

# FEDERAL REGISTER

VOLUME 36 • NUMBER 34

Friday, February 19, 1971 • Washington, D.C.

Pages 3167-3245

Agencies in this issue—

Agricultural Stabilization and  
Conservation Service  
Agriculture Department  
Atomic Energy Commission  
Civil Aeronautics Board  
Coast Guard  
Consumer and Marketing Service  
Customs Bureau  
Emergency Preparedness Office  
Federal Aviation Administration  
Federal Crop Insurance Corporation  
Federal Maritime Commission  
Federal Power Commission  
Federal Railroad Administration  
Federal Reserve System  
Federal Trade Commission  
Fish and Wildlife Service  
Food and Drug Administration  
Housing and Urban Development  
Department  
Indian Affairs Bureau  
Interior Department  
Interstate Commerce Commission  
Land Management Bureau  
National Oceanic and Atmospheric  
Administration  
Small Business Administration  
Veterans Administration

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Washington, D.C. 20402**



Area Code 202

Phone 962-8626

Published daily, Tuesday through Saturday (no publication on Sundays, Mondays, or on the day after an official Federal holiday), by the Office of the Federal Register, National Archives and Records Service, General Services Administration, Washington, D.C. 20408, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., Ch. 15), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President (1 CFR Ch. I). Distribution is made only by the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

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# Rules and Regulations

## Title 13—BUSINESS CREDIT AND ASSISTANCE

### Chapter I—Small Business Administration

[Amdt. 15]

#### PART 101—ADMINISTRATION

##### Organizational and Functional Statement

Part 101 of Title 13 of the Code of Federal Regulations is hereby amended by revising sections from and including § 101.1 to 101.3-1 thereof, to read as follows:

##### § 101.1 Purpose, function, general organization.

(a) *Purpose.* To aid, counsel, assist, and protect the interests of small business concerns and to help victims of disaster.

(b) *Functions.*—(1) *Procurement assistance.* To insure that a fair proportion of the total Government purchases and contracts or subcontracts for property and services for the Government be placed with small business enterprises by, among other things, certifying as to the competency of small business concerns to perform such contracts, or subletting contracts to small business concerns on which the Agency is prime contractor; to insure that a fair proportion of the total sales of Government property be made to small business enterprises; and to assure that small businesses obtain the benefit of Government sponsored research and development.

(2) *Management and technical assistance.* To improve the management skills of owners, potential owners, and managers of small business concerns with direct action programs and through established channels of business relations; to provide technical and product assistance to small business concerns; and to inventory productive facilities of small business concerns.

(3) *Financial assistance.* To make loans to small business concerns and to victims of floods or other catastrophes, including loans to small business concerns suffering economic injury as a result of displacement by Federal construction, inability to process products for human consumption because of undetermined disease, and need to make changes in facilities or methods of operation because of various Federal laws imposing safety and health requirements; to make direct or bank participation loans on the basis of certifications made by the Secretary of Commerce to assist firms, large and small, to adjust to changed economic conditions resulting from increased competition from im-

ported articles; and to make loans to State and local development companies for purpose of assisting small business concerns.

(4) *Guaranteeing leases and bonds.* To guarantee the payment of rentals under leases entered into by small business concerns, and also to guarantee sureties of small businesses against portions of losses resulting from the breach of bid, payment, or performance bonds.

(5) *Small business investment companies.* To provide venture capital in the form of equity financing and long-term loan funds to small business concerns and provide advisory services to such concerns through small business investment companies; to license small business investment companies, regulate the operations of such companies, and purchase or guarantee the purchase of debentures from small business investment companies to supplement their capital requirements for the financing of small business concerns.

(6) *Advocacy of small business interests.* To protect the interests of small businesses as they may be adversely affected by activities of other Federal agencies.

(7) *Further functional description.* The more detailed program functions of the Agency are set forth in other sections of this part and other parts of this chapter.

(c) *General organization.* (1) Management of the Small Business Administration is vested in an Administrator appointed by the President with the advice and consent of the Senate. The Administrator is authorized to appoint two associate administrators under the Small Business Act and one associate administrator under the Small Business Investment Act. The Administrator is authorized to appoint a Deputy Administrator who shall be Acting Administrator of the Administration during the absence or disability of the Administrator or in the event of a vacancy in the Office of the Administrator. The Administrator is authorized, subject to the Civil Service and Classification Laws, to select, employ, appoint, and fix the compensation of such officers, employees, attorneys, and agents as shall be necessary to carry out the provisions of the Small Business Act and the Small Business Investment Act.

(2) The headquarter's office of the Small Business Administration is located at 1441 L Street NW., Washington, DC 20416. Further information concerning the activities of SBA can be obtained by calling the Office of Public Information, 382-4901.

(d) *Applicable law.* (1) Loans made by SBA are authorized and executed pursuant to Federal programs adopted by Congress to achieve national purposes of the U.S. Government.

