at 114° and 119° W. longitude. Each satellite will have 24 transponders with receive frequencies in the 5925-6425 MHz band and transmit frequencies in the 3700-4200 MHz band; and 24 transponders with receive frequencies in the 12,750-13,250 MHz band and transmit frequencies in the 11,700-12,200 MHz band. Each satellite will have the following antennas:
 One 6 GHz linear, vertically polarized receive, 3.5° x 7°.
 One 6 GHz linear, horizontally polarized receive, 3.5° x 7°.

Two 4 GHz orthogonally polarized (vertical and horizontal) transmit, 3.5° x 7°.

SPACE STATIONS—continued

One 13 GHz linear, horizontally polarized receive, 3.5° x 7°.
 One 13 GHz linear, vertically polarized receive, 3.5° x 7°.
 One 13 GHz dual-beam linearly polarized receive, 3.5°.

Two 13 GHz dual-beam linearly polarized (horizontal and vertical) transmit, 2.5°.
 One 12 GHz dual-beam linearly polarized transmit, 17°.
 One 12 GHz Beacon linearly polarized transmit, 3.5°.

Two 4/6 GHz T.T. & C. isotropic linearly polarized (transmit-receive).
 17-DSS-P-71, 18-DSS-P-71—Western Tele-Communications, Inc. (New), C.P.'s for initially two spin-stabilized space stations to be placed in geostationary orbit at 113° and 116° W. longitude. Each satellite will have six transponders with receive frequencies in the 3700-4200 MHz band; and six transponders with receive frequencies in the 12,750-13,250 MHz band and transmit frequencies in the 11,7-12.2 GHz band. Each satellite will have the following antennas:

One 4/6 GHz despun reflector 100' x 60' with following beams: a transmit-receive 2.5° x 6° (contiguous United States); a transmit 3° x 3° (Alaska); and a transmit 3° x 3° (Hawaii).

One 4/6 GHz transmit-receive T.T. & C., 360° x 40°.
 One 12/13 GHz despun shaped reflector, 2.2-foot diameter, with following beams: a transmit, 2.5° x 6° (beacon covering contiguous United States); a receive, 2.5° x 6° (contiguous United States).

Three 12/13 GHz despun parabolic reflectors 2.2-foot diameter, each with transmit beam 2.5° x 2.5° (1/3 contiguous United States).

19-DSS-P-71, 20-DSS-P-71, 21-DSS-P-71—Fairchild Hiller Corp. (New), C.P.'s for two, 3-axis-stabilized space stations to be placed in geostationary orbit at 104° and 115° W. longitude, and one spare on the ground. Each satellite will have 96 transponders with receive frequencies in the 5925-6425 MHz and transmit frequencies in the 3700-4200 MHz band and 24 transponders with receive frequencies in the 12,750-13,250 MHz band and transmit frequencies in the 6625-7125 MHz band. Each satellite will have the following antennas:

One 4/6 GHz, 30-foot diameter antenna (Beamwidth = 0.6° @ 4 GHz and 0.4° @ 6 GHz) with 10 spot beams: two with linearly cross-polarized feeds, transmit and receive; eight with linear horizontally or vertically polarized feeds, transmit and receive.

Two 7/13 GHz linearly cross-polarized transmit-receive, 1.4 x 2.8 foot reflectors (3.5° x 7°).
 One VHF T.T. & C. omnidirectional transmit-receive.

EARTH STATIONS

65-DSE-P-71—Fairchild Hiller Corp. (New), C.P. for earth station near Vernon, N.J. (near New York, N.Y.), at 41°13'15" N. and 74°29'42" W. Station will use two 98-foot (30 meter) diameter antennas with dual feeds to receive in the 3700-4200 MHz band and transmit in the 5925-6425 MHz band for communication and two 35-foot diameter antennas to receive in the 6625-7125 MHz band and transmit in the 12.7-13.25 GHz band for television distribution.

Power output per channel at 6 GHz will be 12 watts with maximum EIRP's for any carrier of 73 dBw in the main beam and -17 dBw/4kHz in the horizontal plane at minimum elevation of 24°.

Power output per channel at 13 GHz will be 1000 watts with maximum EIRP's for any carrier of 90.7 dBw in the main beam and 2.5 dBw/4kHz in the horizontal plane at minimum elevation of 24°.

66-DSE-P-71—Fairchild Hiller Corp. (New), C.P. for earth station near Muddy Ridge, Ga. (near Atlanta), at 32°50'00" N. and 84°31'18" W. Parameters same as 65-DSE-P-71 except less the two 35-foot antennas and for EIRP in the horizontal plane of -20 dBw/4kHz at minimum elevation of 36°.

67-DSE-P-71—Fairchild Hiller Corp. (New), C.P. for earth station near Springfield, Wis. (near Chicago, Ill.), at 42°38'30" N. and 88°22'53" W. Parameters same as 65-DSE-P-71 except: less the 35-foot antennas, plus one 30-foot diameter T.T. & C. antenna and EIRP in horizontal plane of -18.5 dBw at minimum elevation of 32°.

*Applicant proposes to place a third satellite at 119° W. at a later date.

- 68-DSE-P-71—Fairchild Hiller Corp. (New), C.P. for earth station near Ink, Ark. (near Dallas/Fort Worth, Tex.), at 34°35'40" N. and 94°06'18" W. Parameters same as 65-DSE-P-71 except; less two 35-foot antennas; plus one 30-foot diameter T.T. & C. antenna; and EIRP in horizontal plane of -22.3 dBW/4kHz at minimum angle of 42°.
- 69-DSE-P-71—Fairchild Hiller Corp. (New), C.P. for earth station at Big Tree Creek near Yacolt, Wash. (near Portland/Seattle), at 45°51'00" N. and 122°23'00" W. Parameters same as 65-DSE-P-71 except; less the two 35-foot antennas; and EIRP in the horizontal plane of -10.5 dBW/4kHz at minimum elevation of 17°.
- 70-DSE-P-71—Fairchild Hiller Corp. (New), C.P. for earth station near San Jacinto, Calif. (near Los Angeles), at 33°51'34" N. and 117°06'28" W. Parameters same as 65-DSE-P-71 except for EIRP in horizontal plane of -14 dBW/4kHz at 6 kHz.
- 1-DSE(R)-P-71—Hughes Aircraft Co. (New), C.P. for receive-only earth station near Elmira, N.Y., at 42°09'17" N. and 76°48'57" W. Station will use a 35-foot diameter antenna with dual feed to receive in 3700-4200 MHz band.
- 2-DSE(R)-P-71—Hughes Aircraft Co. (New), C.P. for receive-only earth station near St. Petersburg, Fla., at 27°54'25" N. and 82°46'59" W. Station will use a 35-foot diameter antenna with dual feed to receive in 3700-4200 MHz band.
- 3-DSE(R)-P-71—Hughes Aircraft Co. (New), C.P. for receive-only earth station near Eugene, Ore., at 43°59'29" N. and 123°01'11" W. Station will use a 35-foot diameter antenna with dual feed to receive in 3700-4200 MHz band.
- 4-DSE(R)-P-71—Hughes Aircraft Co. (New), C.P. for receive-only earth station near Los Angeles, Calif., at 34°08'13" N. and 118°19'29" W. Station will use a 35-foot diameter antenna with dual feed to receive in 3700-4200 MHz band.
- 5-DSE(R)-P-71—Hughes Aircraft Co. (New), C.P. for receive-only earth station near New York, N.Y., at 40°52'17" N. and 73°54'42" W. Station will use a 35-foot diameter antenna with dual feed to receive in 3700-4200 MHz band.
- 6-DSE(R)-P-71—Hughes Aircraft Co. (New), C.P. for receive-only earth station near Atlanta, Ga., at 33°44'22" N. and 84°28'53" W. Station will use a 35-foot diameter antenna with dual feed to receive in 3700-4200 MHz band.
- 7-DSE(R)-P-71—Hughes Aircraft Co. (New), C.P. for receive-only earth station near Denver, Colo., at 39°42'45" N. and 105°16'15" W. Station will use a 35-foot diameter antenna with dual feed to receive in 3700-4200 MHz band.

(INFORMATIVE: Applicant intends to use these receive-only earth stations in conjunction with its proposed domestic satellite system to provide TV transmission to CATV companies.)

- 6-DSE-P-71—American Telephone & Telegraph Co. (New), C.P. for earth station at Hawley, Pa., at 41°27'51" N. and 75°07'48" W. Station will use two 95-105-foot antennas to receive in 3700-4200 MHz band. Power output will be 1 kilowatt with EIRP of 92.5 dBW main beam and +5 dBW/4kHz in the horizontal plane.
- 7-DSE-P-71—American Telephone & Telegraph Co. (New), C.P. for earth station at De Luz, Calif., at 33°27'22" N. and 117°18'03" W. Parameters same as 6-DSE-P-71.
- 8-DSE-P-71—American Telephone & Telegraph Co. (New), C.P. for earth station at Hanover, Ill., at 42°18'37" N. and 90°21'28" W. Parameters same as 6-DSE-P-71.
- 9-DSE-P-71—American Telephone & Telegraph Co. (New), C.P. for earth station at Brazos, Tex., at 32°40'45" N. and 98°10'40" W. Parameters same as 6-DSE-P-71.
- 10-DSE-P-71—American Telephone & Telegraph Co. (New), C.P. for earth station at Woodbury, Ga., at 32°56'12" N. and 84°32'21" W. Parameters same as 6-DSE-P-71.
- (INFORMATIVE: Applicant proposes to use these earth stations to supplement existing terrestrial facilities for long-haul traffic. Space segment will be provided and maintained by Comsat under contract to A.T. & T., using satellites described in 10-DSS-P(4)-71.)
- 50-DSE-P-71—RCA Global Communications, Inc./RCA Alaska Communications, Inc. (New), C.P. for earth station near Rowland, Pa., at 41°21'47" N. and 75°04'43" W. Station will use three 60-foot diameter antennas to receive in the 3700-4200 MHz band and transmit in the 5925-6425 MHz band. Power output will be 300 watts with EIRP of 83.8 dBW main beam and 25.8 dBW/4kHz in the horizontal plane at a minimum elevation of 5°. Station will have T.T. & C. capability.

- 51-DSE-P-71—RCA Global Communications, Inc./RCA Alaska Communications, Inc. (New), C.P. for earth station near Flint Hill, Va., at 38°50'59" N. and 78°03'40" W. Station will use one 35-foot diameter antenna and one 32-foot diameter antenna to receive in the 3700-

- 4200 MHz band and transmit in the 5925-6425 MHz band. Power output will be 3 kw. per carrier with EIRP of 87.8 dBW main beam and 30.3 dBW/4kHz in the horizontal plane at a minimum elevation of 5°.
- 52-DSE-P-71—RCA Global Communications, Inc./RCA Alaska Communications, Inc. (New), C.P. for earth station near Lake Geneva, Wis., at 42°37'15" N. and 88°26'02" W. Parameters same as 51-DSE-P-71.
- 53-DSE-P-71—RCA Global Communications, Inc./RCA Alaska Communications, Inc. (New), C.P. for earth station near Jefferson, Colo., at 39°22'45" N. and 105°48'18" W. Parameters same as 51-DSE-P-71.
- 54-DSE-P-71—RCA Global Communications, Inc./RCA Alaska Communications, Inc. (New), C.P. for earth station near Bonsall, Calif., at 33°21'17" N. and 117°08'03" W. Parameters same as 51-DSE-P-71.
- 55-DSE-P-71—RCA Global Communications, Inc./RCA Alaska Communications, Inc. (New), C.P. for earth station near Point Reyes, Calif., at 38°05'45" N. and 122°56'45" W. Parameters same as 51-DSE-P-71.
- 56-DSE-P-71—RCA Global Communications, Inc./RCA Alaska Communications, Inc. (New), C.P. for earth station near Bremerton, Wash., at 47°33'01" N. and 122°50'22" W. Parameters same as 51-DSE-P-71.
- 57-DSE-P-71—RCA Alaska Communications, Inc. (New), C.P. for earth station near Fairbanks, Alaska, at 64°56'51" N. and 147°48'47" W. Parameters same as 51-DSE-P-71 except for maximum EIRP of 83 dBW main beam and 24.5 dBW/4kHz in the horizontal plane at minimum elevation of 5°.
- 58-DSE-P-71—RCA Alaska Communications, Inc. (New), C.P. for earth station near Ketchikan, Alaska, at 55°24'30" N. and 131°42'24" W. Parameters same as 51-DSE-P-71 except for maximum EIRP of 77.8 dBW main beam and 20.3 dBW/4kHz in the horizontal plane at minimum elevation of 5°.
- 59-DSE-P-71—RCA Alaska Communications, Inc. (New), C.P. for earth station near Prudhoe Bay, Alaska, at 70°19'23" N. and 149°46'03" W. Parameters same as 51-DSE-P-71 except both antennas are 32-foot diameter and power output is 300 watts per carrier, EIRP 77.8 dBW main beam and 20.3 dBW/4kHz in the horizontal plane at minimum elevation of 5°.
- 60-DSE-P-71—RCA Global Communications, Inc. (New), C.P. for earth station at Paumotu, Hawaii, at 21°40'16" N. and 158°01'54" W. Station will use two 98.4-foot diameter antennas to receive in the 3700-4200 MHz band and transmit in the 5925-6425 MHz band. Power output will be 100 watts with EIRP of 82.5 dBW main beam and 15.5 dBW/4kHz in the horizontal plane at minimum elevation of 5°.

NOTE: RCA Globecom and RSA Alascom also incorporated by reference:

- 72-DSE-P-71—RCA Alaska Communications, Inc. (New), C.P. for a second antenna at Talkeetna, Alaska (Bartlett Earth Station), at 62°19'57" N. and 150°01'54" W. Antenna will be 35 feet in diameter and receive in the 3700-4200 MHz band, and transmit in the 5925-6425 MHz band. Power output will be 1 kw. with EIRP of 83 dBW main beam and 25.5 dBW/4kHz in the horizontal plane.

NOTE: This station is presently owned by the Communications Satellite Corp. RCA Alascom now has pending an application (File No. 78-CSG-AP-70) to acquire a 50 percent or greater interest in this station.

- 73-DSE-P-71—RCA Alaska Communications, Inc. (New and revised), C.P. for earth station with two antennas near Lena Point, Alaska, at 63°23'26" N. and 134°46'02" W. The first antenna will be 30-32 feet in diameter and the second will be 35 feet. Both antennas will receive in the 3700-4200 MHz band and transmit in the 5925-6425 MHz band. Power output for the first antenna will be 3 kw. with EIRP of 88 dBW main beam and 32.5 dBW/4kHz in the horizontal plane. For the second antenna, power output will be 300 W. with EIRP of 77.8 dBW main beam and 20.3 dBW/4kHz in the horizontal plane.

- 18-DSE-P-71—Communications Satellite Corp. (New), C.P. for earth station near Southbury, Conn. (near New York, N.Y.), at 41°21'05" N. and 73°17'21" W. Station will use two 97-foot diameter antennas for T.T. & C.* to receive in the 3700-4200 MHz band and transmit in the 5925-6425 MHz band. Power output per channel will be 630 watts for the 97-foot antennas and 250 watts for the 42-foot antenna with maximum EIRP's for any carrier of 90 dBW in the main beam of either antenna. For both antennas maximum EIRP in the horizontal plane will be 18.5 dBW/4kHz at minimum elevation angle of 5.0°.

EARTH STATIONS—continued

- 19-DSE-P-71—Communications Satellite Corp. (New), C.P. for earth station near Santa Paula, Calif.* (near Los Angeles), at 34°24'05" N. and 119°04'26" W. Parameters same as 16-DSE-P-71 except for maximum EIRP of 15 dBw/4kHz at minimum elevation angle of 7°.
- * INFORMATIVE: Applicant intends to use T.T. & C. facilities at these two stations for both the satellites intended to serve A.T. & T. (10-DSS-P(4)-71) and in its "Multi-Purpose Domestic Satellite Communications System" (6-9-DSS-P-71).
- 20-DSE-P-71—Communications Satellite Corp. (New), C.P. for earth station near Meden-hall Valley, Alaska (near Juneau), at 58°24'35" N. and 134°35'48" W. Station will use one 32-foot diameter antenna to receive in the 3700-4200 MHz band and transmit in the 5925-6425 MHz band. Power output per channel will be 450 watts with the maximum EIRP for any carrier of 80.5 dBw in the main beam, and 13.2 dBw/4kHz at minimum elevation angle of 7.5°.
- 21-DSE-P-71—Communications Satellite Corp. (New), C.P. for earth station near Prudhoe Bay, Alaska, at 70°13'14" N. and 148°25'32" W. Parameters same as 20-DSE-P-71 except for maximum EIRP in horizontal plane of 17.5 dBw/4kHz at minimum elevation angle of 5°.
- 22-DSE(R)-P-71—Communications Satellite Corp. (New), C.P. for receive-only earth station near Talkeetna, Alaska, at 62°19'57" N. and 150°01'16" W. Station will use one 42-foot diameter antenna to receive in the 3700-4200 MHz band.
- 23-DSE(R)-P-71—Communications Satellite Corp. (New), C.P. for receive-only earth station near Faunala, Hawaii, at 21°40'25" N. and 158°02'08" W. Station will use one 42-foot diameter antenna to receive in the 3700-4200 MHz band.
- 24-DSE(R)-P-71—Communications Satellite Corp. (New), C.P. for receive-only earth station near Cayey, P.R., at 18°07'59" N. and 66°07'58" W. Station will use one 42-foot diameter antenna to receive in the 3700-4200 MHz band.
- (INFORMATIVE: Applicant proposes to add at a later date, 30 earth stations at as yet unspecified locations having unspecified characteristics, to receive in the 3700-4200 MHz band and transmit in the 5925-6425 MHz band; and 102 receive-only earth stations at as yet unspecified locations having as yet unspecified characteristics to receive in the 3700-4200 MHz band.)
- 30-DSE-P-71—MCI Lockheed Satellite Corp. (New), C.P. for earth station near Agoura, Calif. (near Los Angeles), at 34°06'42" N. and 118°45'59" W. Station will use two 32-foot diameter antennas to receive in the 3700-4200 MHz band and transmit in the 5925-6425 MHz band. Power output will be 3 kw. per carrier with EIRP of 85 dBw main beam and 5 dBw/4kHz @ 20° elevation. Communications and T.T. & C. capability.
- 31-DSE-P-71—MCI Lockheed Satellite Corp. (New), C.P. for earth station near Kent, Conn. (near New York, N.Y.), at 41°41'59" N. and 73°23'52" W. Parameters same as 30-DSE-P-71.
- 32-DSE-P-71—MCI Lockheed Satellite Corp. (New), C.P. for earth station near Weatherford, Tex. (near Dallas/Fort Worth), at 32°38'28" N. and 97°49'43" W. Parameters same as 30-DSE-P-71 except no T.T. & C. capability.
- 33-DSE-P-71—MCI Lockheed Satellite Corp. (New), C.P. for earth station near Troy, Wis. (near Chicago, Ill.), at 42°43'46" N. and 88°27'20" W. Parameters same as 30-DSE-P-71 except no T.T. & C. capability.
- 34-DSE-P-71—MCI Lockheed Satellite Corp. (New), C.P. for earth station near Holland, Ga. (near Atlanta), at 34°18'22" N. and 85°21'37" W. Parameters same as 30-DSE-P-71 except no T.T. & C. capability.
- 35-DSE-P-71—MCI Lockheed Satellite Corp. (New), C.P. for earth station in Seattle, Wash., at 47°35'39" N. and 123°19'37" W. Station will use one 32-foot diameter antenna to receive in the 11,700-12,200 MHz band and transmit initially one carrier on 12,790 MHz. Power output will be 3 kw. with EIRP of 90.8 dBw main beam and 5 dBw/4kHz at minimum elevation of 20°.
- 36-DSE-P-71—MCI Lockheed Satellite Corp. (New), C.P. for earth station in San Francisco, Calif., at 37°46'21" N. and 122°24'12" W. Parameters same as 35-DSE-P-71 except for transmit frequency of 12,830 MHz.
- 37-DSE-P-71—MCI Lockheed Satellite Corp. (New), C.P. for earth station in Los Angeles, Calif., at 34°08'11" N. and 118°15'39" W. Parameters same as 35-DSE-P-71 except for transmit frequency of 12,950 MHz.

EARTH STATIONS—continued

- 38-DSE-P-71—MCI Lockheed Satellite Corp. (New), C.P. for earth station in Denver, Colo., at 39°45'12" N. and 104°59'50" W. Parameters same as 35-DSE-P-71 except for transmit frequency of 12,910 MHz.
- 39-DSE-P-71—MCI Lockheed Satellite Corp. (New), C.P. for earth station in Dallas, Tex., at 32°48'04" N. and 96°50'39" W. Parameters same as 35-DSE-P-71 except for transmit frequency of 12,870 MHz.
- 40-DSE-P-71—MCI Lockheed Satellite Corp. (New), C.P. for earth station in Kansas City, Kans., at 39°02'42" N. and 94°41'25" W. Parameters same as 35-DSE-P-71 except for transmit frequency of 12,990 MHz.
- 41-DSE-P-71—MCI Lockheed Satellite Corp. (New), C.P. for earth station in Chicago, Ill., at 41°53'55" N. and 87°38'40" W. Parameters same as 35-DSE-P-71 except for transmit frequency of 13,050 MHz.
- 42-DSE-P-71—MCI Lockheed Satellite Corp. (New), C.P. for earth station in Atlanta, Ga., at 33°44'53" N. and 84°22'54" W. Parameters same as 35-DSE-P-71 except for transmit frequency of 13,010 MHz.
- 43-DSE-P-71—MCI Lockheed Satellite Corp. (New), C.P. for earth station in Cincinnati, Ohio, at 39°07'05" N. and 84°31'12" W. Parameters same as 35-DSE-P-71 except for transmit frequency of 12,970 MHz.
- 44-DSE-P-71—MCI Lockheed Satellite Corp. (New), C.P. for earth station in Detroit, Mich., at 42°18'39" N. and 83°05'02" W. Parameters same as 35-DSE-P-71 except for transmit frequency of 12,930 MHz.
- 45-DSE-P-71—MCI Lockheed Satellite Corp. (New), C.P. for earth station in Boston, Mass., at 42°20'27" N. and 71°04'04" W. Parameters same as 35-DSE-P-71 except for transmit frequency of 12,890 MHz.
- 46-DSE-P-71—MCI Lockheed Satellite Corp. (New), C.P. for earth station in New York, N.Y., at 40°48'27" N. and 73°56'13" W. Parameters same as 35-DSE-P-71 except for transmit frequency of 12,850 MHz.
- 47-DSE-P-71—MCI Lockheed Satellite Corp. (New), C.P. for earth station in Washington, D.C., at 38°52'16" N. and 77°00'37" W. Parameters same as 35-DSE-P-71 except for transmit frequency of 12,810 MHz.
- 48-DSE-P-71—MCI Lockheed Satellite Corp. (New), C.P. for earth station in Miami, Fla., with a principal antenna at 25°47'41" N. and 80°11'24" W. and a second (diversity) antenna at 25°50'35" N. and 80°14'13" W. Other parameters same as 35-DSE-P-71 except for transmit frequency of 12,770 MHz.
- 49-DSE-P-71—MCI Lockheed Satellite Corp. (New), C.P. for earth station in New Orleans, La., with a principal antenna at 29°56'44" N. and 90°03'58" W. and a second (diversity) antenna at 29°58'00" N. and 90°13'42" W. Other parameters same as 35-DSE-P-71 except for transmit frequency of 13,030 MHz.
- 71-DSE-P-71—The Western Union Telegraph Co. (New), C.P. for earth station at Kipapa, Hawaii (near Honolulu), at 21°28'13" N. and 157°58'21" W. Station will use one 45-foot diameter antenna to receive in the 3700-4200 MHz band and transmit in the 5925-6425 MHz band. Power output will be 330 watts with EIRP of 83 dBw main beam and 3 dBw/4kHz in the horizontal plane.
- 16-DSE(R)-P-71—The Western Union Telegraph Co. (New), C.P. for receive-only earth station at Lake Redding, Calif. (near Redding/Chico), at 40°35'52" N. and 122°24'44" W. Station will use two linearly polarized 10-meter (approximately 33-foot) diameter antennas to receive in the 3700-4200 MHz band.
- 17-DSE(R)-P-71—The Western Union Telegraph Co. (New), C.P. for receive-only earth station at Griffin Creek, Ore. (near Medford), at 42°16'43" N. and 123°54'26" W. Parameters same as 16-DSE(R)-P-71.
- 18-DSE(R)-P-71—The Western Union Telegraph Co. (New), C.P. for receive-only earth station at Goshen, Ore. (near Eugene), at 44°00'33" N. and 123°00'37" W. Parameters same as 16-DSE(R)-P-71.
- 19-DSE(R)-P-71—The Western Union Telegraph Co. (New), C.P. for receive-only earth station at Moxee City, Wash. (near Yakima), at 46°31'38" N. and 120°21'25" W. Parameters same as 16-DSE(R)-P-71.
- 20-DSE(R)-P-71—The Western Union Telegraph Co. (New), C.P. for receive-only earth station at Camp Union, Wash. (near Seattle/Tacoma), at 47°24'55" N. and 122°48'32" W. Parameters same as 16-DSE(R)-P-71.

- 21-DSE(R)-P-71—The Western Union Telegraph Co. (New), C.P. for receive-only earth station near Spokane, Wash., at 47°38'35" N. and 117°18'16" W. Parameters same as 16-DSE(R)-P-71.
- 11-DSE(R)-P-71—TelePrompTer Corp. (New), C.P. for receive-only earth station in New York, N.Y., at 40°52'17" N. and 73°54'42" W. Station will use one 35-foot diameter antenna with a dual feed to receive in the 3700-4200 MHz band.
- 12-DSE(R)-P-71—TelePrompTer Corp. (New), C.P. for receive-only earth station at Los Angeles, Calif., at 34°08'13" N. and 118°19'29" W. Parameters same as 11-DSE(R)-P-71.
- 13-DSE(R)-P-71—TelePrompTer Corp. (New), C.P. for receive-only earth station at St. Petersburg, Fla., at 27°54'25" N. and 82°46'59" W. Parameters same as 11-DSE(R)-P-71.
- 14-DSE(R)-P-71—TelePrompTer Corp. (New), C.P. for receive-only earth station at Horseheads, N.Y. (near Elmira), at 42°09'17" N. and 76°43'47" W. Parameters same as 11-DSE(R)-P-71.
- 15-DSE(R)-P-71—TelePrompTer Corp. (New), C.P. for receive-only earth station near Eugene, Oreg., at 43°59'29" N. and 123°01'11" W. Parameters same as 11-DSE(R)-P-71.
- 61-DSE-P-71—Western Tele-Communications, Inc. (New), C.P. for earth station near Sleepy Hollow, Calif. (near Los Angeles), at 33°57'13" N. and 117°46'08" W. Station will use one 60-foot diameter antenna to receive in the 5925-6425 MHz band and transmit in the 3700-4200 MHz band; and two 45-foot diameter antennas to receive in the 11.7-12.2 GHz bands and transmit in the 12.75-13.25 GHz band. Power output per channel at 6 GHz will be 700 w. with maximum EIRP's for any carrier of 84.3 dBw in the main beam, and 20.3 dBw/4kHz in the horizontal plane at minimum elevation of 50°.

Power output per channel at 13 GHz will be 170 w. with maximum EIRP's for any channel of 82.6 dBw in the main beam and 17.6 dBw/4kHz in the horizontal plane at minimum elevation of 50°.

- 9-DSE(R)-P-71—Western Tele-Communications, Inc. (New), C.P. for receive-only earth station at Desert Springs, Nev. (near Las Vegas), at 36°24'37" N. and 115°06'46" W. Station will use one 20-foot diameter antenna to receive in the 3700-4200 MHz band.
- 62-DSE-P-71—Western Tele-Communications, Inc. (New), C.P. for earth station at Morrison, Col. (near Denver), at 39°37'57" N. and 105°10'25" W. Parameters same as 61-DSE-P-71 except: plus T.T. & C. capability; and a maximum EIRP in the horizontal plane at 6 GHz of 19.3 dBw/4kHz and at 13 GHz, of 15.6 dBw/4kHz, at minimum elevation of 42.8°.
- 10-DSE(R)-P-71—Western Tele-Communications, Inc. (New), C.P. for receive-only earth station near Huron, S. Dak., at 44°20'05" N. and 98°14'00" W. Station will use one 18-foot diameter antenna to receive in the 11.7-12.2 GHz band.
- 63-DSE-P-71—Western Tele-Communications, Inc. (New), C.P. for earth station at Marengo, Ill. (near Chicago), at 42°13'15" N. and 88°35'43" W. Parameters same as 61-DSE-P-71 except, a maximum EIRP in the horizontal plane at 6 GHz of 20.3 dBw/4kHz and at 13 GHz of 18.6 dBw/4kHz, at a minimum elevation of 33.9°.
- 64-DSE-P-71—Western Tele-Communications, Inc. (New), C.P. for earth station at Sugar Loaf, N.Y. (near New York City), at 41°19'35" N. and 74°17'08" W. Parameters same as 61-DSE-P-71 except: plus T.T. & C. capability; and a maximum EIRP in the horizontal plane at 6 GHz of 31.3 dBw/4kHz and at 13 GHz, 24.6 dBw/4kHz at a minimum elevation of 26.3°.

POINT-TO-POINT MICROWAVE RADIO SERVICE

The following applications were listed and described in the Common Carrier Services Information Report No. 539 of April 12, 1971, and are accepted for filing for consideration in Docket No. 16495:

5234/5261-C1-P-71—Western Tele-Communications, Inc.
5223/5233-C1-P-71—The Western Union Telegraph Co.

POINT-TO-POINT MICROWAVE RADIO SERVICE—Continued

- 5171/5215-C1-P-71—American Telephone & Telegraph Co.
5217/5222-C1-P-71—RCA Globocom and RCA Alascom,
5445/5473-C1-P-71—MCI Lockheed Satellite Corp.
5266/5300-C1-P-71—Fairchild Hiller Corp.

Applications filed pursuant to section 214 of the Communications Act:

TELEPHONE WIRE FACILITIES

- P-C-8088—American Telephone & Telegraph Co.
P-C-8092—American Telephone & Telegraph Co.
P-C-8093—American Telephone & Telegraph Co.

[NOTE: The above applications were listed and described on the Common Carrier Services Information Report No. 585, March 15, 1971]

6. Upon preliminary examination of the pending applications for domestic communications satellite system facilities, it appears that in several instances the geographical coordinates of an earth station do not match those of the first microwave radio station for terrestrial interconnection and that a short cable link between the two may therefore be contemplated. The only section 214 applications for such cable links that have been accepted for filing for consideration in Docket No. 16495 are the three applications of A.T. & T. listed above (P-C-8088, P-C-8092, and P-C-8093). Accordingly, all common carrier applicants for domestic earth stations who are proposing to use their own terrestrial interconnection facilities in whole or in part, or who have made arrangements for another common carrier to apply for terrestrial interconnection facilities, are requested to review the pertinent applications to make sure that the necessary section 214 applications for any cable links have been filed or will be filed as promptly as possible. Noncarrier applicants for earth stations which would require cable links, in whole or in part, are requested to review their applications to make sure that full information with respect to such cable links (including cost estimates) has been supplied or will be supplied as soon as possible.

FEDERAL COMMUNICATIONS

COMMISSION,

BEN F. WAPLE,

Secretary.

[SEAL]

[FR Doc.71-5895 Filed 4-28-71; 8:45 am]

NOTICES

[Report No. 541]

COMMON CARRIER SERVICES INFORMATION¹Domestic Public Radio Services Applications Accepted for Filing²

APRIL 26, 1971.

Pursuant to §§ 1.227(b) (3) and 21.30 (b) of the Commission's rules, an application, in order to be considered with any domestic public radio services application appearing on the list below, must be substantially complete and tendered for filing by whichever date is earlier: (a) The close of business 1 business day preceding the day on which the Commission takes action on the previously filed application; or (b) within 60 days after the date of the public notice listing the first prior filed application (with which subsequent applications are in conflict) as having been accepted for filing. An application which is subsequently amended by a major change will be considered to be a newly filed application. It is to be noted that the cutoff dates are set forth in the alternative—applications will be entitled to consideration with those

¹ All applications listed below are subject to further consideration and review and may be returned and/or dismissed if not found to be in accordance with the Commission's rules, regulations, and other requirements.

² The above alternative cut-off rules apply to those applications listed below as having been accepted in Domestic Public Land Mobile Radio, Rural Radio, Point-to-Point Microwave Radio and Local Television Transmission Services (Part 21 of the rules).

listed below if filed by the end of the 60-day period, only if the Commission has not acted upon the application by that time pursuant to the first alternative earlier date. The mutual exclusivity rights of a new application are governed by the earliest action with respect to any one of the earlier filed conflicting applications.

The attention of any party in interest desiring to file pleadings pursuant to section 309 of the Communications Act of 1934, as amended, concerning any domestic public radio services application accepted for filing, is directed to § 21.27 of the Commission's rules for provisions governing the time for filing and other requirements relating to such pleadings.

FEDERAL COMMUNICATIONS

COMMISSION,

BEN F. WAPLE,

Secretary.

[SEAL]

APPLICATIONS ACCEPTED FOR FILING

DOMESTIC PUBLIC LAND MOBILE RADIO SERVICE

File No., applicant, call sign and nature of application

5690-C2-P-71—Area-Wide Paging System, Inc. (KQK593), C.P. for additional facilities to operate on 35.58 MHz at station located at Terminal Tower Building, Euclid Avenue, Cleveland, OH.
5691-C2-P-71—The Mountain States Telephone & Telegraph Co. (KAF256), C.P. to change the antenna system operating on 152.63 MHz located at 5 miles NE of Colorado Springs, CO.
5776-C2-P-71—North Shore Radio-Telephone, Inc. (KSB590), C.P. for additional facilities to operate on frequency 152.06 MHz at a new site described as location No. 4: 120 West University Drive, Arlington Heights, IL.

Major Amendment

829-C2-P-(20)71—Illinois Bell Telephone Co. (New), Amended to change location No. 1 to: 10 South Canal Street, Chicago, IL. All other particulars same as reported in Public Notice dated Aug. 17, 1970, Report No. 505.
2976-C2-P-69—Wisconsin Telephone Co. (New), Amended to change base frequency to 152.84 MHz.
2979-C2-P-69—Wisconsin Telephone Co. (New), Amended to change base frequency to 152.84 MHz. All other particulars same as reported in Public Notice dated Dec. 2, 1968, Report No. 416.

Correction

5682-C2-P-(2)71—Contact-Colorado Springs, Inc. (New), Correct to include frequency 158.70 MHz which was inadvertently omitted from Public Notice dated Apr. 19, 1971, Report No. 540.

RURAL RADIO SERVICE

5772-C1-P/L-71—RCA Alaska Communications, Inc. (New), C.P. and license for a new temporary fixed station to operate at various temporary locations within the territory of the grantee, to operate (15 Units) on frequencies 157.77 and 459.45 MHz.
5773-C1-P/L-71—RCA Alaska Communications, Inc. (New), Same, except to operate on frequencies 454.45 and 152.51 MHz.

POINT-TO-POINT MICROWAVE RADIO SERVICE (TELEPHONE CARRIER)

5692-C1-P-71—American Telephone & Telegraph Co. (KKZ89), C.P. to add frequency 3990 MHz toward Floresville, Tex. Station location: 8 miles southeast of Seguin, Tex.
5693-C1-P/L-71—Cimarron Telephone Co., Inc. (KLU61), C.P. and license to reinstate expired station license. Frequencies 6219.5 and 6338.1 MHz toward Keystone, Okla. Station location: 102 East Cimarron Street, Mannford, OK.
5694-C1-P/L-71—Cimarron Telephone Co., Inc. (KLU62), C.P. and license to reinstate expired license. Frequencies: 5937.8 and 6056.4 MHz toward Mannford, Okla. Station location: Glen Bridge, on Highway No. 64, 4 miles west of Bears, Keystone, Okla.
2318-C1-R-71—The Pacific Telephone & Telegraph Co. (KMQ44), Renewal of station license expiring May 29, 1970. (Developmental) Term: Mar. 29, 1970 to Mar. 29, 1971.
5743-C1-P-71—The Pacific Telephone & Telegraph Co. (KKU58), C.P. to add frequencies 10,755 and 10,835 MHz toward Sierra Morena, Calif. Station location: 3175 Spring Street, Redwood City, CA.

POINT-TO-POINT MICROWAVE RADIO SERVICE (TELEPHONE CARRIER)—Continued
5744-C1-P-71—The Pacific Telephone & Telegraph Co. (KKU52), C.P. to add frequencies 3830 and 3910 MHz toward Loma Prieta Mountain, Calif., a new point of communication and 11,285 and 11,365 MHz toward Redwood City, Calif. Station location: Sierra Morena, 3 miles southwest of Woodside, Calif.

5745-C1-P-71—The Pacific Telephone & Telegraph Co. (KMJ93), C.P. to add frequency 10,995 MHz and change polarization on frequencies 10,915 and 11,155 MHz toward San Jose, Calif.; add frequencies 3790 and 3870 MHz toward Sierra Morena, Calif., a new point of communication. Station: Loma Prieta Mountain, Calif.

5746-C1-P-71—The Pacific Telephone & Telegraph Co. (KMN91), C.P. to add frequency 11,445 MHz toward Loma Prieta Mountain, Calif. Station location: 95 Almaden Avenue, San Jose, CA.

American Telephone & Telegraph Co. Ten C.P. applications to provide Type TD-2 and TD-3A radio relay channels on existing radio relay routes.

5747-C1-P-71—American Telephone & Telegraph Co. (KQF60), Add frequency 3790 MHz toward Lacey, Mich. Station location: 3 miles west-northwest of Parma, Mich.

5748-C1-P-71—American Telephone & Telegraph Co. (KQF61), Add frequency 3830 MHz toward Lacey, Mich., and 3750 and 3830 MHz toward Saranac, Mich. Station location: 0.2 mile south of Lacey, Mich.

5749-C1-P-71—American Telephone & Telegraph Co. (KQH35), Add frequencies 3710 and 3790 MHz toward Lacey, Mich. Station location: 4 miles southeast of Saranac, Mich.

5750-C1-P-71—American Telephone & Telegraph Co. (KSA81), Add frequencies 3930 and 4010 MHz toward Odell, Ill. Station location: 2.3 miles east-southeast of Norway, Ill.

5751-C1-P-71—American Telephone & Telegraph Co. (KSN65), Add frequencies 3890 and 3970 MHz toward Norway, Ill. Station location: 4.6 miles east of Odell, Ill.

5752-C1-P-71—American Telephone & Telegraph Co. (KYJ61), Add frequency 3990 MHz toward Hortonville, Wis. Station location: 126 North Superior Street, Appleton, Wis.

5753-C1-P-71—American Telephone & Telegraph Co. (KYJ62), C.P. to add frequency 3950 MHz toward Appleton, Wis., and frequency 4010 MHz toward Fisk, Wis. Station location: 2 miles east-northeast of Hortonville, Wis.

5754-C1-P-71—American Telephone & Telegraph Co. (KYJ63), C.P. to add frequency 3970 MHz toward Hortonville and Fox Lake, Wis. Station location: 2 miles east of Fisk, Wis.

5755-C1-P-71—American Telephone & Telegraph Co. (KYJ64), C.P. to add frequency 4010 MHz toward Fisk and Watertown Junction, Wis. Station location: 4.5 miles east-northeast of Fox Lake, Wis.

5756-C1-P-71—American Telephone & Telegraph Co. (KSH90), C.P. to add frequency 3970 MHz toward Fox Lake, Wis. Station location: Watertown Junction, 4 miles northeast of Watertown, Wis.

5757-C1-ML-71—The Pacific Telephone & Telegraph Co. (KZS48), Modification of license to add frequencies 5945.2 and 6063.8 MHz toward Glamis, Calif. Station location on Main Street, 0.5 mile west of Rio Vista Avenue, Brawley, Calif.

5758-C1-P/L-71—The Pacific Telephone & Telegraph Co. (New), C.P. and license for a new station to be located 14.8 miles east-northeast of Glamis, Calif. Frequencies: 6197.2 and 6315.9 MHz toward Brawley, Calif.

Major Amendment

961-C1-P-71—American Telephone & Telegraph Co. (KKZ89), Delete frequency 3990 MHz toward Floresville, Tex. This deletion will permit the separation of applications File Nos. 953 through 967-C1-P-71 and the deleted facilities are incorporated in application File No. 5692-C1-P-71. Station location 8 miles southeast of Seguin, Tex. All other particulars same as reported in Public Notice dated Aug. 24, 1970.

7980-C1-P-70—United Telephone Co. of the West (New), Change frequencies directed toward Fort Laramie, Wyo., from 6226.9 and 6345.5 MHz to 6330.7 and 6212.0 MHz.

7982-C1-P-70—United Telephone Co. of the West (New), Change frequencies directed toward Guernsey, Wyo., from 5974.8 and 6093.5 MHz to 5960.0 and 6049.0 MHz and frequency directed toward Lingle, Wyo., from 5974.8 to 6019.3 MHz. All other particulars same as reported in Public Notice No. 495 dated June 8, 1970.

POINT-TO-POINT MICROWAVE RADIO SERVICE (NONTTELEPHONE)

5774-C1-P-71—Mid-Kansas, Inc. (KBC61), C.P. to power split frequency 6315.9 MHz on azimuth 145°40'. Location: 2 miles northeast of Abilene, Kans., at latitude 38°57'32" N., longitude 97°12'18" W.

POINT-TO-POINT MICROWAVE RADIO SERVICE (NONTELEPHONE)—Continued

(INFORMATIVE: Applicant proposes to provide the television signal of KCIT-TV of Kansas City, Mo., to Herington Cable TV System at Herington, Kans.)

5775-C1-P-71—Video Service Co. (KVD52), C.P. to power split frequencies 6019.3 and 6108.3 MHz on azimuth 182°50'. Location: 1.8 miles northwest of Peru, Ind., at latitude 40°46'32" N., longitude 86°05'32" W.

(INFORMATIVE: Applicant proposes to provide the television signals of stations WGN-TV and WFLD-TV to TeleCable of Kokomo, Inc., in Kokomo, Ind.)

5777-C1-P-71—Mountain Microwave Corp. (New), C.P. to construct a new station at Aurora, Colo. (latitude 39°44'28" N., longitude 104°52'22" W.) transmitting on frequency 2125.4 MHz toward Colorow, Colo., on azimuth 268°15'.

5778-C1-ML-71—Mountain Microwave Corp. (KB122), Modification of license to provide the signal of Inter-Mountain Radio Network (IMN), via audio subcarrier, to IMN affiliated stations KVOR, Colorado Springs; KCRT Trinidad; and KKAM, Pueblo; all in Colorado. Station location: Almagre Mountain, Colo.

5779-C1-ML-71—Mountain Microwave Corp. (KB124), Modification of license to provide the IMN signal, via audio subcarrier, to IMN affiliated stations KGIW, Alamosa, and KVRH, Salida, both in Colorado. Station location: Methodist Mountain, 5.5 miles west of Salida, Colo.

5780-C1-ML-71—Mountain Microwave Corp. (KBT68), Modification of license to provide the IMN signal, via audio subcarrier, to IMN affiliated station KEXO, Grand Junction, Colo. Station location: Waterdog Peak, 13 miles southeast of Montrose, Colo.

5781-C1-ML-71—Mountain Microwave Corp. (KYO71), Modification of license to provide the IMN signal, via audio subcarrier, to IMN affiliated Station KIUP, Durango, Colo. Station location: 4.5 miles north of Silverton, Colo.

5782-C1-ML-71—Mountain Microwave Corp. (KCM78), Modification of license to provide the IMN signal, via audio subcarrier, to IMN affiliated Stations KFTM, Fort Morgan and KGEL, Sterling, both in Colorado. Station location: 17 miles south-southwest of Fort Morgan, Colo.

5783-C1-ML-71—Mountain Microwave Corp. (KCM80), Modification of license to provide the IMN signal, via audio subcarrier, to IMN affiliated Station KSID, Sidney, Nebr. Station location: 6 miles south of Sidney, Nebr.

5784-C1-ML-71—Mountain Microwave Corp. (KCM81), Modification of license to provide the IMN signal, via audio subcarrier, to IMN affiliated Stations KCOW, Alliance and KNRB, Scottsbluff, both in Nebraska. Station location: Angora, 7.5 miles northeast of Bridgeport, Nebr.

5785-C1-ML-71—Mountain Microwave Corp. (KAQ88), Modification of license to provide the IMN signal, via audio subcarrier, to IMN affiliated Station KIMM, Rapid City, S. Dak. Station location: Mount Cooldidge, 6 miles east-southeast of Custer, S. Dak.

5786-C1-P-71—Mountain Microwave Corp. (New), C.P. to construct a new station at Laramie, Wyo. (latitude 41°19'15" N., longitude 105°33'40" W.), transmitting on frequency 2125.4 MHz toward Summit, Wyo., on azimuth 133°09'.

5787-C1-ML-71—Mountain Microwave Corp. (WAY74), Modification of license to provide the IMN signal, via audio subcarrier, to IMN affiliated Stations KRAL, Rawlins and KVOO, Casper, both in Wyoming. Station location: Bear Park, Wyo.

5788-C1-ML-71—Mountain Microwave Corp. (KTG48), Modification of license to provide the IMN signal, via audio subcarrier, to IMN affiliated Stations KBBS, Buffalo and KIML, Gillette, both in Wyoming. Station location: Kingsbury, Wyo.

(INFORMATIVE: Applicants, Mountain Microwave Corp. Mountain and Wyoming Microwave Corp. (Wyoming), propose to provide audio subcarrier service to radio stations in Colorado, Nebraska, South Dakota, and Wyoming. Mountain proposes to pick up the signal of the Inter-Mountain Radio Network (IMN) at the IMN office in Aurora, Colo., and transmit same to IMN affiliated radio stations in Colorado, Nebraska, and South Dakota. Wyoming will deliver the IMN signal to IMN affiliated station KOWB, Laramie, Wyo. KOWB will mix the IMN signal with regional programming. Wyoming will then pick up the composite signal at KOWB and transmit same to IMN affiliated stations in Wyoming. See also section Major Amendment, This Public Notice, File Nos. 718 and 737 through 739-C1-P-71 and 4291-C1-P-71.)

Major Amendment

1940-C1-P-71—Minnesota Microwave, Inc. (New), Application amended to change frequency from 6352.9 MHz to 6223.3 MHz toward Ada, Minn., on azimuth 356°38'. Station location: Downer, Minn.

1942-C1-P-71—Minnesota Microwave, Inc. (New), Application amended to change frequency from 6293.6 MHz to 6219.5 MHz toward East Grand Forks and Thief River Falls, Minn., on azimuths of 303°41' and 35°41' respectively. Station location: 0.2 mile southeast of Crookston, Minn. Other particulars are unchanged. See Public Notice dated Oct. 12, 1970.

718-C1-P-71—Wyoming Microwave Corp. (WAY73), Application amended to provide the signal of the Inter-Mountain Radio Network (IMN), via audio subcarrier, to IMN affiliated station KOWB, Laramie, Wyo. Station location: Summit Mountain, Wyo.

737-C1-P-71—Wyoming Microwave Corp. (KPS63), Application amended to provide the signal of IMN, via audio subcarrier, to IMN affiliated Station KPOW, Powell, Wyo. Station location: Cedar Mountain, Wyo.

738-C1-P-71—Wyoming Microwave Corp. (KPB65), Application amended to provide the signal of IMN, via audio subcarrier, to IMN affiliated Stations KTHE, Thermopolis; KVOW, Riverton; and KWOR, Worland, all in Wyoming. Station location: Copper Mountain, Wyo.

739-C1-P-71—Wyoming Microwave Corp. (KPS25), Application amended to provide the signal of IMN, via audio subcarrier, to IMN affiliated Station KWYO, Sheridan, Wyo. Station location: Dome Mountain, 25 miles southwest of Sheridan, Wyo.

4291-C1-P-71—Mountain Microwave Corp. (KOB37), Application amended to transmit the signal of IMN, via audio subcarrier, to relay station at Soderburg, Colo., for delivery of IMN to IMN affiliated Station KCOL at Fort Collins, Colo. Station location: Colorow, Colo. See also file Nos. 5777-C1-P-71, 5778 through 5785-C1-ML-71; 5786-C1-P-71, 5787-C1-ML-71 and 5788-C1-ML-71, this Public Notice.

[FR Doc.71-6002 Filed 4-28-71; 8:51 am]

[Docket No. 16070; FCC 71-427]

COMMUNICATIONS SATELLITE CORP.

Memorandum Opinion and Order
Regarding Deferred Accounting
Requirement

In the matter of Communications Satellite Corp.; charges, practices, classifications, rates, and regulations for and in connection with the leasing of voice grade and television channels common carriers authorized by the Federal Communications Commission, between Andover, Maine, and a communications satellite in connection with the establishment of communications paths between points in the United States and Europe for the transmission and reception of voice, record, data, telephone, facsimile, television, and other signals.

1. The Commission has before it a letter dated April 2, 1971, filed by the Communications Satellite Corp. (Comsat) requesting the withdrawal for the calendar year 1971 of the deferred credit accounting requirements imposed upon Comsat by our memorandum opinions and orders and authorizations (including extensions thereof) adopted in this proceeding on June 22, 1965 (38 F.C.C. 1286, 1298, 1307, 1310), as amended by our Orders of July 28, 1965 (1 F.C.C. 2d 533) and January 11, 1967 (F.C.C. 67-57). As set forth in our order of designation, the deferred credit accounting requirement has previously been withdrawn, for the period through December 31, 1970, by our orders of March 2, 1967 (7 F.C.C. 2d 895), February 14, 1968 (11 F.C.C. 2d 737), April 18, 1969 (17 F.C.C. 2d 277), July 2, 1969 (18 F.C.C. 2d 492), and April 10, 1970 (22 F.C.C. 2d 795). In each of these withdrawals of the deferred credit accounting requirement, the withdrawal was limited to the purpose of permitting regularization by Comsat of its accounting and the publishing of financial statements for the periods covered in each case.

2. In our earlier withdrawals of the deferred credit accounting requirement we have, each time, had before us information indicating that Comsat's earnings for the periods involved were not likely to produce what could be considered an excessive rate of return. Financial information concerning calendar year 1971 does not support a like indication for that year. The Commission reacted to the change in Comsat earnings prospects when on February 10, 1971, it adopted a memorandum opinion and order (FCC 71-155) denying a motion by Comsat to terminate proceedings in the proceeding herein and setting the matter for hearing. As indicated below, we do not believe the change in Comsat's earnings situation is any bar to our granting continued accounting relief. Furthermore, the review of the status of deferred credit accounting occasioned by the change in Comsat's earnings picture convinces us that we can withdraw the accounting requirement permanently rather than merely for calendar year 1971.

3. A copy of Comsat's letter of April 2, 1971, was served on all parties of record in this proceeding. An objection was filed

[FCC 71-428]

April 12 by Western Union International, Inc. (WUI) and a reply by Comsat on April 13. WUI believes that an immediate grant of Comsat's request would be prejudicial to WUI's interests and would place Comsat in an unduly favorable stance to delay rate reductions believed by WUI to be warranted.

4. It is our view that the Commission may lift the deferred accounting requirement without prejudicing in any way the exercise by the Commission of any of its powers with respect to the treatment of the substantive questions involved in this proceeding or the ultimate disposition of this proceeding.

5. Accordingly, we shall withdraw the deferred credit accounting requirement insofar as it is a bar to normal accounting procedures and without prejudice to any Commission action regarding all substantive matters in this proceeding, including the ordering of the disposition, in any manner, of any excess earnings, if found.

It is ordered, That the deferred credit accounting requirement imposed on Comsat by our several orders and authorizations is hereby withdrawn insofar as it is a bar to normal accounting procedures and the publishing of conventional financial statements.

It is further ordered, That WUI's petition for deferral of Comsat's request for relief is hereby denied.

Adopted: April 16, 1971.

Released: April 19, 1971.

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

[FR Doc.71-6008 Filed 4-28-71;8:51 am]

[Dockets Nos. 18989, 18990]

**HORNE INDUSTRIES, INC., AND
TELLUM BROADCASTING COM-
PANY OF SEARCY, INC.**

**Memorandum Opinion and Order
Enlarging Issues; Correction**

In regard application of Horne Industries, Inc., Searcy, Ark., Docket No. 18989, File No. BPH-6810; and Tellum Broadcasting Company of Searcy, Inc., Searcy, Ark., Docket No. 18990, File No. BPH-6953; for construction permits.