(2) Instruments evidencing a loan, obligation of security interest in real or personal property payable to or held by the Administration or the Administrator, such as promissory notes, bonds, guaranty agreements, mortgages, deeds of trust, and other evidences of debt or security shall be construed and enforced in accordance with applicable Federal law.

(3) In order to implement and facilitate these Federal loan programs, the application of local procedures, especially for recordation and notification purposes, may be utilized to the fullest extent feasible and practicable. However, the use of local procedures shall not be deemed or construed to be any waiver by SBA of any Federal immunity from any local control, penalty, or liability.

(4) Any person, corporation, or organization that applies for and receives any benefit or assistance from SBA, or that offers any assurance or security upon which SBA relies for the granting of such benefit or assistance, shall not be entitled to claim or assert any local immunity to defeat the obligation such party incurred in obtaining or assuring such Federal benefit or assistance.

##### § 101.2 Organization and functions of the Central Office—Administrator.

All offices heading §§ 101.2 to 101.2-9 are located in Washington, D.C., and their heads report directly to the Administrator. The Administrator is responsible to the President and Congress for exercising direction, authority, and control over the Small Business Administration. Determines and approves all policies covering the Agency's programs to aid, counsel, assist, and protect the interests of the Nation's small business concerns. He delegates responsibility and authority, except the authority to make or decline pool loans; applies research programs; and defense production pools, as set forth in sections 7(a)(6), 9(d), and 11 of the Small Business Act, to the Deputy Administrator, associate administrators, other Central Office officials reporting directly to him, and the regional directors. He consults with Federal, State, and local agencies in behalf of small business interests in the national economy. Reports to the President and Congress on Agency program accomplishments and problems. He directs the execution of authority delegated to the Administrator by the Secretary of Housing and Urban Development with respect to performance of SBA's responsibilities under section 312 of the Housing Act of 1964, as amended. He maintains as a responsibility of his office the activities related to equal employment opportunity and compliance within SBA, formal review of size appeals cases, Agency participation and representation in the Interagency Program, and the SBA Program Advisory Council. He periodically

evaluates the performance, accomplishments, and short-range and long-range planning goals of the Central Office officials reporting directly to him, and the regional directors.

(a) *National Advisory Council—Small Business Administration.* The National Advisory Council of the Small Business Administration is composed of representatives from each of the District Advisory Councils and Members-at-Large from each of the Agency regions. These representatives are persons actively engaged in small business or finance, or in services or professions related to small business including the fields of labor, law, accounting, insurance, education, real estate, and the news media. These members particularly qualified by their knowledge of and interest in small business are able to contribute substantially to the Agency and the small business community. All members are selected by the Administrator and serve at his pleasure without compensation. The council meets with and advises the Administrator on the development, execution, and evaluation of present or proposed SBA programs. All functions are purely advisory and all determinations of actions to be taken are made solely by the responsible SBA officials.

(b) *Office of Equal Employment Opportunity and Compliance.* Serves as a special assistant to the Administrator and plans, directs, coordinates, and administers the agencywide program to promote and insure equal employment opportunity and the compliance program of the Small Business Administration, in accordance with the applicable provisions of titles VI and VII of the Civil Rights Act and pertinent Executive orders. Develops and implements plans, procedures, and instructions governing the equal employment and equal opportunity programs and activities including the conduct of compliance and field reviews. Schedules and maintains control of activities conducted by equal opportunity compliance staff stationed in the field offices. Assigns these coordinators on a post-of-duty basis dependent on workload. Serves as fair employment officer and handles all complaints based on race, religion, color, sex, or national origin received from employees or applicants for employment, and recommends the solution to the problems involved to the Administrator. Provides advice and assistance to Central and regional office personnel with respect to the equal employment and equal opportunity programs as it affects their operations and activities. Prepares and evaluates regular and special reports on equal employment opportunity and compliance activities, taking appropriate action or submitting recommendations to the Administrator. Refers to the Office of Security and Investigations those matters revealed in the course of investigative work that appear to be violations of existing statutes or regulations applicable to the operations of SBA. Plans and conducts a major college executive recruitment effort to provide minority and non-minority candidates for professional

positions, especially the recruitment of interns. Serves as a member of the Intern Advisory Council. Serves as liaison with other Federal and nonfederal agencies on matters relating to Civil Rights. Serves as Civil Rights Coordinator of the SBA. Cooperates with other responsible officials in the development of the bank relations program, a cooperative project between minority banks and other banks in strategic areas of concern, to stimulate efforts toward helping develop opportunities for the disadvantaged. Reviews and evaluates the effectiveness of the equal employment opportunity and equal opportunity compliance program.