In paragraph 3, second sentence, Review Board Memorandum Opinion and Order 71R-120, released April 16, 1971, 36 F.R. 7545, delete the phrase "one of its principals".

Adopted: April 22, 1971.

Released: April 23, 1971.

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

[FR Doc.71-6009 Filed 4-28-71;8:51 am]

¹ Chairman Burch absent; Commissioner Johnson concurring in the result.

**LICENSEE RESPONSIBILITY TO RE-
VIEW RECORDS BEFORE BROAD-
CAST**

**Memorandum Opinion and Order;
Definitive Statement**

1. The Commission has before it petitions for reconsideration of its Public Notice of March 5, 1971, FCC 71-205 (36 F.R. 4901), entitled "Licensee Responsibility to Review Records Before Their Broadcast," filed by the Federal Communications Bar Association; Pierson, Ball & Inc., Lee Enterprises, Inc., RKO General, Inc., and Time-Life Broadcast, Inc.; the Recording Industry Association of America (RIAA),¹ and Pacifica Foundation.² The latter also submitted a petition for stay. In view of this latter request and the considerations in the next paragraph, we agree that there is a need for expedited action, and therefore go directly to the merits, without summarizing the petition.

2. The Commission's public notice of March 5 stated, in most pertinent part:

Whether a particular record depicts the dangers of drug abuse, or, to the contrary, promotes such illegal drug usage is a question for the judgment of the licensee. The thrust of this notice is simply that the licensee must make that judgment and cannot properly follow a policy of playing such records without someone in a responsible position (i.e., a management level executive at the station) knowing the content of the lyrics.

The notice thus simply reflected the well-established concept of licensee responsibility. However, as the petitions point up, it was widely reported in the press as a directive by the Commission not to play certain kinds of records (e.g., "Stations Told to Halt Drug-Oriented Music", Associated Press, The Washington Evening Star, March 6, 1971; "FCC Bars Broadcasting of Drug-Linked Lyrics", United Press International, The Washington Post, March 7, 1971). Since the purpose of a public notice is to inform the industry and public of a Commission policy, it follows that where a notice is so erroneously depicted, we should appropriately call attention to the error. We do so in this memorandum opinion and order. While it adheres fully to the above noted established policy of licensee responsibility, this opinion treats the matter in greater detail and thus constitutes the Commission's definitive statement in this respect.

3. As the notice stated at the outset, the Commission has received a number of complaints concerning the broadcast of records with lyrics tending to promote or glorify the use of illegal drugs. The Commission's own experience indicated

¹ RIAA's motion for acceptance of pleading in excess of page limitation is granted.

² We also take note that a petition for reconsideration was filed late by the Stern Community Law Firm and also a Memorandum of the Authors League of America, Inc., in support of RIAA's petition for reconsideration. These materials were received during our determination on this memorandum opinion and order.

that there was some tendency by broadcasters to be indifferent to the matter of licensee responsibility in this area because all that is involved is the playing of a record. The Commission therefore believed it appropriate to point up that the licensee's responsibility for the material broadcast over his facilities extends to records. Clearly, in a time when there is an epidemic of illegal drug use—when thousands of young lives are being destroyed by use of drugs like heroin, methedrine ("speed"), cocaine—the licensee should not be indifferent to the question of whether his facilities are being used to promote the illegal use of harmful drugs.

4. But nothing in the prior notice stated, directly or indirectly, that a licensee is barred from presenting a particular type of record. On the contrary, the notice made clear that selection of records was a matter for the licensee's judgment. Some records point up drug dangers, some may glorify drugs, some may simply reflect the drug scene as it is today. Here, as in so many programing areas, it is often a most difficult judgment whether a record promotes drug usage. Licensees could reasonably and understandably reach differing judgments as to a particular record. We stress that such an evaluation process is one solely for the licensee. The Commission cannot properly make or review such individual licensee judgments. Indeed, at renewal time our function is solely limited to a review of whether a licensee's programing efforts, on an overall basis, have been in the public interest. Report and Statement of Policy Regarding Commission En Banc Programing Inquiry, 20 Pike & Fischer, Radio Regulation 1901 (1960): In re Pacifica Foundation, 36 F.C.C. 147, 149 (1964).

5. Any attempt to review or condemn a licensee's judgment to play a particular record is, as indicated, beyond the scope of Federal regulatory authority with perhaps the exception of the so-called "clear and present danger" test. In this connection, in Anti-Defamation League of B'Nai B'rith against Radio Station KTYM, 4 F.C.C. 2d 190, 191, 6 F.C.C. 2d 385 (1967),³ the Commission stated:

It is the judgment of the Commission, as it has been the judgment of those who drafted our Constitution and of the overwhelming majority of our legislators and judges over the years, that the public interest is best served by permitting the expression of any views that do not involve "a clear and present danger of serious substantive evil that rises far above public convenience, annoyance or unrest."⁴ *Terminiello v. Chicago*, 337 U.S. 1, 4 (1949).

³ *Aff'd*, *Anti-Defamation League v. FCC*, 403 F. 2d 169 (C.A.D.C., 1968), cert. denied, 394 U.S. 930 (1969).

⁴ Similarly, in *Brandenburg v. Ohio*, 395 U.S. 444 (1969), the Supreme Court struck down the conviction of a Ku Klux Klan leader for advocating violence at a KKK rally, stating (at p. 447):

These later [Supreme Court] decisions have fashioned the principle that the constitutional guarantees of free speech and free press do not permit a State to forbid or proscribe advocacy of the use of force or of law violation except where such advocacy is directed to inciting or producing imminent lawless action and is likely to incite or produce such action.

6. The question of formulating a definitive concrete standard is not presented in this matter. For, we hold, based on our experience and the complaints received, that whether to play a particular record in this area does not raise an issue as to which the Government may intervene. That is the reason why the Commission has not referred a single complaint concerning the playing of records with drug lyrics to licensees for their comments;⁵ instead, we have informed the complainants of the provisions of section 326. There could be extraordinary, unforeseen circumstances where the stringent requirements of the "clear and present danger" test might be met in this field. No one can today write a constitutional blueprint for every possible future happenstance and changed circumstance. It is sufficient to hold that we do not now perceive such a problem, based upon our present experience, and that our prior Notice and this Opinion are not premised upon it.

7. The Commission did make clear in the notice that the broadcaster could jeopardize his license by failing to exercise licensee responsibility in this area. Except as to broadcasts by political candidates, the licensee is responsible for the material broadcast over his facilities. That obviously calls for a reasonable degree and exercise of responsibility. It is nonsense to assert that the licensee can be indifferent to this responsibility. If a person approaches a station to buy time to attack his neighbor, or simply to let loose a torrent of vile language, he will not be presented. While these are egregious examples of the need for licensee responsibility, the plain fact is that the licensee is not a common carrier—that the Act makes him a public trustee who is called upon to make thousands of programming judgments over his license term. The thrust of the notice is simply that this concept of licensee responsibility extends to the question of records which may promote or glorify the use of illegal

drugs.⁶ A licensee should know whether his facilities are being used to present again and again a record which urges youth to take heroin or cocaine—that it is a wonderful, joyous experience. This example is egregious, but it serves to point up the obvious bedrock policy of the responsible public trustee. The point is that such records are not withdrawn from the area of licensee responsibility.

8. Nor are the mechanics of licensee responsibility difficult or onerous. Again, it may be desirable to proceed by analogy. Licensees instruct their employees that before presenting taped material containing questionable language (i.e., of an indecent or obscene nature), the matter should be brought to the attention of a responsible management official (see Eastern Educational Radio, 24 FCC 2d 408, 414 (1970)). We note that this is the policy of petitioner Pacifica. See *In re Pacifica Foundation*, 36 FCC 147, 150 (1964). Further, while such material might be presented once in a series part of which has been screened and approved, its presentation is then picked up, either to complaint or station personnel, and a judgment made as to further presentation. So also here, disc jockeys could be instructed that where there is a question as to whether a record promotes the illegal drug usage, a responsible management official should be notified so he can exercise his judgment. It may be that a record which raises an issue in this respect is played once, but then the station personnel who have heard it will be in a position to bring it to the attention of the appropriate management official for his judgment. Finally, we are not calling for an extensive investigation of each such record. We recognized in the ADL case, supra, that imposition of any undue verification process "could significantly inhibit the presentation of controversial issue programming" (6 FCC 2d at p. 386); cf. *The Washington Post v. Keogh*, 365 F. 2d 965 (C.A.D.C., 1966). That is equally so here. Therefore, what is required is simply reasonable and good faith attention to the problem. We would conclude this aspect as we did in the prior notice.

Thus, here as in so many other areas, it is a question of responsible, good faith action by the public trustee to whom the frequency has been licensed. No more, but certainly no less is called for.

9. We think that the foregoing is dispositive of the major arguments presented. The licensee is not a book store, but a public trustee of an inherently limited resource who is fully responsible for its operation in the public interest. We have made clear that we are not seeking through a euphemism, licensee responsibility, to effect the wholly improper result of barring certain kinds of speech. We have imposed no onerous requirements in this respect, and have further

⁵ We thus fully agree with the FCBA position that the Commission should make clear " * * * it was announcing a policy dealing solely with licensee responsibility to be familiar with what the licensee is broadcasting and that it did not intend to pass judgment on the desirability of broadcasting any song * * * " (p. 8, FCBA petition).

stressed that the judgment whether to play a particular record is to be made by the licensee alone. We have noted the arguments that some licensees have dropped all records referring to drugs—in erroneous reaction to our notice. If that is the case, we trust that with the issuance of this opinion such licensees will cease such grossly inappropriate policy and rather will make a judgment based on the particular record. Finally, to the argument that suggests impropriety in our issuance of a Notice concerning the need for licensee responsibility in the area of records promoting drugs, the short answer is set forth in paragraph 3, supra—that this is an area of great concern in view of the epidemic proportions of the problem, that we had numerous complaints, and that we had some indication of licensee indifference because all that is involved is the playing of records. We have in the past issued similar notices when there was indifference to the policy of licensee responsibility in other areas. See, e.g., public notice concerning Foreign Language Programs adopted March 22, 1967, FCC 67-368, 9 R.R. 2d 1901. Of course, the policy of licensee responsibility is applicable generally, but that does not mean that we cannot issue appropriate notices when there is an indicated need therefor.

10. An argument is also advanced as to the necessity for rule making notice under the Administrative Procedure Act. But our notice establishes no new rule or indeed even a new policy. It reiterates an established bedrock policy—licensee responsibility. If this opinion were withdrawn, licensees would still be required to observe that policy based on scores of prior decisions. We therefore do not perceive how the rule making notice requirements of the APA are at all applicable here.

11. As a final point, we wish to stress that the issue of drug lyrics is but one facet of the overall drug problem, and it would be unfortunate if it were to be blown out of proportion. For, consideration of this aspect is, of course, not the be-all and end-all of what a broadcaster can do to serve the public interest in this important area. The public generally is now aware of the existence of the drug abuse problem. The alert has been sounded, and broadcasters have played an important role in informing the public. The present challenge and opportunity, for those broadcasters who wish to help, is to inform our citizens as to what can be done to find solutions to the problem of drug abuse. Indeed, because the drug problem is complex, and fraught with emotion, there is the possibility of a good deal of misinformation being circulated. Broadcasters who develop their own materials and programs relating to drug abuse could, if they wish, consult with experts in the field, both in the public and private sectors to insure the accuracy and reliability of their programming. In short, we believe that licensees can play a constructive role in helping the Nation seek solutions to the drug problem, just as many of them have done, through public service time, in alerting the Nation to the existence of the problem.

12. Accordingly, the request of Pacifica for stay is denied, in view of the above discussion. The requests of the petitioners is granted to the extent reflected above (see, e.g., footnote 6, supra; pp. 9-10, Pierson, Ball & Dowd petition), and in all other respects is denied.

Adopted: April 16, 1971.

Released: April 16, 1971.

FEDERAL COMMUNICATIONS
COMMISSION,⁷

[SEAL] BEN F. WAPLE,
Secretary.

[FR Doc.71-6004 Filed 4-28-71;8:51 am]

FEDERAL MARITIME COMMISSION

AMERICAN MAIL LINE, LTD., ET AL.

Notice of Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1405 I Street NW., Room 1202; or may inspect the agreement at the field offices located at New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of agreement filed by:

Dorr, Cooper & Hayes, Attorneys at Law, 260 California Street, San Francisco, CA 94111.

American Mail Line, Ltd.; American President Lines, Inc.; Pacific Far East Line, Inc.; Seatrain Lines, California; States Steamship Co.; and Waterman Corp. of California.

Agreement No. 9943, between the six American flag carriers listed above,

⁷ Concurring statements of Commissioners Bartley, H. Rex Lee and Wells filed as part of the original document. Dissenting statement of Commissioner Johnson to be issued at a later date.

would permit the establishment of the "American Lines Operators, Pacific" (ALOPAC) with authority to "discuss and may agree on a common position and act with unanimity on (a) questions of interpretation, construction, application, or proposed modification of the terms or conditions of the applicable common carrier contract of affreightment (other than the establishment of freight rates), and/or (b) questions or problems arising out of dealings with a shipper service, and may authorize and/or undertake and consummate all actions deemed advisable to effectuate any agreement reached hereunder," with respect to cargoes transported on behalf of the Military Sealift Command and the Army, Navy, Air Force, and "other United States military services."

Dated: April 26, 1971.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.71-6019 Filed 4-28-71;8:51 am]

MARITIME FRUIT CARRIERS CO., LTD., AND REFRIGERATED EXPRESS LINES (A/ASIA) PTY., LTD.

Notice of Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1405 I Street NW., Room 1202; or may inspect the agreement at the field offices located at New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, DC 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of agreement filed by:

Peter Siviglia, Esq., Hall, McNicol, Maret & Hamilton, 330 Madison Avenue, New York, NY 10017.

Agreement No. 9944 would permit the Maritime Fruit Carriers Co., Ltd. and

the Refrigerated Express Lines (A/Asia) Pty., Ltd. to enter into a cooperative working arrangement in the northbound trade from Australia to the east coast of North America with authority to contribute "equal cubic capacity" yearly to a rationalized service; to establish jointly a corporation to act as general agent in Australia; and to share the profits and losses of their coordinated venture.

Dated: April 26, 1971.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.71-6020 Filed 4-28-71;8:51 am]

NORTH ATLANTIC WESTBOUND FREIGHT ASSOCIATION

Notice of Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1405 I Street NW., Room 1202; or may inspect the agreement at the field offices located at New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, DC 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of agreement filed by:

Ronald A. Capone, Esq., Kirlin, Campbell & Keating, The Farragut Building, 900 17th Street NW., Washington, DC 20006.

Agreement No. 5850-16 further amends the Conference's self-policing provisions to authorize the enforcement authority to initiate its own investigation of possible breaches of the agreement.

Dated: April 26, 1971.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.71-6021 Filed 4-28-71;8:51 am]

SEA-LAND SERVICE, INC.**Application for Exemption**

Notice is hereby given that the following application for exemption has been filed with the Commission for approval pursuant to section 35 of the Shipping Act, 1916, as amended (80 Stat. 1358, 46 U.S.C. 833a).

Interested parties may inspect and obtain a copy of this application at the Washington office of the Federal Maritime Commission, 1405 I Street NW., Washington, DC, Room 1015, or may inspect a copy of the application at the field offices, New York, N.Y.; New Orleans, La., and San Francisco, Calif. Comments with reference to the application including a request for hearing if desired may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement shall also be forwarded to the party filing the application (as indicated hereinafter), and the comments should indicate that this has been done.

Notice of application filed by:

Warren Price, Jr., Ragan & Mason, Suite 714, 900 17th Street NW., Washington, DC 20006.

Application designated Exemption No. 9 is hereby made pursuant to section 35 of the Shipping Act, 1916, for exemption from the Intercoastal Shipping Act, 1933, and the Shipping Act, 1916, and regulations applicable thereunder for the movement of U.S. coins and currency shipped by the Federal Reserve Banks, between U.S. Atlantic coast ports, on the one hand, and ports in Puerto Rico on the other.

The proposed exemption with respect to filing of rates is for the movement of U.S. coins and currency between U.S. Atlantic coast ports and ports in Puerto Rico. Sea-Land has transported coin and currency from Atlantic coast ports to Puerto Rico for the account of the Bureau of the Mint, U.S. Treasury Department, at rates and conditions authorized under section 6 of the Intercoastal Shipping Act, 1933. Recent changes now vest the responsibility for delivery with the Federal Reserve Bank and not the U.S. Treasury Department.

Federal Reserve Banks are not part of the U.S. Government so as to qualify for the exemption from the requirement that they pay full tariff rates. Petitioner has no objection to extending to the Federal Reserve Bank the same terms and conditions that it has extended to the U.S. Treasury Department.

Transportation of coin and currency is highly specialized. Insurance requirements due to the high value of this traffic are extremely onerous. Security reasons require an armed guard. Because of the nature of the traffic publication of precise points of origin and destination is highly undesirable.

Petitioner submits that the public interest does not require that this traffic

be handled subject to Commission rate regulation and tariff publishing requirements and that exemption will not substantially impair effective regulation by the Federal Maritime Commission.

This exception from the tariff filing requirements and regulations of the Shipping Act, 1916, and the Intercoastal Shipping Act, 1933, will become effective upon approval of the Commission pursuant to section 35, Shipping Act, 1916.

Dated: April 26, 1971.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.71-6018 Filed 4-28-71;8:51 am]

DEPARTMENT OF LABOR

Office of the Secretary

NEVADA**Notice of Availability of Extended Unemployment Compensation**

The Federal-State Extended Unemployment Compensation Act of 1970, Title II of Public Law 91-373, establishes a program of extended unemployment compensation payable when unemployment is high (according to indicators set forth in the law) to unemployed workers who have received all of the regular compensation to which they are entitled. Pursuant to section 203(b)(2) of the Act, notice is hereby given that Robert Archie, Executive Director, Nevada Employment Security Department, has determined that there was a State "on" indicator in Nevada for the week beginning February 28 and that an extended benefit period began in the State with the week beginning March 21, 1971.

Signed at Washington, D.C., this 22d day of April 1971.

J. D. HODGSON,
Secretary of Labor.

[FR Doc.71-5961 Filed 4-28-71;8:47 am]

PENNSYLVANIA**Notice of Availability of Extended Unemployment Compensation**

The Federal-State Extended Unemployment Compensation Act of 1970, Title II of Public Law 91-373, establishes a program of extended unemployment compensation payable when unemployment is high (according to indicators set forth in the law) to unemployed workers who have received all of the regular compensation to which they are entitled. Pursuant to section 203(b)(2) of the Act, notice is hereby given that John M. Clark, Executive Director, Bureau of Employment Security, has determined that there was a State "on" indicator in Pennsylvania for the week beginning January 10, 1971, and that an extended benefit period began in the State with the week beginning January 31, 1971.

Signed at Washington, D.C., this 22d day of April 1971.

J. D. HODGSON,
Secretary of Labor.

[FR Doc.71-5962 Filed 4-28-71;8:47 am]

WASHINGTON**Notice of Availability of Extended Unemployment Compensation**

The Federal-State Extended Unemployment Compensation Act of 1970, Title II of Public Law 91-373, establishes a program of extended unemployment compensation payable when unemployment is high (according to indicators set forth in the law) to unemployed workers who have received all of the regular compensation to which they are entitled. Pursuant to section 203(b)(2) of the Act, notice is hereby given that Maxine Daly, Commissioner, Washington Employment Security Department, has determined that there was a State "on" indicator in Washington for the week beginning September 20, 1970, and that an extended benefit period began in the State with the week beginning October 11, 1970.

Signed at Washington, D.C., this 22d day of April 1971.

J. D. HODGSON,
Secretary of Labor.

[FR Doc.71-5963 Filed 4-28-71;8:47 am]

Wage and Hour Division**CERTIFICATES AUTHORIZING EMPLOYMENT OF FULL-TIME STUDENTS WORKING OUTSIDE OF SCHOOL HOURS AT SPECIAL MINIMUM WAGES IN RETAIL OR SERVICE ESTABLISHMENTS OR IN AGRICULTURE**

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938 (52 Stat. 1060, as amended, 29 U.S.C. 201 et seq.), the regulation on employment of full-time students (29 CFR Part 519), and Administrative Order No. 595 (31 F.R. 12981), the establishments listed in this notice have been issued special certificates authorizing the employment of full-time students working outside of school hours at hourly rates lower than the minimum wage rates otherwise applicable under section 6 of the act. While effective and expiration dates are shown for those certificates issued for less than a year, only the expiration dates are shown for certificates issued for a year. The minimum certificate rates are not less than 85 percent of the applicable statutory minimum.

The following certificates provide for an allowance not to exceed the proportion of the total hours worked by full-time students at rates below \$1 an hour to the total number of hours worked by all employees in the establishment during the base period in occupations of the same general classes in which the establishment employed full-time students at wages below \$1 an hour in the base year.

A. J. Bayless Markets, Inc., foodstores, 1-31-72; No. 32, Apache Junction, Ariz.; No. 29, Goodyear, Ariz.; No. 3, Mesa, Ariz.; Nos. 2, 4, 5, 7, 11, 12, 16, 18, 20, 21, 22, 23, 25, 26, and 30, Phoenix, Ariz.; Nos. 31, and 38, Scottsdale, Ariz.; No. 6, Tempe, Ariz.; Nos. 33 and 35, Tucson, Ariz.; Nos. 14, 24, and 82, Yuma, Ariz.

Duckwall Stores Co., variety-department stores, 1-31-72, except as otherwise indicated: No. 13, Lamar, Colo. (2-1-72); No. 3, Manhattan, Kans.; No. 8, McPherson, Kans.; No. 45, Topeka, Kans.; No. 60, Topeka, Kans. (2-2-72).

W. T. Grant Co., variety-department stores, 1-31-72, except as otherwise indicated: No. 867, Decatur, Ill. (2-7-72); No. 77, Worcester, Mass.; No. 283, Bloomfield, N.J.; No. 381, Elizabeth, N.J. (1-28-72).

Handy-Andy, Inc., foodstores, 2-13-72; Nos. 171 and 172, Austin, Tex.; Nos. 291, 292, and 293, Corpus Christi, Tex.; Nos. 1, 2, 4, 5, 7, 8, 9, 10, 11, 12, 14, 15, 16, 17, 18, 19, 20, 21, 22, and 23, San Antonio, Tex.

S. S. Kresge Co., variety-department stores: No. 117, Terre Haute, Ind., 2-5-72; No. 707, Metairie, La., 1-25-72; No. 4602, Marquette, Mich., 1-21-72; No. 604, Columbus, Ohio, 1-22-72.

McCrorry-McLellan-Green Stores, variety-department store; No. 135, Mannington, W. Va.; 1-27-72.

Minyard Food Stores, Inc., foodstores, 2-19-72; Nos. 1, 4, 6, and 10, Dallas, Tex.; No. 3, Irving, Tex.; No. 9, Lancaster, Tex.; No. 7, Mesquite, Tex.

Morgan & Lindsey, Inc., variety-department stores, 1-21-72, except as otherwise indicated: No. 3031, Camden, Ark. (1-31-72); No. 3024, Amite, La.; No. 3004, DeRidder, La.; No. 3021, Hammond, La. (1-15-72).

G. C. Murphy Co., variety-department store; No. 217, Mercersburg, Pa.; 2-12-72.

Piggly Wiggly, foodstores: Aliceville, Ala., 1-31-72; Heflin, Ala., 2-2-72; Senath, Mo., 2-3-71 to 1-31-72.

Spurgeon's, variety-department stores: 804 North Side Square, Clinton, IL, 1-23-72; 250 East Lincoln Highway, De Kalb, IL, 1-24-72; 413 Chestnut Street, Atlantic, IA, 2-16-72; 112-114 North Main Street, Charles City, IA, 1-29-71 to 1-23-72; 51 East Broadway, Fairfield, IA, 1-23-72; 127 North Main, Mount Pleasant, IA, 2-2-72; 119 Fourth Street, La Crosse, WI, 1-27-72; 103 South Main, Shawano, WI, 1-21-72.

T. G. & Y. Stores Co., variety-department store; No. 168, Little Rock, Ark., 1-22-72.

The following certificates were issued to establishments relying on the base-year employment experience of other establishments, either because they came into existence after the beginning of the applicable base year or because they did not have available base-year records. The certificates permit the employment of full-time students at rates of not less than 85 percent of the statutory minimum in the classes of occupations listed, and provide for the indicated monthly limitations on the percentage of full-time student hours of employment at rates below the applicable statutory minimum to total hours of employment of all employees.

A. J. Bayless Markets, Inc., foodstores, for the occupations of package clerk, service clerk, 20 to 23 percent, 1-31-72, except as otherwise indicated: No. 53, Chandler, Ariz.; No. 37, Douglas, Ariz. (13 to 29 percent); No. 36, Flagstaff, Ariz.; No. 50, Mesa, Ariz.; Nos. 8 and 54, Phoenix, Ariz.; No. 39, Phoenix, Ariz. (20 to 28 percent); Nos. 40 and 58, Phoenix, Ariz. (16 to 25 percent); No. 42, Phoenix,

Ariz. (20 to 27 percent); No. 10, Sierra Vista, Ariz. (14 to 26 percent); No. 51, Tempe, Ariz.; Nos. 45, 46, and 55, Tucson, Ariz.; No. 41, Youngtown, Ariz.

Dillon Cos., Inc., foodstore; No. 50, Topeka, Kans.; cashier, carryout, wrapper, office clerk, maintenance, meat cutter; 11 to 32 percent; 1-31-72.

Duckwall Stores Co., variety-department store; No. 83, Albuquerque, N. Mex.; salesclerk, stock clerk; 2 to 48 percent; 2-14-72.

W. T. Grant Co., variety-department stores, for the occupations of salesclerk, stock clerk, office clerk, cashier, 1-31-72, except as otherwise indicated: No. 933, Jacksonville, Fla., 11 to 18 percent (1-26-72); No. 624, Carpentersville, Ill., 2 to 19 percent; No. 476, Pittsburgh, Pa., 6 to 20 percent (salesclerk); No. 19, Rutland, Vt., 1 to 13 percent (salesclerk, stock clerk, cashier).

H. E. B. Food Store, foodstore; No. 116, Elsa, Tex.; package clerk, sacker, bottle clerk; 10 percent; 1-31-72.

Handy-Andy, Inc., foodstores, for the occupations of bottle clerk, office clerk, porter, packager, stock clerk, produce clerk, salesclerk, checker-cashier, 27 percent, 2-13-72, except as otherwise indicated: Nos. 173 and 174, Austin, Tex.; No. 294, Corpus Christi, Tex.; Nos. 3, 24, 26, and 27, San Antonio, Tex.; No. 25, San Antonio, Tex. (31 percent).

S. S. Kresge Co., variety-department stores, for the occupations of salesclerk, office clerk, stock clerk, checker-cashier, 7 to 27 percent, 1-31-72, except as otherwise indicated: No. 4403, Bradenton, Fla. (salesclerk, 7 to 14 percent); No. 4329, Belleville, Ill. (6 to 21 percent, 2-14-72); No. 4324, Downers Grove, Ill. (12 to 20 percent, 2-14-72); No. 4636, Jacksonville, Ill. (salesclerk, stock clerk, checker-cashier, office clerk, customer service, maintenance, 5 to 20 percent, 2-3-72); No. 4568, Niles, Ill. (18 to 39 percent, 1-23-72); No. 4039, South Bend, Ind. (1 to 25 percent, 2-6-72); No. 4635, Oskaloosa, Iowa (6 to 17 percent, 2-11-72); 3810 University Avenue, Waterloo, IA (9 to 16 percent); No. 4063, Alexandria, La. (salesclerk, 2 to 15 percent, 1-24-72); No. 4040, Flint, Mich. (stock clerk, maintenance, office clerk, food preparation, salesclerk, register operation, counter filling, customer service, 10 percent, 1-22-72); No. 4038, Saginaw, Mich. (stock clerk, maintenance, office clerk, food preparation, salesclerk, register operation, counter filling, customer service, 10 percent, 2-5-72); No. 4206, Warren, Mich. (stock clerk, maintenance, office clerk, food preparation, salesclerk, register operation, counter filling, customer service, 10 percent, 2-18-72); No. 721, Anderson, S.C. (salesclerk, 11 to 22 percent, 2-1-72); No. 4317, Florence, S.C. (salesclerk, maintenance, 11 to 40 percent, 2-1-72); No. 4246, Chattanooga, Tenn. (salesclerk, office clerk, checker-cashier, stock clerk, maintenance, 2 to 17 percent); No. 4161, Dallas, Tex. (salesclerk, 2-3-72); No. 4142, Garland, Tex. (salesclerk, 2-3-72); No. 705, Houston, Tex. (salesclerk, 2-3-72); No. 4080, Houston, Tex. (salesclerk, 2-3-72); No. 4223, Houston, Tex. (salesclerk, 1-21-72); No. 729, Orange, Tex. (salesclerk, 2-16-72); No. 4090, Charlottesville, Va. (salesclerk, office clerk, display clerk, maintenance, stock clerk, counter filling, register operation, customer service, 5 to 9 percent); No. 4104, Roanoke, Va. (salesclerk, stock clerk, maintenance, office clerk, checker-cashier, customer service, counter filling, 14 to 25 percent, 1-21-72).

McCrorry-McLellan-Green Stores, variety-department stores, for the occupations of salesclerk, office clerk, stock clerk, 10 to 32 percent, 1-31-72, except as otherwise indicated: No. 223, Sierra Vista, Ariz. (9 to 20 percent); No. 236, Delray Beach, Fla. (salesclerk, office clerk, stock clerk, porter); No. 338, Fort Lauderdale, Fla. (13 to 27 percent);

No. 250, Naples, Fla. (salesclerk, office clerk, stock clerk, porter, 1-27-72); No. 183, New Port Richey, Fla. (salesclerk, office clerk, stock clerk, porter); No. 258, St. Petersburg, Fla. (salesclerk, office clerk, stock clerk, porter, 4 to 18 percent, 2-10-72); No. 178, Seminole, Fla. (salesclerk, office clerk, stock clerk, porter); No. 211, Zephyr Hills, Fla. (salesclerk, office clerk, stock clerk, porter, 10 to 30 percent); No. 264, Augusta, Maine (19 to 36 percent, 2-14-72); No. 169, Latrobe, Pa. (2 to 25 percent, 2-1-72); No. 284, Stephenville, Tex. (salesclerk, stock clerk, 18 to 39 percent, 2-11-72); No. 1079, Ashland, Wis. (10 to 33 percent).

Minyard Food Stores, Inc., foodstores, for the occupation of carryout, 11 to 16 percent, 2-19-72; Nos. 12 and 20, Arlington, Tex.; Nos. 2, 8, 11, 14, 18, 19, 21, 22, 23, and 24, Dallas, Tex.; No. 15, Garland, Tex.; No. 25, Grand Prairie, Tex.; No. 17, Irving, Tex.; No. 16, Lewisville, Tex.; No. 26, Waxahachie, Tex.

Morgan & Lindsey, Inc., variety-department stores, for the occupations of salesclerk, office clerk, stock clerk, 3 to 24 percent, 1-31-72, except as otherwise indicated: No. 3023, Dermott, Ark. (salesclerk, stock clerk, 8 to 31 percent); No. 3079, Abbeville, La. (4 to 22 percent, 2-4-72); No. 3012, Baton Rouge, La. (8 to 27 percent); No. 3094, Covington, La. (8 to 27 percent); No. 3128, De Ridder, La. (salesclerk, stock clerk, 2 to 15 percent); No. 3126, Franklin, La. (salesclerk, stock clerk); No. 3104, Houma, La. (1-25-72); No. 3130, Houma, La. (salesclerk, stock clerk); No. 3042, West Point, Miss. (8 to 31 percent); No. 3115, Angleton, Tex. (3 to 20 percent); No. 3075, Silsbee, Tex. (10 to 27 percent, 2-4-72).

G. C. Murphy Co., variety-department stores, for the occupations of salesclerk, office clerk, stock clerk, janitorial, 1-31-72, except as otherwise indicated: No. 304, Atlanta, Ga. (5 to 13 percent); No. 322, Terre Haute, Ind. (11 to 26 percent, 2-4-72); No. 69, Lebanon, Ohio (17 to 27 percent); No. 803, Connellsville, Pa. (9 to 30 percent); No. 191, Sheboygan, Wis. (9 to 20 percent, 2-4-72).

Neisner Bros., Inc., variety-department store; No. 77, Cleveland, Ohio; salesclerk, office clerk, stock clerk, maintenance; 9 to 32 percent; 2-4-72.

Rayless Department Stores, variety-department stores, for the occupations of salesclerk, marking clerk, janitorial, stock clerk, office clerk, 13 to 34 percent, 2-14-72, except as otherwise indicated: Cedartown Shopping Center, Cedartown, Ga. (1-31-72); 438 North Commerce Street, Summerville, Ga. (1-31-72); 4704 Rossville Boulevard, Chattanooga, TN; East Main Street, Livingston, TN; 304 East Main Street, McMinnville, TN.

Rose's Stores, Inc., variety-department stores, for the occupations of salesclerk, checker, 11 to 27 percent, 1-31-72, except as otherwise indicated: No. 34, Albemarle, N.C.; No. 196, Boone, N.C. (salesclerk, 12 to 41 percent); No. 117, Kinston, N.C. (2-14-72); No. 195, Cookeville, Tenn. (salesclerk, 3 to 17 percent); No. 87, Chase City, Va. (salesclerk, stock clerk, 9 to 33 percent, 1-28-72).

Spurgeon's, variety-department stores, for the occupations of salesclerk, janitorial, stock clerk, receiving clerk, marker, 1-31-72, except as otherwise indicated: 27-29 West Stephenson, Freeport, IL, 8 to 12 percent; 109-111 West Madison Street, Pontiac, IL, 8 to 10 percent; 73 East Third, Winona, MN, 10 to 14 percent (1-25-72); McGregor Plaza, Platteville, WI, 9 to 15 percent.

Sterling Stores Co., variety-department stores, for the occupations of salesclerk, stock clerk, janitorial, 12 to 43 percent, except as otherwise indicated: Albert Pike Shopping Center, Hot Springs, AR, 2-5-72 (6 to 22 percent); 4201 East Broadway, North Little

Rock, AR, 2-6-72 (11 to 32 percent); Green Village Shopping Center, Dyersburg, TN, 1-28-72; 4441 Highway 61 South, Memphis, TN, 1-26-72.

T. G. & Y. Stores Co., variety-department stores, for the occupations of salesclerk, stock clerk, office clerk, 20 to 30 percent, 2-14-72, except as otherwise indicated: No. 1604, Montgomery, Ala. (15 to 30 percent); No. 1501, Phoenix, Ariz. (2-18-71 to 1-31-72); No. 649, Fontana, Calif.; No. 1308, Pensacola, Fla. (10 to 29 percent); No. 1401, Overland Park, Kans. (15 to 29 percent, 1-21-72); No. 398, Shreveport, La. (6 to 17 percent, 1-31-72); No. 479, Mexico, Mo. (5 to 30 percent); No. 457, St. Joseph, Mo. (11 to 30 percent); No. 2401, North Las Vegas, Nev.; No. 827, Clovis, N. Mex. (13 to 24 percent, 2-12-72); No. 1000, Miami, Okla.; No. 64, Midwest City, Okla. (6 to 30 percent); No. 1005, Purcell, Okla. (8 to 22 percent); No. 443, Tulsa, Okla. (24 to 30 percent, 2-4-72); Nos. 471, 472, and 473, Tulsa, Okla. (24 to 30 percent, 2-7-72); No. 1704, Charleston, S.C. (18 to 30 percent); No. 1706, Chester, S.C. (18 to 30 percent); No. 850, San Antonio, Tex. (30 percent).

Each certificate has been issued upon the representations of the employer which, among other things, were that employment of full-time students at special minimum rates is necessary to prevent curtailment of opportunities for employment, and the hiring of full-time students at special minimum rates will not create a substantial probability of reducing the full-time employment opportunities of persons other than those employed under a certificate. The certificates may be annulled or withdrawn, as indicated therein, in the manner provided in Part 528 of Title 29 of the Code of Federal Regulations. Any person aggrieved by the issuance of any of these certificates may seek a review or consideration thereof within 30 days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of 29 CFR 519.9.

Signed at Washington, D.C., this 21st day of April 1971.

ROBERT G. GRONEWALD,
Authorized Representative
of the Administrator.

[FR Doc.71-5960 Filed 4-28-71;8:47 am]

INTERSTATE COMMERCE COMMISSION

[Notice 34]

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

APRIL 23, 1971.

The following applications are governed by Special Rule 1100.247¹ 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 pro-

¹ Copies of Special Rule 247 (as amended) can be obtained by writing to the Secretary, Interstate Commerce Commission, Washington, D.C. 20423.

vide, among other things, that a protest against 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 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 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 requests shall meet the requirements of section 247(d) (4) of the special rules, and shall include the certification required therein.

Section 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 issued 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 phraseology set forth in the application as filed, but also will eliminate any restrictions which are not acceptable to the Commission.

No. MC 1548 (Sub-No. 3), filed April 5, 1971. Applicant: MERCER MOTOR FREIGHT, INC., 411 North Clinton Avenue, Trenton, N.J. Applicant's representatives: Bert Collins, 140 Cedar Street, New York, NY 10006, and M. Mark Mendel, 1440 P.S.F.S. Building, Philadelphia,

PA 19107. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: (1) *Plastic pellets*, in bags or cartons, and *plastic film*, on rolls, in cartons, serving plantsite of Amoco Chemical Corp., at or near New Castle, Del., as an off-route point in connection with applicant's regular routes between Wilmington, Del., and New York, N.Y., as presently authorized in MC 1548; and (2) *materials, supplies, and equipment* (except in bulk), from points on applicant's regular routes as aforesaid in (1) above and to the plantsite of Amoco Chemical Corp., at or near New Castle, Del. NOTE: The application is accompanied by a petition to dismiss. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 2860 (Sub-No. 97), filed April 1, 1971. Applicant: NATIONAL FREIGHT, INC., 57 West Park Avenue, Vineland, NJ 08360. Applicant's representative: Alvin Altman, 1776 Broadway, New York, NY 10019. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Empty glass containers*, from Waxahachie, Tex., to Vineland, N.J. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Washington, D.C.

No. MC 2962 (Sub-No. 45), filed March 26, 1971. Applicant: A. & H. TRUCK LINE, INC., 1111 East Louisiana Street, Evansville, IN 47717. Applicant's representative: Robert H. Kinker, 711 McClure Building, Frankfort, KY 40601. 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 commodities requiring special equipment); (1) between Owensboro and Drakesboro, Ky., from Owensboro over U.S. Highway 431 to Drakesboro, serving no intermediate points, but serving Drakesboro for purpose of joinder only; (2) between Nashville, Tenn., and Louisville, Ky., from Nashville over Interstate Highway 65 to Louisville; and (3) between Cincinnati, Ohio, and Louisville, Ky., from Cincinnati over Interstate Highway 71 to Louisville, and return over the same routes, as alternate routes for operating convenience only, in connection with carrier's authorized regular route operations and in connection with (1), (2), and (3) above and serving no intermediate points. NOTE: If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky.

No. MC 8535 (Sub-No. 35), filed April 6, 1971. Applicant: GEORGE TRANSFER AND RIGGING COMPANY, INCORPORATED, 2700 Broening Highway, Baltimore, MD 21222. Applicant's representative: John Guandoio, 1000 Northwest 16th Street, Washington, DC 20036.

Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Activated carbon*, from Catlettsburg, Ky., and Covington, Va., to points in Washtenaw County, Mich. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant does not specify a location.

No. MC 11592 (Sub-No. 13), filed April 7, 1971. Applicant: BEST REFRIGERATED EXPRESS, INC., 1402 Pacific Street, Omaha, NE 68108. Applicant's representative: Donald L. Stern, Suite 530 Univac Building, 7100 West Center Road, Omaha, NE 68106. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products and meat byproducts, and articles distributed by meat packinghouses*, as defined in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except liquid commodities, in bulk, and except hides), from the plantsite and storage facilities utilized by Beefland International, Inc., at Council Bluffs, Iowa, and Omaha, Nebr., to points in Illinois, Wisconsin, Indiana, Ohio, and Michigan, restricted to traffic originating at the plantsite and storage facilities utilized by Beefland International, Inc., at Council Bluffs, Iowa, and Omaha, Nebr. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr., or Chicago, Ill.

No. MC 21866 (Sub-No. 65), filed April 1, 1971. Applicant: WEST MOTOR FREIGHT, INC., 740 South Reading Avenue, Boyertown, PA 19512. Applicant's representative: Alan Kahn, 1920 Two Penn Center Plaza, Philadelphia, PA 19102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Processed fruit and fruit juices*, from the facilities of Berks-Lehigh Cooperative Fruit Growers, Inc., in Fleetwood, Pa., and points in Richmond Township, Pa., to points in Illinois, Indiana, and Pennsylvania; and *materials used or useful in the preparation and distribution of processed fruit and fruit juices*, from the above-described destination territory to the facilities of Berks-Lehigh Cooperative Fruit Growers, Inc., in Fleetwood, Pa., and points in Richmond Township, Pa.; and (2) *processed fruit*, from the facilities of Berks-Lehigh Cooperative Fruit Growers, Inc., in Fleetwood, Pa., and points in Richmond Township, Pa., to points in Connecticut, Rhode Island, Massachusetts, Delaware, Virginia, West Virginia, Ohio, New York, New Jersey, Maryland, and the District of Columbia; and *materials used or useful in the preparation and distribution of processed fruit*, from the above-described destination area to the facilities of Berks-Lehigh Cooperative Fruit Growers, Inc., in Fleetwood, Pa., and points in Richmond Township, Pa. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority.

If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa., or Washington, D.C.

No. MC 22254 (Sub-No. 56), filed April 2, 1971. Applicant: TRANS-AMERICAN VAN SERVICE, INC., 7540 South Western Avenue, Chicago, IL 60620. Applicant's representative: John C. Bradley, 618 Perpetual Building, Washington, DC 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Motorcycles and mini-bikes, and parts, accessories, and attachments thereof*, between points in the United States. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 30837 (Sub-No. 433), filed March 26, 1971. Applicant: KENOSHA AUTO TRANSPORTATION CORPORATION, 4200 39th Avenue, Kenosha, WI 53140. Applicant's representative: Paul F. Sullivan, 701 Washington Building, Washington, DC 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Automobile and truck parts*, from Twinsburg, Ohio, to the port of entry on the international boundary line between the United States and Mexico at Laredo, Tex. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 25798 (Sub-No. 222) (Correction), filed March 5, 1971, published FEDERAL REGISTER issue of April 8, 1971, corrected and republished as corrected, this issue. Applicant: CLAY HYDER TRUCKING LINES, INC., 502 East Bridgers Avenue, Post Office Box 1186, Auburndale, FL 33823. Applicant's representative: Tony G. Russell (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fruit and vegetable crystals*, from Lake Wales, Fla., to points in the United States (except Alaska, Alabama, Georgia, Florida, Hawaii, Idaho, Maine, Oregon, Washington, and Vermont). NOTE: Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. The purpose of this republication is to reflect "fruit" and vegetable crystals, in the commodity description, in lieu of "fruits" and vegetable crystal, and to add the State of Vermont to the destination points. If a hearing is deemed necessary, applicant requests it be held at Tampa, Fla., or Washington, D.C.

No. MC 25798 (Sub-No. 223) (Correction), filed March 8, 1971, published in the FEDERAL REGISTER issue of April 8, 1971, and republished, as corrected this issue. Applicant: CLAY HYDER TRUCKING LINES, INC., 502 East Bridgers Avenue, Post Office Box 1186, Auburndale, FL 33823. Applicant's representative: Tony G. Russell (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over

irregular routes, transporting: (1) *Bananas*; and (2) *fresh fruit and fresh vegetables* otherwise exempt from economic regulations under section 203(b)(6) of the Act when transported in mixed shipments with bananas, from points in Manatee and Hillsborough County, Fla., to points in Illinois, Indiana, Kentucky, Michigan, Minnesota, Missouri, Ohio, West Virginia, and Wisconsin. NOTE: Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. Applicant further states it can presently perform the authority sought herein by observing a gateway point in North Carolina on and west of U.S. Highway 52. The purpose of this republication is more clearly set forth by the commodity descriptions in (1) and (2) above. If a hearing is deemed necessary, applicant requests it be held at Tampa, Orlando, or Miami, Fla.

No. MC 30844 (Sub-No. 355), filed April 1, 1971. Applicant: KROBLIN REFRIGERATED XPRESS, INC., 2125 Commercial Street, Waterloo, IA 50704. Applicant's representative: Paul Rhodes (same address as applicant), and Truman A. Stockton, Jr., 1650 Grant Street Building, Denver, CO. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bakery goods*, from Cleveland, Ohio, to points in Arkansas, Colorado, Illinois, Iowa, Kansas, Louisiana, Minnesota, Missouri, Nebraska, North Dakota, Oklahoma, South Dakota, Tennessee, Texas, and Wisconsin. NOTE: Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary applicant requests it be held at Washington, D.C., or Chicago, Ill.

No. MC 36509 (Sub-No. 18), filed March 29, 1971. Applicant: LOOMIS ARMORED CAR SERVICE, INC., 55 Battery Street, Seattle, WA 98121. Applicant's representative: George H. Hart, 1100 IBM Building, Seattle, WA 98101. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Coin, currency, securities, and negotiable instruments*, between Seattle, Wash., on the one hand, and, on the other, points in Boundary, Bonner, Kootenai, Benewah, Shoshone, Clearwater, Latah, Nez Perce, Lewis, and Idaho Counties, Idaho, under contract with Federal Reserve Bank of San Francisco, Seattle Branch. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Seattle, Wash.

No. MC 38591 (Sub-No. 2), filed April 5, 1971. Applicant: NATIONWIDE MOVING & STORAGE CO., INC., 9 Donald Street, Hartford, CT 06102. Applicant's representative: Hugh M. Joseloff, 410 Asylum Street, Hartford, CT 06103. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities as are dealt in by retail department stores*, from Hartford, Conn., to points in Connecticut, and those in

Hamden and Berkshire Counties, Mass. NOTE: Applicant states that the requested authority is restricted to service for W. T. Grant Co. Applicant further states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at New York City or Hartford, Conn.

No. MC 40719 (Sub-No. 6), filed March 19, 1971. Applicant: PAYNE FREIGHT LINES, INC., Post Office Box 1315, Des Moines, IA 50305. Applicant's representative: Andrew R. Clark, 1000 First National Bank Building, Minneapolis, MN 55402. 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 requiring special equipment and those injurious or contaminating to other lading); (1) between Tingley, Iowa, and Omaha, Nebr., from Tingley over Iowa Highway 259 to junction U.S. Highway 169, thence over U.S. Highway 169 to Afton, Iowa, thence over U.S. Highway 34 to junction U.S. Highway 275, thence over U.S. Highway 275 to Council Bluffs, Iowa, thence across the Missouri River to Omaha, and return over the same route, as an alternate route in connection with applicant's regular route authority, serving no intermediate points; (2) between Des Moines, Iowa, and Mount Ayr, Iowa, from Des Moines over Iowa Highway 60 to junction Interstate Highway 35, thence south over Interstate Highway 35 to junction Iowa Highway 92, thence west over Iowa Highway 92 to junction U.S. Highway 169, thence south over U.S. Highway 169 to Mount Ayr, and return over the same routes, as an alternate route in connection with applicant's regular route authority, serving no intermediate points; and (3) between Omaha, Nebr., and Des Moines, Iowa, from Omaha over Interstate Highway 80, and return over the same route in connection with applicant's regular route authority, serving no intermediate points. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 44639 (Sub-No. 33), filed April 5, 1971. Applicant: L & M EXPRESS CO., INC., 220 Ridge Road, Lyndhurst, NJ 07071. Applicant's representative: Herman B. J. Weckstein, 60 Park Place, Newark, NJ 07102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wearing apparel and materials and supplies used in the manufacture of wearing apparel*, between Alberta and Crewe, Va., on the one hand, and, on the other, Kenly, N.C. NOTE: Applicant states that the requested authority will be tacked with its existing authority at Crewe and Alberta, Va., to provide a through service to New York and New Jersey points. If a hearing is deemed necessary, applicant requests it be held at Wilson, N.C., or Washington, D.C.

No. MC 51146 (Sub-No. 210), filed April 5, 1971. Applicant: SCHNEIDER TRANSPORT & STORAGE, INC., 817 McDonald Street, Green Bay, WI 54306. Applicant's representative: D. F. Martin (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic and metal products, games, and toys*, from Worcester, Mass., to points in the United States (excluding Alaska and Hawaii). NOTE: Applicant states that the requested authority could be tacked with its various subs of MC 51146 and it will tack where feasible. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. Applicant seeks no duplicating authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 51146 (Sub-No. 211), filed April 5, 1971. Applicant: SCHNEIDER TRANSPORT & STORAGE, INC., 817 McDonald Street, Green Bay, WI 54306. Applicant's representative: D. F. Martin (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Agricultural commodities* as defined in section 203 (B) (6) of the Act, as amended, in mixed loads with those commodities outlined in part (2); and (2) *animal feed, canned goods, and foodstuffs*, from points in Arizona, California, Oregon, and Washington to points in the continental United States (except Alaska and Hawaii). NOTE: Common control may be involved. Applicant states that the requested authority can be tacked with various subs of MC 51146 and it will tack where feasible. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. Applicant seeks no duplicating authority. If a hearing is deemed necessary, applicant requests it be held at San Francisco, Calif.

No. MC 51146 (Sub-No. 212), filed April 5, 1971. Applicant: SCHNEIDER TRANSPORT & STORAGE, INC., 817 McDonald Street, Green Bay, WI 54306. Applicant's representative: D. F. Martin (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Fibrous materials and products*; (2) *products produced and distributed by manufacturers of fibrous materials and products*; (3) *supplies incidental to the use of the commodities in (1) and (2) above*; and (4) *related premiums and advertising materials* when shipped with the commodities in (1), (2), and (3) above, from Athens, Ga., to points in the United States (except Alaska, Hawaii, Minnesota, Iowa, that part of Indiana on and south of U.S. Highway 40, that part of Michigan on and north of Michigan Highway 21, and that part of Wisconsin on and north of U.S. Highway 10). NOTE: Applicant states that the requested authority could be

tacked with various Subs under MC 51146 and it will tack where feasible. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 52657 (Sub-No. 630), filed March 29, 1971. Applicant: ARCO AUTO CARRIERS, INC., 2140 West 79th Street, Chicago, IL 60620. Applicant's representatives: A. J. Bieberstein, 121 West Doty Street, Madison, WI 53703, and S. J. Zangri (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Truck cabs*, completed or partially completed, *parts of truck cabs* and *skids* used to mount cabs for securing on trailers for transporting, between Norwalk, Orrville, and Massillon, Ohio, and points in Jefferson County, Ky. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Detroit, Mich., or Chicago, Ill.

No. MC 52709 (Sub-No. 314), filed March 22, 1971. Applicant: RINGSBY TRUCK LINES, INC., 5773 South Prince Street, Littleton, CO 80120. Applicant's representative: Robert P. Tyler (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, except household goods as defined by the Commission, commodities in bulk and those requiring special equipment, serving Humble Oil & Refining Co., Highland Uranium Mine site and plant facilities located approximately 25 miles northwest of Douglas, Wyo., as an off-route point in connection with applicant's regular route operations. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 52921 (Sub-No. 14), filed March 24, 1971. Applicant: RED BALL, INC., Post Office Box 520, Sapulpa, OK 74066. Applicant's representative: Wilburn L. Williamson, Suite 280, National Foundation Life Center, 3535 Northwest 58th, Oklahoma City, OK 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from Cade and Lozes, La., to points in Arkansas, Missouri, Kansas, Oklahoma, and Colorado. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at New Orleans, La.

No. MC 55896 (Sub-No. 33), filed March 25, 1971. Applicant: R-W SERVICE SYSTEM, INC., 20225 Goddard Road, Taylor, MI 48180. Applicant's representative: Martin J. Leavitt, 1800 Buhl Building, Detroit, MI 48226. 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), serving the plantsite of Guardian Industries, Inc., at Carleton, Mich., as an off-route point in connection with applicant's authorized regular route authority to and from Detroit, Mich. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Detroit, Mich.

No. MC 59150 (Sub-No. 59), filed March 19, 1971. Applicant: PLOOF TRANSFER COMPANY, INC., 1901 Hill Street, Box 47, Station G, Jacksonville, FL 32202. Applicant's representative: Martin Sack, Jr., 1754 Gulf Life Tower, Jacksonville, FL 32207. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sewage treatment systems and accessories*, from the plantsite of Defiance Co., Division of Davis Industries, Inc., in Cobb County, Ga., to points in Alabama, Arkansas, Louisiana, Mississippi, Tennessee, and Virginia. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Jacksonville, Fla., or Atlanta, Ga.

No. MC 59909 (Sub-No. 12), filed April 2, 1971. Applicant: JACOBS TRANSFER, INC., 61 Pierce Street NE., Washington, DC 20002. Applicant's representative: Francis W. McInery, 1000 16th Street NW., Washington, DC 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, except commodities of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, between the warehouse facilities of Sears, Roebuck & Co. at Gaithersburg, Md., on the one hand, and, on the other, Sears, Roebuck facilities located at Lancaster, York, Hanover, Chambersburg, Lebanon, Harrisburg, and Reading, Pa. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 61396 (Sub-No. 228), filed March 29, 1971. Applicant: HERMAN BROS., INC., 2501 North 11th Street, Post Office Box 189, Omaha, NE 68101. Applicant's representative: Dale G. Herman, Post Office Box 189, Omaha, NE 68101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Asphalts and road oil*, in bulk, in tank vehicles, from the plantsite of the American Oil Co. at Sugar Creek, Mo., to points in that part of Iowa on, west, and south of a line beginning at the Minnesota-Iowa State line and extending southward along U.S. highway 71 to the junction of U.S. Highway 6, thence along U.S. Highway 6 to the junction of U.S. Highway 69, and

thence along U.S. Highway 69 to the Iowa-Missouri State line. NOTE: Applicant states tacking is not intended. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr., or Chicago, Ill.

No. MC 61396 (Sub-No. 229), filed March 31, 1971. Applicant: HERMAN BROS. INC., Post Office Box 189, 2501 North 11th Street, Omaha, NE 68101. Applicant's representative: Dale G. Herman, Post Office Box 189, Omaha, NE 68101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Limestone and feed grade calcium*, in bulk, in tank vehicles; (1) from Weeping Water, Nebr., to points in Iowa, Kansas, Minnesota, Missouri, and South Dakota; and (2) from Fort Calhoun Stone Co. near Fort Calhoun, Nebr., to points in Iowa, Minnesota, Missouri, and South Dakota. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 61592 (Sub-No. 210), filed March 26, 1971. Applicant: JENKINS TRUCK LINE, INC., 3708 Elm Street, Bettendorf, IA 52722. Applicant's representative: Jack Davis, 1100 IBM Building, Seattle, WA 98101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *New furniture*, uncrated, from points in Salt Lake County, Utah, to points in Nevada, Idaho, Oregon, Washington, and California; (2) *store fixtures and store equipment*, uncrated, from points in Salt Lake County, Utah, to points in California, Colorado, Idaho, and Nevada; (3) *kitchen equipment*, uncrated, from points in Salt Lake County, Utah, to points in California, Colorado, Idaho, Nevada, Wyoming, and Montana; (4) *new furniture*, uncrated, from Provo, Utah, to points in California and Nevada; and (5) *new furniture*, uncrated, between points in Clark County, Nev. and points in Salt Lake County, Utah. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Salt Lake City, Utah.

No. MC 62499 (Sub-No. 11), filed March 29, 1971. Applicant: HAGERSTOWN MOTOR EXPRESS CO., INC., Post Office Box 1946, Middleburg Pike, Hagerstown, MD 21740. Applicant's representative: Charles E. Creager, Suite 523, 816 Easley Street, Silver Spring, MD 20910. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except household goods as defined by the Commission, explosives and blasting supplies and commodities requiring special equipment), from points in Maryland, Virginia, and West Vir-

ginia within 40 miles of Hagerstown, Md., to Hagerstown, Md. NOTE: Applicant states that it can tack with MC-62499 and subs thereunder, with presently authorized points in Maryland and Pennsylvania. If a hearing is deemed necessary, applicant requests it be held at Hagerstown, Md.

No. MC 63792 (Sub-No. 16), filed April 15, 1971. Applicant: TOM HICKS TRANSFER COMPANY, INC., Post Office Box 283, Peters Road, Harvey, LA 70058. Applicant's representative: C. W. Ferebee (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (A) *Antipollution systems equipment and parts; liquid cooling and vapor condensing systems equipment and parts; environmental control and protective systems equipment and parts*; (B) *equipment, materials, and supplies* used in the construction or installation of antipollution and environmental control and protective systems, and liquid cooling and vapor condensing systems; (1) between points in Alabama, Arkansas, Colorado, Florida, Georgia, Kansas, Louisiana, Mississippi, New Mexico, Oklahoma, Texas, Utah, and Wyoming; and (2) between points in the States named in (1) above, on the one hand, and, on the other, points in the United States (except Hawaii). NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary applicant requests it be held at Houston, Tex., or New Orleans, La., or Dallas, Tex.

No. MC 65580 (Sub-No. 17), filed April 17, 1971. Applicant: MUSHROOM TRANSPORTATION COMPANY, INC., 845 East Hunting Park Avenue, Philadelphia, PA 19124. Applicant's representative: Joseph A. Malloy, Jr., 1738 Philadelphia National Bank Building, Philadelphia, PA 19107. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, between Erie, Pa., and Cleveland, Ohio, from Erie over U.S. Highway 19 to junction Interstate Highway 90, thence over Interstate Highway 90 to Cleveland, and return over the same route, as an alternate route for operating convenience only, serving no intermediate points. NOTE: If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa., Erie, Pa., or Cleveland, Ohio.

No. MC 71478 (Sub-No. 32), filed April 5, 1971. Applicant: THE CHIEF FREIGHT LINES COMPANY, a corporation, 2401 North Harvard Street, Tulsa, OK 74115. Applicant's representative: Sam Roberts, 501 Philtower Building, Tulsa, OK 74103. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glassware, glass containers, caps and closures for glass containers and empty cartons*, from Muskogee, Okla., to Kansas City, Mo., and points in the Kansas City, Mo.-Kans., commercial zone. NOTE: Applicant states that the

requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Tulsa or Oklahoma City, Okla.

No. MC 74321 (Sub-No. 47), filed April 2, 1971. Applicant: B. F. WALKER, INC., 650 17th Street, Denver, CO 80202. Applicant's representatives: Jerry Pres- tridge, Post Office Box 1148, Austin, TX 78767, and Richard P. Kissinger (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Antipollution systems equipment and parts; liquid cooling and vapor condensing systems equipment and parts; environmental control and protective systems equipment and parts; equipment materials and supplies* used in the construction or installation of antipollution and environmental control and protective systems, and liquid cooling and vapor condensing systems; (1) between points in Arizona, Arkansas, California, Colorado, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Mississippi, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, South Dakota, Texas, Utah, and Wyoming; and (2) between points named in (1) above, on the one hand, and, on the other, points in the United States, except Hawaii. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Fort Worth, Tex., or Denver, Colo.

No. MC 76032 (Sub-No. 282), filed April 1, 1971. Applicant: NAVAJO FREIGHT LINES, INC., 1205 South Platte River Drive, Denver, CO 80223. Applicant's representative: John T. Coon (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except explosives, heavy machinery, livestock, fresh fish, coal, ore, sand, gravel, and household goods as defined by the Commission), serving Des Moines, Iowa, as an intermediate point in connection with carrier's regular-route operations between Chicago, Ill., and Denver, Colo. Restriction: Restricted to the transportation of traffic received from or delivered to connecting carriers at Des Moines, Iowa. NOTE: Common control may be involved. Applicant states no duplicating authority sought. If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 78687 (Sub-No. 31), filed April 1, 1971. Applicant: LOTT MOTOR LINES, INC., 118 Monell Street, Penn Yan, NY. Applicant's representative: E. Stephen Heisley, 705 McLachlen Bank Building, 666 Eleventh Street NW., Washington, DC 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coal*, from points in Centre County, Pa., to points in New York. NOTE: Common control and dual operations may be involved. Applicant

states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 83539 (Sub-No. 315), filed March 29, 1971. Applicant: C & H TRANSPORTATION CO., INC., 1936-2010 West Commerce Street, Post Office Box 5976, Dallas, TX 75222. Applicant's representative: Thomas E. James, The 904 Lavaca Building, Austin, TX 78701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Heat exchangers and equalizers*, for air, gas, or liquids; *machinery and equipment* for heating, cooling, conditioning, humidifying, dehumidifying and moving of air, gas, or liquids; and *parts, attachments, and accessories* for use in the installation and operation of the above-named items, between Bowling Green, Ky., on the one hand, and, on the other, points in the United States (except Hawaii). NOTE: Applicant states that the requested authority can be tacked with its existing authority where feasible, with authority in certificates Nos. MC 83539, Subs 6, 14, 15, 17, 93, 109, 146, 193, 223, and 235. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky., or Nashville, Tenn.

No. MC 87720 (Sub-No. 105), filed April 8, 1971. Applicant: BASS TRANSPORTATION CO., INC., Old Croton Road, Flemington, NJ 08832. Applicant's representative: Bert Collins, 140 Cedar Street, New York, NY 10006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Plastic articles*, from Louisiana, Mo., to points in Maine, Vermont, New Hampshire, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Pennsylvania, Ohio, Michigan, West Virginia, Virginia, Maryland, Kentucky, Delaware, North Carolina, South Carolina, Tennessee, Georgia, Florida, Alabama, Mississippi, Louisiana, and the District of Columbia; and (2) *resin*, other than bulk, from points in the above-described destination States, to Louisiana, Mo., under contract with Louisiana Plastics, Inc., Division of Bemis Co., Inc. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 93944 (Sub-No. 9), filed April 6, 1971. Applicant: DANELLA BROS., INC., 250 Diamond Avenue, Norristown, PA 19401. Applicant's representative: Theodore Polydoroff, 1140 Connecticut Avenue NW., Washington, DC 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (I.) *Alloys and ores*, in dump vehicles; (a) between points in Pennsylvania on and east of U.S. Highway 219, New Jersey, Delaware, and Maryland (except Baltimore, Md.); (b) between points in Pennsylvania on

and east of U.S. Highway 219; (II.) *chrome ore*, in dump vehicles, from the General Services Administration depot, Curtis Bay area, at or near Baltimore, Md., to the plantsite of C-E Minerals Division at or near Wilmington, Del., and (III.) *slag*, in dump vehicles, from points in Bucks County, Pa., to points in the United States (except Hawaii). NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa.

No. MC 95540 (Sub-No. 802), filed April 1, 1971. Applicant: WATKINS MOTOR LINES, INC., 1120 West Griffin Road, Lakeland, FL 33801. Applicant's representative: Paul E. Weaver (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses* as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from Gering, Nebr., to points in Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, West Virginia, and the District of Columbia. Restriction: Restricted to traffic originating at plantsite of Swift & Co., at Gering, Nebr., and destined to the above-named States. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., Oklahoma City, Okla., or Washington, D.C.

No. MC 100449 (Sub-No. 23), filed March 25, 1971. Applicant: MALLINGER TRUCK LINE, INC., Otho, Iowa 50569. Applicant's representative: William L. Fairbank, 900 Hubbell Building, Des Moines, IA 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from the plantsite and storage facilities utilized by Banner Beef Co., at or near Hospers, Iowa, to points in Illinois, Minnesota, Missouri, North Dakota, South Dakota, and Wisconsin, restricted to traffic originating at the named plantsite and storage facilities and destined to the named destination States. NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr., or Minneapolis, Minn.

No. MC 100449 (Sub-No. 24), filed March 25, 1971. Applicant: MALLINGER TRUCK LINE, INC., Otho, Iowa 50569. Applicant's representative: William L. Fairbank, 900 Hubbell Building, Des Moines, IA 50309. Authority sought to operate as a *common carrier*, by motor

vehicle, over irregular routes, transporting: *Pallets, and lumber* when moving in mixed shipments with pallets, from Armstrong, Iowa, to points in Illinois, Minnesota, and Nebraska. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr., or Minneapolis, Minn.

No. MC 101010 (Sub-No. 27), filed March 25, 1971. Applicant: ERIE LACKAWANNA RAILWAY COMPANY, a corporation, 101 Prospect Avenue, Cleveland, OH 44115. Applicant's representative: J. T. Clark, 1336 Midland Building, Cleveland, OH 44115. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, household goods as defined by the Commission, commodities in bulk, in substituted service); (1) between Buffalo, N.Y., and Brockport, Pa., from Buffalo over U.S. Highway 62 to junction New York Highway 353, thence over New York Highway 353 to junction New York Highway 17, thence over New York Highway 17 to junction U.S. Highway 219, thence over U.S. Highway 219 to Brockport, and return over the same route, serving the intermediate points of Water Valley, Eden Valley, Eden Center, North Collins, Lawtons, Collins, Gowanda, Dayton, Cattaraugus, Little Valley, Salamanca, Carrollton, Limestone, N.Y.; and East Bradford, Bradford, Custer City, Lewis Run, Johnsonburg, Brockway, Pa.; and the off-route points of Jamestown, Randolph, Steamburg, Red House, Niobe, Watt's Flats, Ashville, Lakewood, Falconer, Kennedy, Waterboro, Conewango, Cherry Creek, Peek's Siding, South Dayton, Markhams, Dunkirk, Sheridan, Forrestville, Perrysburg, Vandalia, Allegany, Olean, Hinsdale, Cuba, Friendship, Belvidere, Belmont, N.Y.; and Crawford, Mount Jewett, Freeman, Hutchins, Rasselas, Ketner, Helen Mills, and Hydes, Pa.;

(2) Between Alexander and Painted Post, N.Y., from Alexander over New York Highway 98 to junction U.S. Highway 20, thence over U.S. Highway 20 to junction New York Highway 63, thence over New York Highway 63 to junction New York Highway 36, thence over New York Highway 36 to junction New York Highway 17, thence over New York Highway 17 to Painted Post, and return over the same route, serving the intermediate points of Alexander, Attica, Arkport, Hornell, Canisteo, Addison, Greigsville, and Groveland; and the off-route points of Linden, Warsaw, Rock Glen, Silver Springs, Castile, Portage, Washington Hunt, Dalton, Swains, Canaseraga Burns, Cameron, Cameron Mills, Rathbone, East Bethany, Linwood, Craigs, Leicester, Mount Morris, Scio, Wellsville, Andover, Alfred, and Almond, N.Y.; (3) between Painted Post, N.Y., and Blossburg, Pa., from Painted Post over U.S. Highway 15 to Blossburg, and return over the same route, serving the intermediate points of Lawrenceville, Tioga Junction, Tioga, Mansfield, and Covington, Pa.; and the off-route point of

Canoe Camp, Pa.; and (4) between Waverly and Owego, N.Y., from Waverly over New York Highway 17 to Owego, and return over the same route, serving the intermediate points of Barton, Smithboro, and Tioga Centre, N.Y. Restrictions: (a) The service to be performed by carrier shall be limited to service which is auxiliary to, or supplemental of rail service; (b) carrier shall not serve, or interchange traffic at any point not a station on its rail lines; and (c) shipments transported by carrier by motor vehicles shall be limited to those which it receives from or delivers to, its rail lines under a through bill of lading covering, in addition to a motor carrier movement by carrier, an immediately prior or immediately subsequent movement by rail. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Buffalo, N.Y., or Washington, D.C.

No. MC 103993 (Sub-No. 628), filed April 5, 1971. Applicant: MORGAN DRIVE-AWAY, INC., 2800 West Lexington Avenue, Elkhart, IN 46514. Applicant's representatives: Ralph H. Miller and Paul D. Borghesani (same address as applicant). 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, and *buildings and sections of buildings*, from points in Erie County, N.Y., to points in the United States (except Alaska and Hawaii). NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Buffalo, N.Y.

No. MC 103993 (Sub-No. 629), filed April 5, 1971. Applicant: MORGAN DRIVE-AWAY, INC., 2800 West Lexington Avenue, Elkhart, IN 46514. Applicant's representatives: Ralph H. Miller and Paul D. Borghesani (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Buildings, building sections, building parts, materials and supplies* (except commodities in bulk), from points in Polk, County, Iowa, to points in the United States (except Alaska and Hawaii). NOTE: Applicant states that the requested authority can be tacked with its Sub 21 but indicates that it has no present intention to tack. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. No duplicating authority is being sought. If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 104430 (Sub-No. 34), filed April 5, 1971. Applicant: CAPITAL TRANSPORT COMPANY, INC., Post Office Box 408, Highway 24 West, McComb, MS 39648. Applicant's representatives: Donald B. Morrison and Fred W. Johnson, Jr., 717 Deposit Guaranty National Bank Building, Post Office Box 22628, Jackson, MS 39205. Authority sought to operate as a *common carrier*,

by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, from Kenner, La., to points in Mississippi. NOTE: Applicant states that although minor tacking possibilities do exist, it has no intention of tacking the requested authority with this existing authority. In connection with such tacking, applicant has answered "No" to Item VI(b) of the application. If a hearing is deemed necessary, applicant requests it be held at Houston, Tex., New Orleans, La., or Jackson, Miss.

No. MC 105350 (Sub-No. 20), filed March 18, 1971. Applicant: NORTH PARK TRANSPORTATION CO., a corporation, 5150 Columbine Street, Denver, CO 80216. Applicant's representative: John P. Thompson, 450 Capitol Life Building, Denver, CO 80203. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, except those of unusual value, classes A and B explosives, household goods, as defined by the Commission, commodities in bulk, and those requiring special equipment, between Laramie, and Walcott, Wyo., over Interstate Highway 80, as an alternate route for operating convenience only in connection with applicant's regular route authority, serving no intermediate points. NOTE: If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 105813 (Sub-No. 179), filed April 7, 1971. Applicant: BELFORD TRUCKING CO., INC., 3500 Northwest 79th Avenue, Miami, FL 33148. Applicant's representative: Edward G. Bazelon, 39 South La Salle Street, Chicago, IL 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fruit and vegetable crystals*, from Lake Wales, Fla., to points in the States of Alabama (except Mobile), Georgia (except Savannah and Atlanta, Ga., and its commercial zone), South Carolina, Tennessee, and Kentucky. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Miami, Fla.

No. MC 107478 (Sub-No. 15), filed March 8, 1971. Applicant: OLD DOMINION FREIGHT LINE, 1791 Westchester Drive, High Point NC 27261. Applicant's representative: M. Craig Massey, 202 East Walnut Street, Lakeland, FL 33802. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fruit and vegetable crystals*, from Lake Wales, Fla., to Charleston, S.C., and points within 15 miles of Charleston. NOTE: Applicant states it will join with its present authority at Charleston, S.C., to perform a through service to Georgia, South Carolina, North Carolina, and Virginia, also Baltimore, Md., and Washington, D.C. The purpose of the instant application is to add the above proposed authority to present authority. If a hearing is deemed necessary, applicant requests it be held at Tampa, Fla., or Washington, D.C.

No. MC 106051 (Sub-No. 42), filed April 1, 1971. Applicant: OLD COLONY TRANSPORTATION CO., INC., 676 Dartmouth Street, South Dartmouth, MA 02748. Applicant's representative: Francis E. Barrett, Jr., 536 Granite Street, Braintree, MA 02184. 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, automobiles, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment or special handling for the transportation thereof); (1) between junction U.S. Highway 20 and Massachusetts Highway 8 and New Haven, Conn., from junction of U.S. Highway 20 and Massachusetts Highway 8 over Massachusetts-Connecticut State line, thence over Connecticut Highway 8 to junction Connecticut Highway 67, thence over Connecticut Highway 67 to junction Connecticut Highway 63, thence over Connecticut Highway 63 to New Haven; (2) between junction U.S. Highway 20 and Massachusetts Highway 15 and Hartford, Conn., from junction U.S. Highway 20 and Massachusetts Highway 15 to the Massachusetts-Connecticut State line, thence over Connecticut Highway 15 to Hartford; (3) between Providence, R.I., and New Haven, Conn., from Providence over U.S. Highway 1 to New Haven;

(4) Between New Haven, Conn., and Poughkeepsie, N.Y., from New Haven over Connecticut Highway 34 to junction Interstate Highway 84, thence over Interstate Highway 84 to junction U.S. Highway 6, thence over U.S. Highway 6 to junction New York Highway 22, thence over New York Highway 22 to junction New York Highway 55, thence over New York Highway 55 to junction U.S. Highway 44, thence over U.S. Highway 44 to Poughkeepsie; (5) between Hartford, Conn., and Poughkeepsie, N.Y., from Hartford over Interstate Highway 84 to junction U.S. Highway 9, thence over U.S. Highway 9 to Poughkeepsie; and (6) between junction U.S. Highway 20 and Massachusetts Highway 8 and Hartford, Conn., from junction U.S. Highway 20 and Massachusetts Highway 8 over Massachusetts Highway 8 to Massachusetts-Connecticut State line, thence over Connecticut Highway 8 to junction U.S. Highway 44, thence over U.S. Highway 44 to Hartford and return over the same routes, serving no intermediate points, and serving the termini for purpose of joinder only in connection with routes 1 through 6 above. Applicant states that the purpose of this application is to eliminate the gateway of Springfield, Mass., and points within 15 miles of Springfield as presently contained in applicant's authority between the points involved. Applicant further states no duplicating authority is sought. If a hearing is deemed necessary, applicant requests it be held at Boston, Mass., or Providence, R.I.

No. MC 106743 (Sub-No. 11), filed April 7, 1971. Applicant: LOFTIN'S

TRANSFER & STORAGE CO., INC., 4081 Ross Clark Circle NW., Dothan, AL 36301. Applicant's representative: Robert S. Richard, Post Office Box 2069, 57 Adams Avenue, Montgomery, AL 36103. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used household goods and unaccompanied baggage*, (1) between points in DeKalb County, Ga., on the one hand, and, on the other hand, points in Catoosa, Chattooga, Clayton, Dade, Dawson, Murray, Rabun, Towns, Walker, and Whitfield Counties, Ga.; (2) between points in Montgomery County, Ala., on the one hand, and, on the other hand, points in Autauga, Butler, Chilton, Coosa, Elmore, Lowndes, Perry, Tallapoosa, and Wilcox Counties, Ala., and (3) between points in Palo Pinto County, Tex., on the one hand, and, on the other hand, points in Brown, Comanche, Eastland, Erath, Hood, Jack, Parker, Somervell and Stephens Counties, Tex. Restriction: Said operations would be restricted to the transportation of traffic having a prior or subsequent movement, in containers, beyond the points authorized and further restricted to the performance of pickup and delivery service in connection with packing, crating, and containerization, or unpacking, uncrating, and decontainerization of such traffic. NOTE: Applicant states that the requested authority can be tacked with its existing authority but indicates that it has no *present* intention to tack and therefore does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 107002 (Sub-No. 404), filed April 5, 1971. Applicant: MILLER TRANSPORTERS, INC., Post Office Box 1123 (U.S. Highway 80 West), Jackson, MS 39205. Applicant's representatives: John J. Borth, Post Office Box 1123, Jackson, MS 39205, and H. D. Miller, Jr., Post Office Box 22567, Jackson, MS 39205. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, in tank vehicles, from River Falls, Ala., to points in Alabama, Florida, Georgia, Louisiana, Mississippi, South Carolina, and Tennessee. NOTE: Applicant states although tacking is not contemplated, the authority sought could be combined with other authorities held by applicant to serve points in other States beyond the scope of this authority. No duplicate authority is being sought. If a hearing is deemed necessary, applicant requests it be held at Birmingham or Mobile, Ala.

No. MC 107002 (Sub-No. 405), filed April 8, 1971. Applicant: MILLER TRANSPORTERS, INC., Post Office Box 1123 (U.S. Highway 80 West), Jackson, MS 39205. Applicant's representatives: John J. Borth (same address as applicant), and H. D. Miller, Jr., Post Office Box 22567, Jackson, MS 39205. Authority

sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Liquid chemicals*, in bulk, in tank vehicles, (a) from points in Brazoria, Chambers, Galveston, Harris, and Jefferson Counties, Tex., to the plantsites and storage facilities of Plastifax, Inc., and Reichhold Chemicals, Inc., located in Harrison County, Miss., and (b) from Midland, Mich., to the plantsite and storage facilities of Reichhold Chemicals, Inc., located in Harrison County, Miss., and (2) *blackstrap molasses*, in bulk, in tank vehicles, from Baton Rouge and New Orleans, La., to the plantsite and storage facilities of Allied Chemical Corp., located at or near McComb, Miss. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Applicant further states that no duplicating authority is sought. If a hearing is deemed necessary, applicant requests it be held at Jackson, Miss., or New Orleans, La.

No. MC 107002 (Sub-No. 406), filed April 8, 1971. Applicant: MILLER TRANSPORTERS, INC., Post Office Box 1123 (U.S. Highway 80 West), Jackson, MS 39205. Applicant's representatives: John J. Borth (same address as applicant), and H. D. Miller, Jr., Post Office Box 22567, Jackson, MS 39205. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid animal and poultry feed ingredients*, in bulk, in tank vehicles, from points in Mississippi to points in Alabama, Arkansas, Louisiana, and Mississippi. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Applicant further states that no duplicating authority is sought. If a hearing is deemed necessary, applicant requests it be held at Jackson, Miss.

No. MC 107227 (Sub-No. 117), filed April 2, 1971. Applicant: INSURED TRANSPORTERS, INC., 1944 Williams Street, San Leandro, CA 94577. Applicant's representative: John G. Lyons, 1418 Mills Tower, San Francisco, CA 94104. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Motor vehicles*, in initial movements, in truck-away and driveaway service, from Sioux City, Iowa, to points in the United States (except Hawaii). NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 107295 (Sub-No. 503), filed March 15, 1971. Applicant: PRE-FAB TRANSIT CO., a corporation, 100 South Main Street, Farmer City, IL 61842. Applicant's representative: Dale L. Cox (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Buildings*, complete, knocked down, or in sections, (2) *building sections and building panels*, (3) *parts and accessories* used in the installation and completion of commodities in

(1) and (2) above; and (4) *metal pre-fabricated structural components, and panels, and accessories* used in the installation and completion thereof, from points in Fayette County, Ohio, to points in the United States (except Ohio and Hawaii). NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Columbus or Cleveland, Ohio.

No. MC 107295 (Sub-No. 504), filed March 22, 1971. Applicant: PRE-FAB TRANSIT CO., a corporation, 100 South Main Street, Farmer City, IL 61842. Applicant's representative: Dale L. Cox (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Ventilators, vents, louvers, shutters, suspension ceiling systems, ceiling grid, wall studding, channels, closet rods, caps, dampers, screens, grilles, glass frames and stops, and parts and fittings thereof*, and when shipped with any of the named commodities, *accessories and promotional materials*, from Franklin Park, Ill., to points in the United States (except Hawaii). NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 107295 (Sub-No. 505), filed April 2, 1971. Applicant: PRE-FAB TRANSIT CO., a corporation, 100 South Main Street, Farmer City, IL 61842. Applicant's representatives: Dale L. Cox and Max Stephenson (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Metal flooring systems; metal channels, fittings, frames, support rails, shelving, and metal storage rack systems*, from Pontiac, Mich., to all points in the United States (except Hawaii). NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Detroit, Mich.

No. MC 107295 (Sub-No. 506), filed April 2, 1971. Applicant: PRE-FAB TRANSIT CO., a corporation, 100 South Main Street, Farmer City, IL 61842. Applicant's representatives: Dale L. Cox and Mack Stephenson (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wood fiberboard, wood fiberboard faced or finished with decorative and/or protective material and accessories and supplies used in the installation thereof* (except commodities in bulk), from Evans Products Co.'s site at Moncure, N.C., to points in Illinois, Alabama, Indiana, Kentucky, Ohio, Michigan, New Jersey, New York, Pennsylvania, and Tennessee. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 107496 (Sub-No. 806), filed March 29, 1971. Applicant: RUAN TRANSPORT CORPORATION, Keosauqua Way at Third, Post Office Box 855, Des Moines, IA 50304. Applicant's representative: H. L. Fabritz (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Liquid calcium chloride*, in bulk, from Duluth, Minn., to points in Wisconsin; (2) *foundry facings*, in bulk, from Highland, Ind., to points in Kentucky and West Virginia; (3) *liquid fertilizer*, in bulk, from Winona, Minn., to points in Wisconsin, Iowa, and Minnesota; (4) *anhydrous ammonia*, in bulk, from Huntington, Ind., to points in Indiana, Illinois, Lower Michigan, and Ohio; (5) *acid base detergent sanitizer*, in bulk, from St. Paul, Minn., to Chicago, Ill., and St. Louis, Mo.; and (6) *phosphoric acid*, in bulk, from St. Louis, Mo., and Chicago, Ill., to St. Paul, Minn. NOTE: Applicant states that the requested authority can be tacked with its existing authority but indicates that it has no present intention to tack and therefore does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn., or Chicago, Ill.

No. MC 107515 (Sub-No. 746), filed March 15, 1971. Applicant: REFRIGERATED TRANSPORT CO., INC., Post Office Box 308, Forest Park, GA 30050. Applicant's representative: Paul M. Daniell, Post Office Box 872, Atlanta, GA 30301. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products and meat by-products* as described in section A of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from New Riegel and Carey, Ohio, to points in Alabama, Florida, Georgia, North Carolina, South Carolina, and Louisiana. NOTE: Applicant states it can tack the authority sought with its existing authority but has no present intention to do so since it has more suitable gateways to perform such operations. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. If a hearing is deemed necessary, applicant requests it be held at Columbus or Cleveland, Ohio.

No. MC 107515 (Sub-No. 747), filed March 15, 1971. Applicant: REFRIGERATED TRANSPORT CO., INC., Post Office Box 308, Forest Park, GA 30050. Applicant's representative: Paul M. Daniell, Post Office Box 872, Atlanta, GA 30301. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (except frozen or canned and in bulk) in vehicles equipped with mechanical refrigeration, from Holland, Mich., to

points in Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. No duplicating authority is being sought. If a hearing is deemed necessary, applicant requests it be held at Detroit, Mich., or Chicago, Ill.

No. MC 107515 (Sub-No. 748), filed March 25, 1971. Applicant: REFRIGERATED TRANSPORT CO., INC., Post Office Box 308, Forest Park, GA 30050. Applicant's representative: Paul M. Daniell, Post Office Box 872, Atlanta, GA 30301. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats and meat products*, in vehicles equipped with mechanical refrigeration, from East Brunswick, N.J., to points in Alabama, Arkansas, Florida, Georgia, Mississippi, North Carolina, South Carolina, Tennessee, and Texas. NOTE: Applicant states that the requested authority can be tacked with its existing authority under MC 107515 (Sub-No. 1) at Atlanta, Ga., to serve the State of Louisiana. Applicant further states that no duplicating authority is sought. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 107839 (Sub-No. 146), filed April 2, 1971. Applicant: DENVER-ALBUQUERQUE MOTOR TRANSPORT, INC., 770 East 51st Avenue, Denver, CO 80216. Applicant's representative: Edward T. Lyons, Jr., 420 Denver Club Building, Denver, Colo. 80202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Food Products*, from Griffin, Ga., to points in Colorado, Illinois, Iowa, Kansas, Minnesota, Missouri, Nebraska, New Mexico, North Dakota, Oklahoma, South Dakota, Texas, and Wisconsin. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 10839 (Sub-No. 46), filed March 18, 1971. Applicant: SIGNAL DELIVERY SERVICE, INC., 930 North York Road, Hinsdale, IL 60521. Applicant's representative: J. A. Kundtz, 1100 National City Bank Building, Cleveland, Ohio 44114. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Electrical and gas appliances, parts of electrical and gas appliances, and equipment, materials and supplies* used in the manufacture, distribution and repair of electrical and gas appliances, from Milford, Ill., to Evansville, Ind., under continuing contract or contracts with Whirlpool Corp. NOTE: Applicant holds common carrier authority under MC 118459 Sub 2. Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 108676 (Sub-No. 39), filed April 6, 1971. Applicant: A. J. METLER

HAULING & RIGGING, INC., 117 Chicamauga Avenue NE., Knoxville, TN 37917. Applicant's representative: Louis J. Amato, Post Office Box E, Bowling Green, KY 42101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Antipollution systems, equipment and parts; liquid cooling and vapor condensing systems, equipment and parts; environmental control and protective systems, equipment and parts, equipment, materials and supplies* used in the construction or installation of anti-pollution and environmental control and protective systems, and liquid cooling and vapor condensing systems, (2) *asphalt mixing machinery, storage systems, storage silos, surge systems, control centers, heaters, and equipment, parts, materials, and supplies* used in construction or installation of said commodities; and (3) *fabricated steel tanks, dye machines, steamers, and parts and accessories used in the installation thereof*, between points in Tennessee on the one hand, and, on the other, points in the United States (except Hawaii). **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chattanooga, Tenn.

No. MC 109397 (Sub-No. 254), filed April 5, 1971. Applicant: TRI-STATE MOTOR TRANSIT CO., a corporation, Post Office Box 113, Joplin, MO 64801. Applicant's representatives: A. N. Jacobs (same address as above) and Wilburn L. Williamson, 280 National Foundation Life Center, Oklahoma City, OK 73113. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fiberglass stall showers and fiberglass tubs*, from Charlotte, N.C., to points in the United States east of a line beginning at the mouth of the Mississippi River, and extending along the Mississippi River to its junction with the western boundary of Itasca County, Minn., thence northward along the western boundaries of Itasca and Koochiching Counties, Minn., to the United States-Canada boundary line. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Charlotte, N.C.

No. MC 111375 (Sub-No. 45), filed March 22, 1971. Applicant: PIRKLE REFRIGERATED FREIGHT LINES, INC., Post Office Box 3358, Madison, WI 53704. Applicant's representative: Charles W. Singer, 33 North Dearborn Street, Chicago, IL 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Foodstuffs*, from points in Marathon, Taylor, and Grant Counties, Wis., to points in the United States (except Alaska and Hawaii); and (2) *materials, equipment, and supplies*, used in the manufacture and distribution of the above named products, from points in

the United States (except Alaska and Hawaii), to points in Marathon, Taylor, and Grant Counties, Wis. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 111375 (Sub-No. 46), filed March 22, 1971. Applicant: PIRKLE REFRIGERATED FREIGHT LINES, INC., Post Office Box 3358, Madison, WI 53704. Applicant's representative: Charles W. Singer, 33 North Dearborn Street, Chicago, IL 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned goods, frozen foods and jellies*, from points in California, Oregon, and Washington to points in Iowa, Minnesota, Wisconsin, and the Upper Peninsula of Michigan. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn., or Chicago, Ill.

No. MC 112801 (Sub-No. 119), filed March 15, 1971. Applicant: TRANSPORT SERVICE CO., a corporation, Post Office Box 50272, Chicago, IL 60650. Applicant's representative: Robert H. Levy, 29 South La Salle Street, Chicago, IL 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Soybean products*, dry, in bulk, from Danville, Ill., to points in Indiana, Ohio, and Michigan. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 112822 (Sub-No. 186) (Amendment), filed March 4, 1971, published in the FEDERAL REGISTER Issue of April 8, 1971, and republished as amended this issue. Applicant: BRAY LINES, INCORPORATED, Post Office Box 1191, 1401 North Little Street, Cushing, OK 74023. Applicant's representative: Thos. Lee Allman, Jr. (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paper and paper products*, from the port of Catoosa, Okla., to points in Kansas, Okla., that part of Texas on and north of U.S. Highway 82 and that part of Missouri on and south of a line beginning at the Kansas-Missouri State line, and extending east on U.S. Highway 54 to Preston, Mo., and on and west of a line beginning at Preston, Mo., and extending south along U.S. Highway 65 to the Arkansas-Missouri State line. **NOTE:** Applicant states that the requested authority can be tacked with its existing authority but indicates that it has no present intention to tack and therefore does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. The purpose of this

republishing is to include a portion of Missouri to the destination territory. If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla., or Kansas City, Mo.

No. MC 112822 (Sub-No. 190), filed March 26, 1971. Applicant: BRAY LINES INCORPORATED, 1401 North Little Street, Post Office Box 1191, Cushing, OK 74023. Applicant's representative: Thos. Lee Allman, Jr. (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry chemicals, including fertilizer and fertilizer materials*, in bulk and in packages, from Military and Hallowell (Cherokee County), Kans., to points in Arkansas, Colorado, Iowa, Missouri, Nebraska, Oklahoma, and Texas. **NOTE:** Applicant states that the requested authority can be tacked with its existing authority but indicates that it has no present intention to tack. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Kansas City or St. Louis, Mo.

No. MC 113267 (Sub-No. 260), filed April 5, 1971. Applicant: CENTRAL & SOUTHERN TRUCK LINES, INC., 312 West Morris Street, Caseyville, IL 62232. Applicant's representative: Lawrence A. Fischer (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cleaning compounds; dry bleach; and animal litter, and chopped alfalfa*, from Atlanta, Ga., to points in Alabama; points in that part of Arkansas on and east of a line extending from Junction City, Ark., over U.S. Highway 167 to Hardy, Ark., and thence over U.S. Highway 63 to Mammoth Spring, Ark.; points in that part of Florida west of Florida Highway 71; points in that part of Kentucky west of U.S. Highway 431; and points in that part of Tennessee on and west of U.S. Highway 231 (except Nashville, Tenn., and points in the Nashville, Tenn., commercial zone as defined by the Commission). **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga., or Washington, D.C.

No. MC 113267 (Sub-No. 261), filed April 7, 1971. Applicant: CENTRAL & SOUTHERN TRUCK LINES, INC., 312 West Morris Street, Caseyville, IL 62232. Applicant's representative: Lawrence A. Fischer (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in

bulk, in tank vehicles), from the plant-site and warehouse facilities of Illini Beef Packers, Inc., at or near Joslin, Ill., to points in Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee. NOTE: Applicant states that the requested authority can be tacked with its existing authority but indicates it has no present intention to tack and therefore does not identify the points or territories which could be served through such tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in the granting of unrestricted authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or St. Louis, Mo.

No. MC 113651 (Sub-No. 140), filed April 5, 1971. Applicant: INDIANA REFRIGERATOR LINES, INC., 2404 North Broadway, Muncie, IN 47303. Applicant's representatives: Duane W. Acklie and address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts and articles distributed by meat packinghouses*, from the plantsite and storage facilities of Spencer Foods, located at or near Schuyler, Nebr., to points in Florida, Georgia, Alabama, South Carolina, North Carolina, Tennessee, and Mississippi. NOTE: Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr., or Washington, D.C.

No. MC 113678 (Sub-No. 417), filed April 1, 1971. Applicant: CURTIS, INC., Post Office Box 16004, Stockyards Station, Denver, CO 80216. Applicant's representatives: Duane W. Acklie and Richard Peterson, Post Office Box 806, Lincoln, NE 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Blood plasma*, from Omaha, Nebr., to Berkeley, Calif. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at San Francisco, Calif.

No. MC 113678 (Sub-No. 418), filed April 7, 1971. Applicant: CURTIS, INC., Post Office Box 16004, Stockyards Station, Denver, CO 80216. Applicant's representatives: Duane Acklie and Richard Peterson, Post Office Box 806, Lincoln, NE 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as defined in sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except liquid commodities, in bulk, and hides), from the plantsite and storage facilities utilized by Beefland International, Inc., located at Council Bluffs, Iowa, and Omaha,

Nebr., to points in Arizona, California, Colorado, Connecticut, Delaware, Idaho, Illinois, Indiana, Iowa, Kentucky, Maine, Maryland, Massachusetts, Lower Michigan, Missouri, Montana, Nevada, New Mexico, New York, New Hampshire, New Jersey, Ohio, Oregon, Pennsylvania, Rhode Island, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Washington, West Virginia, Wisconsin, Wyoming, and the District of Columbia, restricted to traffic originating at the plantsite and storage facilities utilized by Beefland International, Inc., at Council Bluffs, Iowa, and Omaha, Nebr. NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 113678 (Sub-No. 419), filed April 7, 1971. Applicant: CURTIS, INC., Post Office Box 16004, Stockyards Station, Denver, CO 80216. Applicant's representatives: Duane Acklie and Richard Peterson, Post Office Box 806, Lincoln, NE. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Albuquerque, N. Mex., to Denver, Colo. NOTE: Applicant states that the authority sought could be tacked with Subs 90, 162, 164, and 329, which would allow it to serve Texas, Oklahoma, Washington, Oregon, Idaho, Montana, Tucson and Phoenix, Ariz., Reno, Nev., and Louisiana. If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 113678 (Sub-No. 420), filed April 5, 1971. Applicant: CURTIS, INC., Post Office Box 16004, Stockyards Station, Denver, CO 80216. Applicant's representatives: Duane Acklie and Richard Peterson, Post Office Box 806, Lincoln, NE 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from the plantsite and storage facilities of Chief Pierre located at or near Traverse City, Mich., to points in Nebraska, Kansas, Colorado, Wyoming, and Montana. Restriction: Restricted to traffic originating at the plantsite and storage facilities of Chief Pierre located at or near Traverse City, Mich. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 113855 (Sub-No. 237) (Correction), filed March 8, 1971, published in the FEDERAL REGISTER issue of April 8, 1971, under No. MC 11385 (Sub-No. 237), and republished in part, as corrected, this issue. Applicant: INTERNATIONAL TRANSPORT, INC., 2450 Marion Road SE., Rochester, MN 55901. Applicant's representative: Alan Foss, 502 First National Bank Building, Fargo, ND 58102. NOTE: The sole purpose of this partial republication is to show the correct docket number assigned. The rest of the application remains as previously published.

No. MC 113855 (Sub-No. 239), filed April 2, 1971. Applicant: INTERNATIONAL TRANSPORT, INC., 2450 Ma-

riou Road SE., Rochester, MN 55901. Applicant's representative: Alan Foss, 502 First National Bank Building, Fargo, ND 58102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Agricultural implements, attachments, and parts*, from Fargo, N. Dak., and Long Lake, Minn., to points in the United States (except Hawaii). NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 114194 (Sub-No. 161) (Correction), filed February 10, 1971, published in the FEDERAL REGISTER issue of March 25, 1971, and republished in part, as corrected, this issue. Applicant: KREIDER TRUCK SERVICE, INC., 8003 Collinsville Road, East St. Louis, MO 62202. Applicant's representative: Gene Kreider (same address as applicant). NOTE: The sole purpose of this partial republication is to show the correct docket number assigned, inadvertently shown as No. MC 114191 (Sub-No. 161) in the previous publication. The rest of the application remains the same.

No. MC 114273 (Sub-No. 82), filed March 26, 1971. Applicant: CEDAR RAPIDS STEEL TRANSPORTATION, INC., Post Office Box 68, 3930 16th Avenue SW., Cedar Rapids, IA 52406. Applicant's representatives: Gene R. Prokusi (same address as above), and Robert E. Konchar, Suite 315, 2720 First Avenue N.E., Cedar Rapids, IA 52402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts and articles distributed by meat packinghouses*, as defined in sections A and C of appendix 1 to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except liquid commodities, in bulk, and except hides), from the plantsite and storage facilities utilized by Beefland International, Inc., at Council Bluffs, Iowa, and Omaha, Nebr., to points in Colorado, Connecticut, Delaware, Indiana, Kansas, Maine, Massachusetts, Michigan, Missouri, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, Wisconsin, Maryland, and Washington, D.C., restricted to traffic originating at the plantsite and storage facilities utilized by Beefland International, Inc., at Council Bluffs, Iowa, and Omaha, Nebr. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 114284 (Sub-No. 49), filed March 29, 1971. Applicant: FOXSMYTHE TRANSPORTATION CO., INC., Post Office Box 82307, Stockyards Station, Oklahoma City, OK. Applicant's representative: John E. Jandera, 641 Harrison Street, Topeka, KS 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular

routes, transporting: *Meats, meat products and meat byproducts and articles* distributed by meat packinghouses, as described in appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles), from St. Joseph, Mo., to points in New Mexico. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla.

No. MC 114457 (Sub-No. 99), filed April 15, 1971. Applicant: DART TRANSPORT COMPANY, a corporation, 780 North Prior Avenue, St. Paul, MN 55104. Applicant's representative: James C. Hardman, 127 North Dearborn Street, Chicago, IL 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sugar*, from points in Scott and Carver Counties, Minn., to points in Illinois, Iowa, Kansas, Missouri, and Wisconsin, and to Omaha, Nebr., and Ironwood, Marquette, and Iron Mountain, Mich. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at St. Paul, Minn.

No. MC 114632 (Sub-No. 39), filed March 26, 1971. Applicant: APPLE LINES, INC., Post Office Box 670, Post Office Box 507, 225 South Van Epps, Madison, SD 57042. Applicant's representative: Val M. Higgins, 1000 First National Bank Building, Minneapolis, MN 55402. 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, from the plantsite and storage facilities of Banner Beef Co., at or near Hospers, Iowa, to points in Kansas, Missouri, Oklahoma, Illinois, Nebraska, North Dakota, South Dakota, Minnesota, and Wisconsin, restricted to the transportation of traffic originating at the said plantsite and storage facilities and destined to the named destination States. NOTE: Dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr., or Minneapolis, Minn.

No. MC 114818 (Sub-No. 14), filed April 7, 1971. Applicant: BARTON TRUCK LINE, INC., 455 West Fourth Street, Salt Lake City, UT 84101. Applicant's representative: William S. Richards, 900 Walker Bank Building, Salt Lake City, Utah 84111. 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 commodities which by reason of size or weight require the use of special equipment), between Wells and Reno, Nev., from Wells over U.S. Highway 40 (also Interstate Highway 80) to Reno, and re-

turn over the same routes, serving all intermediate points. NOTE: Applicant presently holds contract carrier authority under MC 134152 Sub 1 therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Elko or Reno, Nev., or Salt Lake City, Utah.

No. MC 115162 (Sub-No. 223), filed April 2, 1971. Applicant: POOLE TRUCK LINE, INC., Post Office Drawer 500, Evergreen, AL 36401. Applicant's representative: Robert E. Tate (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vinyl asbestos floor tile, plastic film and sheeting, vinyl floor tile, plastic garden hose, and cloth*, from points in Providence County, R.I., to points in Florida, Georgia, Alabama, Mississippi, Tennessee, North Carolina, South Carolina, and Virginia. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at New York City, N.Y., or Washington, D.C.

No. MC 115669 (Sub-No. 122), filed March 31, 1971. Applicant: HOWARD N. DAHLSTEN, doing business as DAHLSTEN TRUCK LINE, Post Office Box 95, Clay Center, NE 68933. Applicant's representative: Donald L. Stern, 530 Univac Building, 7100 West Center Road, Omaha, NE 68106. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Dry chemicals, including fertilizer and fertilizer materials*, from Military and Holloway, Kans., to points in Arkansas, Colorado, Iowa, Missouri, Nebraska, Oklahoma, and Texas, and (2) *Dry fertilizer and dry fertilizer materials, insecticides, fungicides, and herbicides* (other than in bulk liquid), from points located on the Arkansas and Verdigris Rivers in Oklahoma, to points in Arkansas, Colorado, Illinois, Iowa, Kansas, Minnesota, Missouri, Nebraska, Oklahoma, South Dakota, Texas, and Wisconsin. NOTE: Applicant states that no tacking is intended, however, there are possibilities. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 115841 (Sub-No. 406), filed March 31, 1971. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., 1215 West Bankhead Highway, Post Office Box 10327, Birmingham, AL 35202. Applicant's representatives: C. E. Wesley (same address as above) and E. Stephen Heisley, 666 11th Street NW., Washington, DC 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Beverages, beverage flavorings, extracts, and compounds* (except in bulk), in vehicles equipped with mechanical refrigeration, from Evanston, Ill., to points east of a line beginning at the mouth of the Mississippi River, and extending

along the Mississippi River to its junction with the western boundary of Itasca County, Minn., thence northward along the western boundaries of Itasca and Koochiching Counties, Minn., to the International Boundary line between the United States and Canada, and points in Arkansas, Louisiana, Minnesota, Missouri, Oklahoma, and Texas. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Birmingham, Ala.

No. MC 116014 (Sub-No. 55), filed March 22, 1971. Applicant: OLIVER TRUCKING COMPANY, INC., Post Office Box 53, Winchester, KY 40391. Applicant's representative: Louis J. Amato, Post Office Box E, Bowling Green, KY 42101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wood fiberboard, wood fiberboard faced and finished with decorative and protective material, and accessories and supplies* used in the installation thereof (except commodities in bulk), from Evans Products Co.'s site at Moncure, N.C., to points in Illinois, Indiana, Kentucky, Michigan, Ohio, and Tennessee. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky., or Chicago, Ill.

No. MC 116273 (Sub-No. 140), filed April 7, 1971. Applicant: D & L TRANSPORT, INC., 3800 South Laramie Avenue, Cicero, IL 60650. Applicant's representative: William R. Lavery (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, in tank vehicles, from Detroit, Mich., to points in California. NOTE: Applicant states that the requested authority can be tacked with its existing authority but indicates that it has no present intention to tack and therefore, does not identify the points or territory which can be served. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 116725 (Sub-No. 17), filed April 8, 1971. Applicant: INDIAN VALLEY ENTERPRISES, INC., 855 Maple Avenue, Harleysville, PA 19438. Applicant's representative: John W. Frame, Box 626, 2207 Old Gettysburg Road, Camp Hill, PA 17011. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Butter*, in bulk or in packages, and *foodstuffs* (except frozen foodstuffs and foodstuffs in bulk), between Harleysville, Pa., and Franconia Township, Montgomery County, Pa., on the one hand, and, on the other, points in Connecticut, Rhode Island, Massachusetts,

Maine, and New Hampshire. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Harrisburg or Philadelphia, Pa.

No. MC 116886 (Sub-No. 41), filed April 12, 1971. Applicant: HOWELL'S MOTOR FREIGHT, INCORPORATED, 2210 Winston Avenue SW., Roanoke, VA 24014. Applicant's representative: R. R. Rush, 300 Shenandoah Building, Post Office Box 614, Roanoke, VA 24004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* requiring refrigeration (except commodities in bulk, in tank vehicles), between points in Ohio, those in Indiana on and south of U.S. Highway 40, those in Kentucky on and east of U.S. Highway 41, and those in West Virginia on and south of U.S. Highway 60. NOTE: Common control may be involved. Applicant states that the requested authority can be tacked with its existing authority under MC 116886 Sub-Nos. 34 and 36, at Hamilton, Ohio, and points in Hamilton County, Ohio. If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky., or Washington, D.C.

No. MC 117119 (Sub-No. 432), filed March 25, 1971. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., Post Office Box 188, Elm Springs, AR 72728. Applicant's representative: Bobby G. Shaw (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Engraver's plates zinc, copper magnesium, petroleum distillate, chemicals and photographers' materials*, except in bulk, from Greeneville, Tenn., to Tulsa and Oklahoma City, Okla.; Joplin and Springfield, Mo.; Little Rock, Hot Springs, and Texarkana, Ark.; Dallas, Fort Worth, Houston, San Antonio, Abilene, San Angelo, Beaumont, Waco, and Corpus Christi, Tex.; Wichita and Parsons, Kans.; Shreveport and New Orleans, La.; Denver and Colorado Springs, Colo.; San Francisco, San Diego and Los Angeles, Calif., and Memphis, Tenn. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Oklahoma City, Okla.

No. MC 117119 (Sub-No. 433), filed April 5, 1971. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., Post Office Box 188, Elm Springs, AR 72728. Applicant's representative: Bobby G. Shaw (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods and bakery products*, from Downingtown, Lancaster, and Philadelphia, Pa., to points in California, Oregon, Washington, Arizona, New Mexico, Texas, Nebraska, Colorado, and Utah. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests

it be held at Washington, D.C., or Philadelphia, Pa.

No. MC 117153 (Sub-No. 4), filed April 1, 1971. Applicant: H. G. SNYDER TRUCKING INC., 111 Pitfield Boulevard, St. Laurent, PQ, Canada. Applicant's representative: John J. Brady, Jr., 75 State Street, Albany, N.Y. 12207. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Meat*, fresh and frozen, for animal consumption, such as, but not limited to pet food in cans and cartons or in drums, in vehicles, the temperature of which is mechanically controlled, from ports of entry on the United States-Canada Boundary line at or near Champlain, N.Y., and Norton and Beecher Falls, N.H., Coburn Gore and Jackman, Maine, to points in Maine, Indiana, New York, New Jersey, Ohio, Connecticut, Rhode Island, Massachusetts, District of Columbia, Pennsylvania, Maryland, Virginia, Florida, Illinois, and Michigan, under continuing contract with J. Demers, Inc., and (2) *Meat*, fresh or frozen, for human consumption, in drums or cartons, in vehicles, the temperature of which is mechanically controlled, from the port of entry on the United States-Canada boundary line at or near Champlain, N.Y., to points in New York, Massachusetts, and Pennsylvania, under continuing contract with Northern Packers, Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Albany, N.Y.

No. MC 117686 (Sub-No. 122), filed April 7, 1971. Applicant: HIRSCHBACH MOTOR LINES, INC., Post Office Box 417, 3324 U.S. Highway 75 North, Sioux City, IA 51102. Applicant's representative: A. J. Swanson, Post Office Box 417, Sioux City, IA 51102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides, commodities in bulk, in tank vehicles), from the plantsite or storage facilities of Illini Beef Packers, Inc., at or near Joslin, Ill., to points in Alabama, Arkansas, Florida, Georgia, Mississippi, Louisiana, and Texas. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn., Chicago, Ill., or Washington, D.C.

No. MC 117765 (Sub-No. 121), filed April 5, 1971. Applicant: HAHN TRUCK LINE, INC., 5315 Northwest Fifth, Oklahoma City, OK 73107. 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: (1) *Dry chemicals*, including *fertilizer and fertilizer materials*, in bulk

and in packages, from Military and Hal-lowell, Kans., to points in Arkansas, Colorado, Iowa, Missouri, Nebraska, Oklahoma, and Texas; and (2) *fertilizer and fertilizer materials*, dry, in bulk or in packages; *insecticides, fungicides, and herbicides*, except liquid in bulk, also in mixed shipments with manufactured fertilizer and fertilizer materials, from points on the Arkansas and Verdigris Rivers in Oklahoma to points in Arkansas, Colorado, Illinois, Iowa, Kansas, Minnesota, Missouri, Nebraska, Oklahoma, South Dakota, Texas, and Wisconsin. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo., or Oklahoma City, Okla.

No. MC 117883 (Sub-No. 152), filed March 29, 1971. Applicant: SUBLER TRANSFER, INC., 791 East Main Street, Versailles, OH 45380. Applicant's representative: Edward J. Subler, Post Office Box 62, Versailles, OH 45380. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plantsite and storage facilities utilized by Aristo Kansas Meat Packers at Holton, Kans., to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia. Restriction: Restricted to traffic originating at the above origins and destined to the named destinations. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Kans.

No. MC 117903 (Sub-No. 8), filed April 7, 1971. Applicant: GENE ADAMS REFRIGERATED TRUCKING SERVICE, INC., 600 Cayuga Creek Road, Buffalo, NY 14225. Applicant's representative: Raymond A. Richards, 23 West Main Street, Webster, NY 14580. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Refrigerated products*, between points in New York State on the one hand, and, on the other, points in Hudson, Essex, Passaic, Union, Bergen, and Middlesex Counties, N.J. NOTE: Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Buffalo, N.Y.

No. MC 114045 (Sub-No. 351), filed April 5, 1971. Applicant: TRANS-COLD EXPRESS, INC., Post Office Box 5842, Dallas, TX 75222. Applicant's representative: J. B. Stuart (same address as above). Authority sought to operate as a

common carrier, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packing-houses*, as described in sections A and C in appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except skins and commodities in bulk), from the plant-site of Swift & Co. at Clovis, N. Mex., to points in Connecticut, Delaware, Maryland, Massachusetts, Maine, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, West Virginia, and the District of Columbia. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests that it be held at Chicago, Ill., or Dallas, Tex.

No. MC 117568 (Sub-No. 8), filed April 8, 1971. Applicant: KEMPT TRUCK LINES, INC., West 20th Street Road, Post Office Box 1047, Joplin, MO 64801. Applicant's representative: W. Russell Kempt (same address as above). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Dry chemicals*, including fertilizer and fertilizer materials, in bulk and in packages, from Military, Kans., and Hollowell, Kans., to points in Arkansas, Colorado, Iowa, Missouri, Nebraska, Oklahoma, and Texas, under contract with Gulf Oil Corp., Chemicals Division. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 119118 (Sub-No. 29), filed March 17, 1971. Applicant: LEWIS W. McCURDY, doing business as: McCURDY TRUCKING COMPANY, Post Office Box 388, Latrobe, PA 15650. Applicant's representative: Paul F. Sullivan, 701 Washington Building, Washington, DC 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*, in containers, and related advertising material moving therewith, from Winston-Salem, N.C., to Aberdeen, Glen Burnie, Laurel, Millersville, Salisbury, and Waldorf, Md.; Atlantic City, North Branch, and Somerville, N.J.; and Brooklyn and Hamilton, N.Y. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Applicant holds contract carrier authority under MC 116564 and Subs thereunder, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 119192 (Sub-No. 6), filed March 26, 1971. Applicant: EASTERN DELIVERY SERVICE, INC., 80 Central Avenue, Bridgeport, CT. Applicant's representative: Morton E. Kiel, 140 Cedar Street, New York, NY 10006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities* as are dealt in by department stores and *materials, equipment, and supplies* used in the conduct of such business (except in

bulk), from stores and warehouses of Bloomingdale Bros., in Westchester County, N.Y., to points in New Jersey, returned shipments in the reverse direction, under contract with Federated Department Stores, Inc., Bloomingdale Bros. Division. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 119619 (Sub-No. 47) (amendment), filed March 5, 1971, published in the FEDERAL REGISTER issue of April 8, 1971, and republished as amended, this issue. Applicant: DISTRIBUTORS SERVICE CO., a corporation, 2000 West 43d Street, Chicago, IL 60609. Applicant's representative: Arthur J. Piken, One Lefrak City Plaza, Suite 151, Flushing, NY 11368. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, in vehicles equipped with mechanical refrigeration, from Chicago, Ill., and points in its Commercial Zone, to points in Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, and Wisconsin. NOTE: The purpose of this republication is to re-describe the scope of the authority sought. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 119619 (Sub-No. 50), filed April 6, 1971. Applicant: DISTRIBUTORS SERVICE CO., a corporation, 2000 West 43d Street, Chicago, IL 60609. Applicant's representative: Arthur J. Piken, 1 Lafrak City Plaza, Flushing, NY 11368. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, in vehicles equipped with mechanical refrigeration, from the plantsites and storage facilities utilized by Ocean Spray Cranberries, Inc., located at or near Kenosha, Wis., to Louisville, Ky., and points in Minnesota, Nebraska, Iowa, Kansas, Missouri, Illinois, Indiana, Michigan, and Ohio. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 119765 (Sub-No. 22), filed March 26, 1971. Applicant: HENRY G. NELSEN, INC., 1548 Locust Street, Avoca, IA. Applicant's representative: Joseph M. Scanlan, 111 West Washington Street, Chicago, IL 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as defined in sections A and C of appendix I, to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, except commodities in bulk, in tank vehicles, and except hides, from points in Omaha, Nebr., Council Bluffs, Iowa commercial zone, to points in Illinois, Indiana, and Wisconsin. Restriction: Restricted to traffic originating at the plant or ware-

house facilities utilized by Beefland International, Inc., located in the above-named origin area and destined to points in Illinois, Indiana, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr., or Chicago, Ill.

No. MC 123308 (Sub-No. 4), filed March 25, 1971. Applicant: SANITARY TRANSFER, INC., 2300 Palmer Street, Pittsburgh, PA 15218. Applicant's representative: Arthur J. Diskin, 806 Frick Building, Pittsburgh, PA 15219. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes; transporting: *Bakery equipment, materials, and supplies*, incidental to the production of bakery products; and *empty containers for bakery materials and supplies*, between the plantsite of Mallet & Co., Inc., in the borough of Rosslyn Farms, Allegheny County, Pa., on the one hand, and, on the other, points in Vermont, New Hampshire, Delaware, Virginia, South Carolina, Kentucky, Tennessee, Georgia, Florida, Mississippi, Alabama, Texas, Kansas, Indiana, Illinois, and Wisconsin. Restriction: The service sought herein is subject to the following condition: Said operations are restricted to the transportation of traffic originating at, or destined to, the plantsite of Mallet & Co., Inc., in the borough of Rosslyn Farms, Allegheny County, Pa. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Pittsburgh, Pa.

No. MC 123968 (Sub-No. 1), filed April 5, 1971. Applicant: J & J MOTOR SERVICE, INC., 2338-42 South Indiana Avenue, Chicago, IL 60616. Applicant's representative: Robert H. Levy, 29 South La Salle Street, Chicago, IL 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Exhibits, exhibits materials, displays and display materials*, between Chicago, Ill., on the one hand, and, on the other, points in the United States (except Alaska and Hawaii). NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 124137 (Sub-No. 2), filed March 31, 1971. Applicant: G. RICHARD ARNER, doing business as G. R. ARNER, Rural Delivery No. 3, Tamaqua (West Penn Township), PA 18525. Applicant's representative: James A. Wimmer, 419 Delaware Avenue, Palmerton, PA 18071. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Shale derived aggregate and lelite*, from Plains Township and points within 5 miles thereof in Luzerne County, Pa., to points in Delaware, Maryland, New Jersey, (except those in Cumberland, Salem, Gloucester, Cape May, Atlantic, Camden, and Burlington Counties), New York, Virginia, West Virginia, and the District of Columbia, with no transportation for compensation on return except as otherwise authorized. NOTE: Applicant states

that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Scranton, Wilkes-Barre, Philadelphia, or Harrisburg, Pa.

No. MC 124211 (Sub-No. 183), filed April 6, 1971. Applicant: HILL TRUCK LINE, INC., Post Office Drawer 988 D.T.S., Omaha, NE 68101. Applicant's representative: Thomas L. Hilt (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products and meat by-products and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles), from the plantsite of storage facilities of Illini Beef Packers, Inc., at or near Joslin, Ill., to points in Connecticut, Delaware, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, Nebraska, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Tennessee, Vermont, Virginia, West Virginia, and the District of Columbia. NOTE: Applicant states authority sought may be tacked with existing authority in Sub Nos. 16, 19, 23, 24, 28, 31, 32, 37, 38, 104, 109, 117, 118, 119, 121, and 127, at origin involved in subject application and various common points in Nebraska; however, not all tacking possibilities named are economically feasible due to circuitry involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Davenport, Iowa.

No. MC 124708 (Sub-No. 31), filed March 26, 1971. Applicant: MEAT PACKERS EXPRESS, INC., 222 72d Street, Omaha, NE 68114. Applicant's representative: Andrew R. Clark, 1000 First National Bank Building, Minneapolis, MN 55402. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products and meat by-products and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from Emporia, Kans.; West Point and Dakota City, Nebr.; Denison, Fort Dodge, LeMars, and Mason City, Iowa; and Luverne, Minn.; to points in Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New Jersey, New York, Pennsylvania, Maryland, Delaware, Virginia, West Virginia, and the District of Columbia, restricted to traffic originating at the plant sites and storage facilities of Iowa Beef Processors, Inc. NOTE: Applicant states no duplicate authority is being sought. It further states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr., or Minneapolis, Minn.

No. MC 124796 (Sub-No. 85), filed April 2, 1971. Applicant: CONTINENTAL

CONTRACT CARRIER CORP., 15045 East Salt Lake Avenue, Post Office Box 1257, City of Industry, CA 91747. Applicant's representatives: J. Max Harding, Post Office Box 82028, Lincoln, NE 68510, and William J. Monheim (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes; transporting: *Furnaces*, from Blackville, S.C., to Collierville, Tenn., and City of Industry, Calif., under contract with Carrier Corp. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif.

No. MC 124818 (Sub-No. 2), filed April 2, 1971. Applicant: HOWARD M. ROBINSON, doing business as ROBINSON WRECKER SERVICE, Ellerson, Va. Applicant's representative: Henry E. Ketner, 6301 River Road, Richmond, VA 23229. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wrecked, disabled, stolen, abandoned, surrendered, and repossessed motor vehicles and component parts of such vehicles and trailers* (except mobile homes and house trailers designed to be drawn by passenger automobiles), in truckaway service by the use of automobile wrecker service equipment, between Richmond, Va., on the one hand, and, on the other, points in Maryland, Delaware, New Jersey, Pennsylvania, New York, Connecticut, Rhode Island, Massachusetts, and West Virginia. NOTE: Applicant states that the requested authority can be with its existing authority at Richmond, Va., and the territory to be served by such joinder, would be points in North Carolina. If a hearing is deemed necessary, applicant requests it be held at Richmond, Va., or Washington, D.C.

No. MC 126458 (Sub-No. 4), filed April 2, 1971. Applicant: ASCENZO & SONS, INC., 535 Brush Avenue, Bronx, NY 10465. Applicant's representative: Morton E. Kiel, 140 Cedar Street, New York, NY 10006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Steel beams*, from Bridgeport and New Haven, Conn., to points in Connecticut, Rhode Island, Massachusetts, New Jersey, New York, and Pennsylvania, under contract with British Wide Flange, Inc. NOTE: Applicant presently holds authority as a *common carrier* by motor vehicle under No. MC 95965; therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 126276 (Sub-No. 45) (Correction), filed February 24, 1971, published in the FEDERAL REGISTER issue of April 8, 1971, under No. MC 126272 (Sub-No. 42), and republished in part, as corrected, this issue. Applicant: FAST MOTOR SERVICE, INC., 12855 Ponderosa Drive, Palos Heights, IL 60363. Applicant's representative: William Adams, Suite 527, 1776 Peachtree Street NW., Atlanta, GA 30309. NOTE: The sole purpose of this partial republication is (1) to reflect the correct docket number

assigned, and (2) to show the correct spelling of *Bartow, Fla.*, inadvertently shown as *Bartown, Fla.*, in the previous publication. The rest of the application remains as previously published.

No. MC 127042 (Sub-No. 79), filed March 25, 1971. Applicant: HAGEN, INC., 4120 Floyd Boulevard, Sioux City, IA 51108. Applicant's representative: Joseph W. Harvey (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, except hides and commodities in bulk, from Emporia, Kans., to points in Indiana, Michigan, Ohio, Minnesota, and Wisconsin. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Sioux City, Iowa, or Omaha, Nebr.

No. MC 127042 (Sub-No. 80), filed March 29, 1971. Applicant: HAGEN, INC., 4120 Floyd Boulevard (Post Office Box 98, Leeds Station), Sioux City, IA 51108. Applicant's representative: Joseph W. Harvey (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Meats, meat products, and meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, except hides and commodities in bulk, from Minden, Nebr., to points in Minnesota and Wisconsin; (2) *onion products*, from Grand Island and Hastings, Nebr., to points in Indiana and Michigan. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Sioux City, Iowa, or Omaha, Nebr.

No. MC 127099 (Sub-No. 14), filed April 2, 1971. Applicant: ROBERT NEFF & SONS, INC., 132 Shawnee Avenue, Post Office Box 2015, Zanesville, OH 43701. Applicant's representatives: James R. Stivers and Edwin H. van Deusen, 50 West Broad Street, Columbus, OH 43215. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) (a) *Lumber*; (b) *Metal and woodworking machinery* in mixed loads with the commodities in (c) below, (c) *Benches, cabinets, shelving, chairs, and tables*, in mixed loads with the commodities in (b) above, and (d) *Related parts and accessories* used in the installation of the commodities in (b) and (c) above, and (2) *Materials and supplies* (except in bulk) used in the manufacture of the above-named commodities, from Woodbridge, N.J., to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, and

the District of Columbia, under contract with Brodhead Garrett Co. NOTE: If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio, or Washington, D.C.

No. MC 127689 (Sub-No. 42), filed April 5, 1971. Applicant: PASCAGOULA DRAYAGE CO., INC., 701 East Pine Street, Post Office Box 987, Hattiesburg, MS 39401. Applicant's representative: Harvey E. West (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Anti-pollution systems, equipment and parts; liquid cooling and vapor condensing systems, equipment and parts; environmental control and protective system, equipment and parts; and equipment, materials, and related supplies* used in installation thereof, moving on flatbed equipment in truckload lots on volume minimum weights only, from the plantsite, warehouses, and shipping facilities of Defiance Corp. at Picayune, Miss., to points in Alabama, Arkansas, Georgia, points in Florida on and west of U.S. Highway 319, Louisiana, Mississippi, Tennessee, and points in Texas on and east of U.S. Highway 281 extending from Oklahoma-Texas State line to San Antonio, Tex., thence on and east of Texas Highway 16 to the Texas-Mexico border, and on return to transport damaged, rejected, or refused shipments of such commodities to the point of origin. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Jackson, Miss., or New Orleans, La.

No. MC 127804 (Sub-No. 4), filed March 25, 1971. Applicant: WILLIAM R. WEINRICH, doing business as WEINRICH TRUCK LINES, Hinton, Iowa 51024. Applicant's representative: William L. Fairbank, 900 Hubbell Building, Des Moines, IA 50309. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Nonalcoholic beverages*, (1) from Omaha, Nebr., to points in Illinois, Iowa, Minnesota, North Dakota, South Dakota, and Wisconsin; and (2) from Minneapolis, Minn., to points in Illinois, Iowa, North Dakota, South Dakota, and Wisconsin. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 128201 (Sub-No. 6), filed March 17, 1971. Applicant: SCHUSTER GRAIN CO., INC., U.S. Highway 75 South, Post Office Box 606, LeMars, IA. Applicant's representative: David R. Parker, 605 South 14th Street, Post Office Box 82028, Lincoln, NE 68501. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Alfalfa products*, (1) from points in Nebraska and Iowa, to the plantsite and storage facilities of Sioux Alfalfa Meal Co. at or near Vermillion and Meckling, S. Dak., and (2) from the plantsite and storage facilities of Sioux Alfalfa Meal Co. at or near Vermillion

and Meckling, S. Dak., to points in Nebraska, Iowa, Minnesota, Wisconsin, and Illinois, under contract with Sioux Alfalfa Meal Co. NOTE: If a hearing is deemed necessary, applicant requests it be held at Sioux City, Iowa, or Omaha, Nebr.

No. MC 128235 (Sub-No. 7), filed March 17, 1971. Applicant: ALVIN JOHNSON, 137 13th Avenue NE., Minneapolis, MN 55413. Applicant's representative: Earl Hacking, 503 11th Avenue South, Minneapolis, MN 55415. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Malt beverages*, in containers, from St. Louis, Mo., to Rush City, Minn. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Minneapolis or St. Paul, Minn.

No. MC 128273 (Sub-No. 93), filed April 2, 1971. Applicant: MIDWESTERN EXPRESS, INC., Box 189, Fort Scott, KS 66701. Applicant's representative: Danny Ellis (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Paper toweling, tissue, paper, forest products, and supplies*, between the plantsite and storage facilities of Clearwater Tissue Mills located in Nez Perce County, Idaho, and points in Washington, Oregon, Montana, Wyoming, Colorado, New Mexico, Arizona, Idaho, Utah, California, and Nevada. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo., or Washington, D.C.

No. MC 128383 (Sub-No. 9), filed April 5, 1971. Applicant: PINTO TRUCKING SERVICE, INC., 1219 Morris Street, Philadelphia, PA 19148. Applicant's representative: James W. Patterson, 123 South Broad Street, Philadelphia, PA 19109. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *General commodities* (except commodities in bulk), (a) between Logan International Airport, Boston, Mass.; Bradley International Airport, Hartford County, Conn.; Broome County Airport, Broome County, N.Y.; Clarence E. Hancock Airport, Onondaga County, N.Y.; Greater Buffalo International Airport, Erie County, N.Y.; Rochester-Monroe County Airport, Monroe County, N.Y.; Oneida Airport, Oneida County, N.Y.; Albany County Airport, Albany County, N.Y.; Mercer County Airport, Mercer County, N.J.; McGuire Air Force Base, Burlington and Ocean Counties, N.J.; Wilkes-Barre-Scranton Airport, Luzerne and Lackawanna Counties, Pa.; Allentown-Bethlehem-Easton Airport, Lehigh County, Pa.; General Carl A. Spaatz Field, Berks County, Pa.; Harrisburg-York Airport and Olmsted Airport, Dauphin County, Pa.; Lancaster Airport, Lancaster County, Pa., and the Greater Pittsburgh Airport, Allegheny County, Pa.; Greater Wilmington Airport, New

Castle County, Del.; Hagerstown Municipal Airport, Washington County, Md.; Kanawha Airport, Kanawha County, W. Va.; Richard E. Byrd Flying Field, Richmond, Va.; Shannon Airport, Fredericksburg, Va.; Chesapeake-Portsmouth Airport, Portsmouth, Va.; Patrick Henry Airport, Newport News, Va.; Norfolk Municipal Airport, Norfolk, Va.; Greensboro-High Point Airport, Guilford County, N.C.; Douglass Municipal Airport, Mecklenburg County, N.C.; Hickory Municipal Airport, Burke and Catawba Counties, N.C.; Smith Reynolds Airport, Forsyth County, N.C.; Raleigh-Durham Airport, Wake County, N.C.; Greenville Municipal Airport, Greenville County, S.C.; Greenville-Spartanburg Airport, Greenville County, S.C.; Charleston Air Force Base-Municipal Airport, Berkeley County, S.C.; Columbia Airport, Lexington County, S.C.;

Atlanta Airport, Fulton County, Ga.; Herndon Airport, Orlando, Orange County, Fla.; Tampa International Airport, Tampa, Fla.; Miami International Airport, Dade County, Fla.; Thomas Cole Imeson Airport, Jacksonville, Fla.; James M. Cox-Dayton Municipal Airport, Montgomery County, Ohio; Columbus Municipal Airport, Franklin County, Ohio; Greater Cincinnati Airport, Boone County, Ky.; Cleveland-Hopkins International Airport, Cuyahoga County, Ohio; Youngstown Municipal Airport, Trumbull County, Ohio; Akron-Canton Airport, Summit County, Ohio; Detroit Metropolitan Airport, Detroit, Mich.; Willow Run Airport, Wayne County, Mich.; Detroit City Airport, Detroit, Mich.; and Chicago-O'Hare International Airport, Chicago, Ill.; and (b) between the above-named airports on the one hand, and on the other, Dulles International Airport, Fairfax and Loudoun Counties, Va.; Washington National Airport, Gravelly Point, Va.; Friendship International Airport, Anne Arundel County, Md.; Philadelphia International Airport, Philadelphia, Pa.; Newark Airport, Newark, N.J.; John F. Kennedy International Airport, New York, N.Y.; and La Guardia Airport, New York, N.Y. NOTE: Applicant states it proposes to tack the authority sought herein with existing authorities in its MC 128383 and subs. If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa.

No. MC 128383 (Sub-No. 10), filed April 5, 1971. Applicant: PINTO TRUCKING SERVICE INC., 1219 Morris Street, Philadelphia, PA 19148. Applicant's representative: James W. Patterson, 123 South Broad Street, Philadelphia, PA 19109. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *General commodities* (except commodities in bulk), (1) between points in Maryland, Prince William, Loudoun, and Fairfax Counties, Va., and the District of Columbia, on the one hand, and on the other, Dulles International Airport, Fairfax and Loudoun Counties, Va., Washington National Airport, Gravelly

Point, Va., Friendship International Airport, Anne Arundel County, Md., Philadelphia International Airport, Philadelphia, Pa., Newark Airport, Newark, N.J., John F. Kennedy International Airport, New York, N.Y., La Guardia Airport, New York, N.Y.; (2) between Wilkes-Barre-Scranton Airport, Luzerne and Lackawanna Counties, Pa., Allentown-Bethlehem-Easton Airport, Lehigh County, Pa., General Carl A. Spaatz Field, Berks County, Pa., Harrisburg-York Airport, York County, Pa., Olmsted Airport, Dauphin County, Pa., Lancaster Airport, Lancaster County, Pa., and the Greater Pittsburgh Airport, Allegheny County, Pa.; and (3) between the airports named in (2) above on the one hand, and, on the other, Dulles International Airport, Fairfax and Loudoun Counties, Va., Washington National Airport, Gravelly Point, Va., Friendship International Airport, Anne Arundel County, Md., Philadelphia International Airport, Philadelphia, Pa., Newark Airport, Newark, N.J., John F. Kennedy International Airport, New York, N.Y., and La Guardia Airport, New York, N.Y. NOTE: Applicant states it intends to join the authority sought herein with that sought in another application filed simultaneously. No duplicate authority is being sought. If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa.

No. MC 128638 (Sub-No. 2), filed April 7, 1971. Applicant: CENTRAL GRAIN HAULERS, INC., Route No. 1, Van Meter Road, Winchester, KY 40391. Applicant's representative: George M. Catlett, 703-706 McClure Building, Frankfort, KY 40601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Distilled grains*, from points in Kentucky to points in Tennessee, Ohio, and Indiana; and (2) *Feed urea* from Henderson, Ky., to points in Indiana and Ohio. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Cincinnati, Ohio, or Louisville, Ky.

No. MC 129455 (Sub-No. 3), filed April 8, 1971. Applicant: CARRETTA TRUCKING, INC., Box 887, Maywood, NJ 07607. Applicant's representative: Charles J. Williams, 47 Lincoln Park, Newark, NJ 07102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Swimming pools, garden sheds, and radiator enclosures*, from Paterson, Carlstadt, and Saddle Brook, N.J., to points in Alabama, Idaho, Iowa, Kansas, Maine, Mississippi, Montana, Nebraska, Nevada, New Hampshire, New Mexico, North Dakota, Oregon, South Dakota, Vermont, West Virginia, and Wyoming, restricted to a transportation service to be performed under contracts, or continuing contracts, with Quaker City Industries. NOTE: Applicant now holds similar authority to the other States (except New Jersey) in the Continental United States and by this application merely seeks to provide a complete service for

the same shipper. If a hearing is deemed necessary, applicant requests it be held at Newark, N.J., or New York City, N.Y.

No. MC 133032 (Sub-No. 2) (CORRECTION), filed March 8, 1971, published in the FEDERAL REGISTER issue of April 8, 1971, under MC 133022 (Sub-No. 2) and republished in part as corrected, this issue. Applicant: BURKETT TRUCKING CO., INC., 2508 East Roosevelt, Little Rock, AR 72202. Applicant's representative: Donald R. Partney, 35 Glenmere Drive, Little Rock, AR 72204. NOTE: The sole purpose of this partial republication is to reflect the correct docket number assigned. The rest of the application remains the same as previously published.

No. MC 133228 (Sub-No. 6), filed March 17, 1971. Applicant: JOHN WELCH, WILLIAM WELCH AND W. D. WELCH, a partnership, doing business as WELCH BROS. TRUCKING CO., 1105 South Boulder, Portales, NM 88130. Applicant's representative: Edwin E. Piper, Jr., 715 Simms Building, Albuquerque, NM 87101. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Gypsum board and gypsum products*, from the plantsite of Georgia Pacific Corp. located at or near Acme, Tex., to points in Arizona, under a continuing contract, or contracts with Georgia Pacific Corp., Portland, Ore. NOTE: If a hearing is deemed necessary, applicant requests it be held at Albuquerque, N. Mex.

No. MC 133233 (Sub-No. 18), filed March 31, 1971. Applicant: CLARENCE L. WERNER, doing business as WERNER ENTERPRISES, 805 32d Avenue, Council Bluffs, IA 51501. Applicant's representative: Charles J. Kimball, 300 N.S.E.A. Building, 14th and J Streets, Post Office Box 82028, Lincoln, NE 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Lumber, lumber products and building materials* between Council Bluffs and Fort Dodge, Iowa, and Omaha, Nebr., on the one hand, and, on the other, points in Nebraska, Kansas, Missouri, Illinois, and Oklahoma under contract with William T. Joyce Co. NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 134300 (Sub-No. 9), filed April 2, 1971. Applicant: PELHAM PRODUCE CARRIERS, INC., 649 Pelham Boulevard, St. Paul, MN 55114. Applicant's representative: Val M. Higgins, 1000 First National Bank Building, Minneapolis, MN 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and packing-house products* (except hides and commodities in bulk), as set forth in sections A and C in the report in *Descriptions in Motor Carrier Certificates*, 61 MCC 209 and 766, from the plantsite and warehouse facilities of the Rod Barnes Packing Co. and Flanery Meat Co. at or near Huron, S. Dak., to points in Virginia and West Virginia. NOTE: Applicant states

that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 134441 (Sub-No. 4), filed April 5, 1971. Applicant: ARIZONA-WESTERN EXPRESS, INC., 420 Oriental Avenue, Redlands, CA 92373. Applicant's representative: Ernest D. Salm, 3846 Evans Street, Los Angeles, CA 90027. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas*, in mixed loads with *fresh fruits and vegetables, and fresh fruits and vegetables* when moving at the same time in the same vehicle with bananas from points in the Los Angeles and Los Angeles Harbor (California) commercial zones to Phoenix and Tucson, Ariz. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Phoenix, Ariz., or Los Angeles, Calif.

No. MC 134940 (Sub-No. 2), filed April 12, 1971. Applicant: VERNON KUFUHL, doing business as KUFUHL TRUCKING, Route 1, Box 240A, Wausau, WI 54401. Applicant's representative: Michael J. Wyngaard, 125 West Doty Street, Madison, WI 53703. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Building and housing units, complete, knocked down, or in sections, and component parts thereof*; (2) *materials, equipment, and supplies* used in the manufacture, sale, distribution, erection, and completion of the items named in (1); (3) *wood products*; (4) *composition wood products*; (5) *laminated products*; (6) *parts and accessories* for products named in items (3), (4), and (5); and (7) *return shipments* of the items named in (1) through (6), between Ottumwa, Iowa, and Wausau, Wis., on the one hand, and, on the other, points in Iowa, Missouri, Illinois, Minnesota, Wisconsin, Michigan, North Dakota, South Dakota, Indiana, and Nebraska, and between Ottumwa, Iowa, and Wausau, Wis., under a continuing contract, or contracts, with Wausau Homes Incorporated, of Wausau, Wis. NOTE: If a hearing is deemed necessary, applicant requests it be held at Madison, or Milwaukee, Wis.

No. MC 134966 (Sub-No. 1), filed April 8, 1971. Applicant: CLEAR WATER TRUCK COMPANY, INC., Valley Center, Kans. 67147. Applicant's representative: Gailyn L. Larsen, 521 South 14th Street, Post Office Box 80806, Lincoln, NE 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Motorcycles and two-wheel vehicles*, from points in California to points in Kansas. NOTE: Applicant holds motor carrier contract authority under MC 127304 and Subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Wichita, Kans., Lincoln, Nebr., or Kansas City, Kans.

No. MC 135141 (Sub-No. 1) (Correction), filed February 22, 1971, published

in the FEDERAL REGISTER issue of April 8, 1971 and republished as corrected, this issue. Applicant: H & H EXPEDITING SERVICE, INC., 7076 Ruskin Lane, Upper Darby, PA 19082. Applicant's representative: Ralph C. Busser, Jr., 1710 Locust Street, Philadelphia, PA 19103. NOTE: The purpose of this partial republication is to show the parenthesis to end after the word "freight" in the commodity description, erroneously shown after "air" in the previous publication. The rest of the application remains the same.

No. MC 135227 (Sub-No. 2), filed March 22, 1971. Applicant: CHARLES CLARK, doing business as SPECIAL DISPATCH, 240 West Ohio, Post Office Box 460, Indianapolis, IN 46206. Applicant's representatives: Keith F. Henley and Paul F. Beery, 88 East Broad Street, Columbus, OH 43215. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Cosmetics, toilet preparations, toilet articles, drugs, cleaning, scouring, and washing compounds, soap powder or soap, clothing, toys, greeting cards, and premiums and prizes*; (2) *materials, equipment, and supplies used in connection with item (1)*; and (3) *returned merchandise between Cincinnati, Ohio, on the one hand, and, on the other, points in Indiana*. Restricted to transportation service to be performed under a continuing contract with Avon Products, Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 135280 (Sub-No. 2), filed April 5, 1971. Applicant: PEP LINES TRUCKING CO., a corporation, 15120 Third Avenue, Highland Park, MI 48203. Applicant's representative: J. A. Kundtz, 1100 City National Bank Building, Cleveland, OH 44114. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise as is dealt in by wholesale and retail general mercantile establishments, and in connection therewith, materials and supplies used in the conduct of such business, between points in Cook, Du Page, Kane, Kendall, Lake McHenry and Will Counties, Ill., and points in Lake and Porter Counties, Ind., under a continuing contract or contracts with Montgomery Ward & Co., Inc.* NOTE: Applicant holds common carrier authority in MC 120184 Sub 1. Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 135291, filed January 22, 1971. Applicant: ROSS & HOGLUND, INC., 1522 Occidental Street, Seattle, WA 98134. Applicant's representative: George Kargianis, 2120 Pacific Building, Seattle, WA 98104. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Bananas*, and (2) *commodities, the transportation of which is partially exempt under the provisions of section 203(b)(6) of the Interstate Commerce Act if transported in vehicles not used in*

carrying any other property, when moving in the same vehicle at the same time with the above-named commodities, between points in Washington and Oregon. NOTE: If a hearing is deemed necessary, applicant requests it be held at Seattle, Wash.

No. MC 135302 (Sub-No. 2), filed April 2, 1971. Applicant: IVES MOYER, Post Office Box 83, Broken Bow, OK 74728. Applicant's representative: Rufus H. Lawson, 106 Bixler Building, Post Office Box 75124, Oklahoma City, OK 73107. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wood chips, sawdust, and shavings, from points in Oklahoma to points in Arkansas*. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla., or Dallas, Tex.

No. MC 135394, filed March 10, 1971. Applicant: RETAIL DELIVERY SERVICE, INC., 382 McLean Boulevard, Paterson, NJ 07513. Applicant's representative: Anthony C. Vance, 1111 E Street NW., Suite 501, Washington, DC 20004. 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, those requiring special equipment, cash letters, cash and currency), between Edison, N.J., on the one hand, and, on the other, the New Jersey Counties of Hudson, Bergen, Essex, Union, Middlesex, Somerset, Hunterdon, Warren, Sussex, Monmouth, Morris, Passaic, Atlantic, Cape May, and Ocean*. Restrictions: (1) No service shall be rendered in the transportation of any package or article weighing more than 75 pounds or exceeding 108 inches in length and girth combined, (2) no service shall be provided in the transportation of packages or articles weighing in the aggregate more than 350 pounds from one consignor at one location to one consignee at one location on any 1 day, and (3) service is limited to shipments which have a prior movement out of State by motor common carrier. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 135442 (Sub-No. 1), filed April 5, 1971. Applicant: DONSON'S EXPRESS, INC., 5 Marie Terrace, Milltown, NJ 08805. Applicant's representative: Paul J. Keeler, Post Office Box 253, South Plainfield, NJ 07080. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Carpeting, in rolls, from New Brunswick, N.J., to Philadelphia, Pa., under contract with Coronet Carpets, a division of Coronet Industries, Inc.* NOTE: If a hearing is deemed necessary, applicant requests it be held at Newark, N.J., or New York N.Y.

No. MC 135450, filed March 23, 1971. Applicant: JELBA, INC., Post Office Box 2007, Idaho Station, Terre Haute, IN 47802. Applicant's representative: Jerry Einstandig, 2723 South Sixth Street, Terre Haute, IN 47802. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia, in bulk, in tank vehicles, (1) from Terre Haute, Mt. Vernon (in Posey County), and Frankfort, Ind., to points in Illinois; (2) from Henderson, Ky., to points in Indiana and Illinois; and (3) from Tuscola, Ill., to points in Indiana and Kentucky, under contract with International Minerals & Chemical Corp., Indianapolis, Ind.* NOTE: If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind.

No. MC 135465, filed March 29, 1971. Applicant: T. FRANK FLIPPO & SONS, INC., Doswell, Va. 23047. Applicant's representative: Jno. C. Goddin, 200 West Grace Street, Richmond, VA 23220. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Wood fibreboard, wood fibreboard faced or finished with decorative and protective material, and accessories and supplies used in the installation thereof (except commodities in bulk), from the plant and warehouse sites of Evans Products Co. at or near Doswell, Hanover County, Va., to points in Alabama, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Louisiana, Maine, Maryland, Massachusetts, Mississippi, Missouri, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, Tennessee, Vermont, Virginia, West Virginia, and the District of Columbia*; and (2) *excelsior; wood-in machine compressed, from points in Hanover County, Va., to points in New York, Connecticut, Delaware, New Jersey, Virginia, Maryland, Georgia, South Carolina, North Carolina, Ohio, Pennsylvania, Tennessee, and West Virginia, under contract with Evans Products Co. and Virginia Excelsior Mills, Inc.* NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Richmond, Va.

No. MC 135474, filed March 17, 1971. Applicant: HILL INDUSTRIES, INC., Box 421, Highway 77 North, Hillsboro, TX. Applicant's representative: Hugh T. Mathews, 630 Fidelity Union Tower, Dallas, TX 75201. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Lubricants, cleaning compounds, water proofing compounds, paints and related items, in containers, from Fort Worth, Tex., to points in Virginia, North Carolina, and South Carolina, under a continuing contract with Texas Refinery Corp.* NOTE: If a hearing is deemed necessary, applicant requests it be held at Fort Worth, Tex.

No. MC 135480, filed March 25, 1971. Applicant: ART WALKER, doing business as COLORADO SPRINGS-LIMON TRANSPORTATION COMPANY, 580 L Avenue, Post Office Box 98, 388 A Avenue,

Limon, CO 80828. Applicant's representative: J. Albert Sebald, 1700 Western Federal Building, Denver, CO 80202. 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), (1) Between Colorado Springs and Limon, Colo., and all intermediate points, along and over U.S. Highway 24; and (2) between Colorado Springs and Limon, Colo., and all intermediate points, along and over Colorado Highway 94 and Colorado Highway 71. NOTE: If a hearing is deemed necessary, applicant requests it be held at Colorado Springs or Denver, Colo.

No. MC 135481, filed March 24, 1971. Applicant: TELFER TANK LINES, INC., 610 Ferry Street, Post Office Box 709, Martinez, CA 94553. Applicant's representative: Daniel W. Baker, 405 Montgomery Street, San Francisco, CA 94104. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Asphalt, residual fuel oils* in paving operations, *road oils and road emulsions*, in bulk, in tank vehicles, from points in Contra Costa, Alameda, Sacramento, and San Mateo Counties, Calif., to points in Curry, Josephine, Jackson, Klamath, and Lake Counties, Oreg., and points in Nevada on and north of U.S. Highway 6. NOTE: Applicant holds contract carrier authority under MC 117866 and Subs thereunder, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Reno or Carson City, Nev.

No. MC 135484, filed March 19, 1971. Applicant: VENARD TRUCKING, INC., Post Office Box 149, Hawarden, IA 51023. Applicant's representative: Thomas E. Leahy, Jr., 900 Hubbell Building, Des Moines, IA 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat by-products and articles distributed by meat packinghouses*, as described in sections A and C of appendix 1 to the report in *Descriptions in Motor Carrier Certificates*, 61 MCC 209 and 766, (except commodities in bulk), from Hawarden, Iowa, to points in Illinois. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Omaha, Nebr.

No. MC 135485, filed April 2, 1971. Applicant: NEFF TOWING SERVICE, INC., 4315 South 50th Street, Omaha, NE 68117. Applicant's representative: Charles J. Kimball, 14th and J Streets, Post Office Box 32028, Lincoln, NE 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wrecked, disabled, repossessed, stolen, and embezzled motor vehicles*, except trailers designed to be drawn by passenger automobiles and replacement motor vehicles therefor, by

use of wrecker equipment only, (1) between points in Iowa and Nebraska; and (2) between points in (1) above on the one hand, and, on the other, points in the United States (except Alaska, Hawaii, Iowa, and Nebraska). NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 135486 (Sub-No. 1), filed April 8, 1971. Applicant: JACK HODGE TRANSPORT, INC., 2410 West Ninth Street, Marion, IN 46952. Applicant's representative: Robert W. Loser, 1001 Chamber of Commerce Building, Indianapolis, IN 46204. 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 plant and warehouse facilities of the Kroger Co., Cincinnati, Ohio, on the one hand, and, on the other, stores, warehouses and storage facilities at Louisville, Ky.; Nashville and Memphis, Tenn.; and Little Rock, Ark., restricted to a transportation service to be performed under a continuing contract or contracts with the Kroger Co., in refrigerated equipment. NOTE: If a hearing is deemed necessary, applicant requests it be held at Cincinnati, Ohio, Indianapolis, Ind., or Washington, D.C.

No. MC 135495, filed April 13, 1971. Applicant: HIGHLAND MOVING AND STORAGE CO., INC., 311 Alexander Street, Fayetteville, NC 28301. Applicant's representative: Frank W. Taylor, Jr., 1221 Baltimore Avenue, Kansas City, MO 64105. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used household goods*, as defined by the Interstate Commerce Commission, between points in North Carolina, restricted to shipments having a prior or subsequent movement beyond said points in containers, and further restricted to pickup and delivery services incidental to and in connection with packing, crating, and containerization, or unpacking, uncrating, and decontainerization of such shipments. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

MOTOR CARRIER OF PASSENGERS

No. MC 70353 (Sub-No. 6), filed March 8, 1971. Applicant: THE PITTSBURGH AND WEIRTON BUS CO., a corporation, 401 Pennsylvania Avenue, Weirton, W. Va. 26062. Applicant's representative: D. L. Bennett, 129 Edgington Lane, Wheeling, W. Va. 26003. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in charter and special operations, in roundtrip sightseeing and pleasure tours, between points in Jefferson County, Ohio, Brooke and Hancock Counties, W. Va., on the one hand, and, on the other, points in the United States (including Alaska but excluding Hawaii). NOTE: Applicant states that the re-

quested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Pittsburgh, Pa., Columbus, Ohio, or Washington, D.C.

No. MC 135475, filed March 26, 1971. Applicant: ROSS T. SMITH, doing business as ZORRA HIGHLAND BUS LINE, Commissioner Street West, Embro, ON Canada. Applicant's representatives: S. Harrison Kahn, Suite 733, Investment Building, Washington, DC 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Passengers and their baggage*, in the same vehicle with passengers, in round-trip charter operations, beginning and ending at ports of entry on the United States-Canada boundary line and extending to all points in the United States, including the District of Columbia and Alaska, and (2) *passengers and their baggage*, in the same vehicle with passengers, in special operations, in round-trip sightseeing and pleasure tours, beginning and ending at ports of entry on the United States-Canada boundary line and extending to all points in the United States, including the District of Columbia and Alaska. NOTE: If a hearing is deemed necessary, applicant requests it be held at Detroit, Mich.

APPLICATION FOR BROKERAGE LICENSE

No. MC 130142, filed March 22, 1971. Applicant: MELVIN C. SINGER, doing business as SINGER TRAVEL AGENCY, 9118 Liberty Road, Randallstown, MD 21113. For a license (BMC-5) to engage in operations as a *broker* at Randallstown, Md., in arranging for transportation in interstate or foreign commerce of passengers and their baggage, in round-trip tours, in special and charter operations, beginning and ending at points in Baltimore County, Md., and points within 60 miles thereof, and extending to all points in the United States, including Alaska and Hawaii.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.71-5909 Filed 4-28-71; 8:45 am]

FOURTH SECTION APPLICATIONS FOR RELIEF

APRIL 26, 1971.

Protests to the granting of an application must be prepared in accordance with § 1100.40 of the general rules of practice (49 CFR 1100.40) and filed within 15 days from the date of publication of this notice in FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 42179—*Phthalic anhydride from Baton Rouge, La.* Filed by O. W. South, Jr., agent (No. A6248), for interested rail carriers. Rates on phthalic anhydride, in tank carloads, as described in the application, from Baton Rouge, La., to Kingsport, Tenn.

Grounds for relief—market competition.

Tariff—Supplement 183 to Southern Freight Association, agent, tariff ICC S-699.

FSA No. 42180—*Agricultural limestone from points in southwestern territory.* Filed by Southwestern Freight Bureau, agent (No. B-228), for interested rail carriers. Rates on limestone, agricultural, having value only for soil-treating purposes, in carloads, as described in the application, from specified points in southwestern territory, to specified points in Arkansas and Louisiana.

Grounds for relief—barge-truck competition.

Tariff—Supplement 110 to Southwestern Freight Bureau, agent, tariff ICC 4797.

By the commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc. 71-5998 Filed 4-28-71; 8:50 am]

[Notice 285]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

APRIL 22, 1971.

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 of Ex Parte No. MC-67 (49 CFR Part 1131), 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 of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protests must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests 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 field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 106644 (Sub-No. 116 TA), filed April 19, 1971. Applicant: SUPERIOR TRUCKING CO., INC., 2770 Peyton Road NW., Post Office Box 916, 30321, Atlanta, GA 30301. Applicant's representative: K. Edward Wolcott (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paint, paint shakers, and paint dispensers*, from St. Petersburg, Fla., to New Orleans, La., and Vicksburg, Miss., for 180 days. Supporting shipper: Nylonated Products, Inc., 615 27th Street South, St. Petersburg, FL 33712. Send protests to: William L. Scroggs, District

Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 309, 1252 Peachtree Street NW., Atlanta, GA 30309.

No. MC 107496 (Sub-No. 809 TA), filed April 19, 1971. Applicant: RUAN TRANSPORT CORP., Third and Keosauqua Way, Box 855, 50304, Des Moines, IA 50309. Applicant's representative: H. L. Fabritz (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Potash*, in bulk, in tank vehicles, from Edgerton, Wis., to points in Illinois, for 150 days. Supporting shipper: Terra Chemicals International, Inc., 507 Sixth Street, Sioux City, IA 51101. Send protests to: Ellis L. Annett, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 677 Federal Building, Des Moines, IA 50309.

No. MC 119118 (Sub-No. 30 TA), filed April 19, 1971. Applicant: LEWIS W. McCURDY, doing business as McCURDY'S TRUCKING CO., 571 Unity Street, Latrobe, PA 15650. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*, in containers, and *related advertising materials*, from Winston Salem, N.C., to Aberdeen, Glen Burnie, Laurel, Millersville, Salisbury, and Waldorf, Md., Atlantic City, North Branch, and Somerville, N.J., Auburn, Brooklyn, and Hamilton, N.Y., and Arlington, Va., and *empty containers, pallets and dunnage pads* on return, for 120 days. Supporting shipper: Jos. Schlitz Brewing Co., Milwaukee, Wis. 53201. Send protests to: Frank L. Calvary, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 2111 Federal Building, Pittsburgh, PA 15222.

No. MC 119493 (Sub-No. 69 TA) (Correction), filed April 12, 1971, and published in the FEDERAL REGISTER notice No. 280, and republished in part as corrected this issue. Applicant: MONKEM CO., INC., West 20th Street Road, Post Office Box 1196, Joplin, MO 64801. NOTE: The purpose of this partial republication is to set forth the correct Docket No. 119493, Sub-No. 69, in lieu of 119439, Sub-No. 69, which was erroneously shown in previous publication. The rest of the application remains the same.

No. MC 120800 (Sub-No. 38 TA), filed April 19, 1971. Applicant: CAPITOL TRUCK LINE, INC., 2500 North Alameda Street, Compton, CA 90222. Applicant's representative: A. O'Malley (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid nitrogen*, in specially designed vacuum jacketed trailers, from Air Products and Chemicals plantsite at Savannah, Ga., to Anderson, S.C., for 150 days. Supporting shipper: Liquid Air Inc. Division, American Cryogenics Industrial Air Products Co., One Embarcadero Center, San Francisco, CA 94111. Send protests to: John E. Nance, District

Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 7708 Federal Building, 300 North Los Angeles Street, Los Angeles, CA 90012.

No. MC 120800 (Sub-No. 39 TA), filed April 19, 1971. Applicant: CAPITOL TRUCK LINE, INC., 2500 North Alameda Street, Compton, CA 90222. Applicant's representative: A. O'Malley (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid argon*, in specially designed vacuum jacketed trailers, from Claymont, Del., and Arroyo, W. Va., to Augusta, and Savannah, Ga., and Decatur, Ala., for 150 days. Supporting shipper: Liquid Air Inc. Division, American Cryogenics Industrial Air Products Co., One Embarcadero Center, San Francisco, CA 94111. Send protests to: John E. Nance, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 7708 Federal Building, 300 North Los Angeles Street, Los Angeles, CA 90012.

No. MC 124711 (Sub-No. 10 TA), filed April 19, 1971. Applicant: BECKER AND SONS, INC., 2643 W. Central, Post Office Box 1050, El Dorado, KS 67042. Applicant's representative: Erle W. Francis, 719 Capitol Federal Building, Topeka, KS 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer and fertilizer materials*, in bulk, from points in Douglas County, Kans., to points in Arkansas, Iowa, Minnesota, Missouri, and Nebraska, for 150 days. Supporting shipper: Farmland Industries, Inc., 3315 North Oak Trafficway, Kansas City, MO. Send protests to: M. E. Taylor, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 501 Petroleum Building, 221 South Broadway, Wichita, KS 67202.

No. MC 133419 (Sub-No. 2 TA), filed April 15, 1971. Applicant: WILLIAM PFOHL TRUCKING CORP., 83 Phoff Road, Cheektowaga, NY 14225. Applicant's representative: Edward B. Murphy, 1103 Liberty Bank Building, Buffalo, NY 14202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Gypsum rock*, in bulk, in dump vehicles, from Buffalo, N.Y., to town of Clarence, Erie County, N.Y., for 180 days. Supporting shipper: National Gypsum Co., Building Products Division, 325 Delaware Avenue, Buffalo, NY 14202. Send protests to: George M. Parker, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 518 Federal Office Building, 121 Ellicott Street, Buffalo, NY 14203.

No. MC 135496 TA, filed April 19, 1971. Applicant: O-J TRANSPORT CO., 2739 Sturtevant, Detroit, MI 48206. Applicant's representative: Martin D. Leshman, Suite 420, 24700 Northwestern Highway, Southfield, MI 48075. Authority sought to operate as a *contract carrier*, by motor vehicle, over regular routes, transporting: *Malt beverages*,

and related advertising materials, from Milwaukee, Wis., to Detroit, Mich. (and the return of empty containers), over I-94 U.S. 20, Indiana 212, U.S. 12 I-94, for 180 days. Supporting shipper: Sky-Pac Enterprises, Inc., 3950 23d Street, Detroit, MI 48208. Send protests to: District Supervisor Melvin F. Kirsch, Interstate Commerce Commission, Bureau of Operations, 1110 Broderick Tower, 10 Witherell, Detroit, MI 48226.

No. MC 135500 TA, filed April 19, 1971. Applicant: DANIEL MIMS, doing business as MIMS GRAIN & EQUIP. CO., Williams Street (Post Office Box 707), Hazlehurst, GA 31539. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) Fertilizer, in bags and in dry bulk, and (2) pesticides, in containers, when moving in mixed loads with fertilizer, from Jacksonville, Fla., to points in Georgia bounded by U.S. Highway 280

on the north and U.S. Highway 41 on the west, for 180 days. Supporting shipper: Wilson & Toomer Fertilizer Co., 1611 Tallyrand Avenue (Post Office Box 4459) Jacksonville, FL 32201. Send protests to: G. H. Fauss, Jr., District Supervisor, Bureau of Operations, Interstate Commerce Commission, Box 35008, 400 West Bay Street, Jacksonville, FL 32202.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.
[FR Doc.71-5997 Filed 4-28-71;8:50 am]

[Notice 684-B]

**MOTOR CARRIER TRANSFER
PROCEEDINGS**

APRIL 23, 1971.

Application filed for temporary authority under section 210(a) (b) in con-

nection with transfer application under section 212(b) and Transfer Rules, 49 CFR Part 1132:

No. MC-FC-72834. By application filed April 19, 1971, W.T.C. AIR FREIGHT, INC., 5959 West Century Boulevard, Los Angeles, CA 90045, seeks temporary authority to lease the operating rights of DIRECT AIR FREIGHT CORPORATION, Bradley International Airport, Windsor Locks, CT 06096, under Section 210a(b). The transfer to W.T.C. AIR FREIGHT, INC., of the operating rights of DIRECT AIR FREIGHT CORPORATION, is presently pending.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.
[FR Doc.71-5912 Filed 4-28-71;8:45 am]

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