(c) *Hearing examiner.* Presides at hearings and examinations conducted in accordance with proceedings of section 11 of the Administrative Procedures Act. These hearings and examinations involve the enforcement of compliance with the provisions of the Small Business Investment Act, policies and regulations issued by SBA under the act, in addition to compliance matters involving the SBA civil rights program and regulations pursuant to the provisions of the Civil Rights Act of 1964. Also conducts hearings relative to disputed articles in the administration of SBA contracts. Administers oaths, subpoenas witnesses; takes testimony; rules on the admissibility of evidence, offers of proof, and other disputed matters; rules upon motions and procedural requests; and takes all necessary precautions to protect the rights of all parties. Makes decisions based upon the evidence in the record, the arguments and contentions made, and the application of law and regulations to the facts.

#### § 101.2-1 General Counsel.

Plans, directs, coordinates, and implements the provision of legal services in support of SBA program operations agencywide, including the execution of loan closing and litigation activities by Agency counsel. Formulates and recommends policy and directs the establishment of agencywide standards and procedures governing the legal functions and activities. Analyzes and interprets legislation, regulations, and orders relating to the operation of the Small Business Administration. Advises the Administrator and other officials as to the legal aspects of the development and execution of policies and programs. Negotiates with Government agencies as to the legal aspects of matters pertaining to responsibilities of SBA and drafts resultant agreements. Develops legal theories incorporated in requests to the Comptroller General or to other Government agencies for decisions in matters of interest to small business. Provides legal counsel, advice, and assistance to Agency officials in connection with the financial, investment, administrative, technical, procurement and management assistance, and minority enterprise programs, and in the formation of defense production and research and development pools. Also, determines eligibility of applicants for assistance from SBA. Advises with respect to servicing and liquidation of

loans. Assists and participates with the Department of Justice in litigation arising from delinquent loans, criminal matters, and other SBA program activities. Prosecutes administrative proceedings pursuant to the Small Business Investment Act. Reviews legislative proposals affecting small business and develops recommendations for the Office of Management and Budget and congressional committees; prepares legislative proposals relating to SBA; and develops reports for congressional hearings or the Office of the President. Prepares documents for publication in the FEDERAL REGISTER and is responsible for interpreting the Administrative Procedure Act. Serves as legal adviser to the Size Appeals Board. Maintains liaison with governmental and other agencies having activities related to the legal and advocacy functions of the Agency.

(a) *Administrative Operations Staff.* Furnishes all administrative and logistic support to the Office of General Counsel. Formulates, develops, and executes budget submissions, including receipt and control of allotment advices, and planning, programming, and budgeting system requirements. Provides all administrative operating facilities services involving space management, procurements, communications, records, printing, and other administrative support. Provides and advises on personnel administration and staffing requirements, employee relations, training, and other related activities for Central and field offices. Analyzes work measurement and statistical reporting data; prepares analytical reports and data on manpower utilization, workload, production, staffing, and other information, as needed. Conducts or participates with other organizational elements in management type surveys and studies and organizational matters which affect or involve the operation of OGC. Reviews or prepares procedures and instructions and other guidelines as required. Establishes and directs the maintenance of a law library, which contains primarily legal publications and legislative materials and serves as a legal reference center for all SBA employees. Maintains files and records of OGC, including official litigation files of the Agency. Reviews and evaluates legal program operations and activities within the regions and recommends corrective policies, when required. Visits field offices to appraise performance. Coordinates followup actions and replies on reports of audit examinations of legal operations. Advises General Counsel on special problems and administrative matters, prepares materials and reports for submission to the Administrator or Congress, and carries out other assignments, as directed. Coordinates these functions with the administrative offices involved.

(b) *Office of Finance.* Plans, directs, coordinates, and evaluates all legal functions and activities relating to the Agency's financial assistance, economic development, and small business investment company programs, exclusive of liquidation and litigative matters. Provides legal counseling and assistance and

establishes procedures for the provision of legal services in connection with the processing and servicing of SBA regular business, displaced business, disaster, economic opportunity assistance, and sections 501-502 development company loans, lease guarantees, rehabilitation loans for the Department of HUD, and EDA loans, as authorized. Formulates policy and establishes procedures governing the closing, and disbursing of SBA and HUD loans and closing of EDA approved loans, when authorized, by field legal staff. Provides legal advice and services in connection with economic development financing programs, including the formation of State and local development companies. Participates in the negotiation of and prepares reinsurance agreements with private insurance carriers under the lease guarantee program. Provides legal services, counsel, and advice in connection with licensing, regulating, and financing to SBIC's. Negotiates, prepares, and administers settlement agreements with "problem" SBIC's to facilitate their voluntary withdrawal from the program and to refinance their indebtedness to SBA. Interprets applicable acts, regulations, and policies from a legal standpoint, including determinations as to eligibility and compliance with statutory and regulatory requirements. Analyzes and comments on proposed legislation, policies, programs, and procedures relating to the financial assistance, economic development, and SBIC programs. Prepares for publication in the FEDERAL REGISTER revisions in Loan Policy Statement, official declarations of disaster areas, and official statements involving group corporation loans. Reviews all material submitted by other SBA offices for publication in the REGISTER. Maintains liaison with governmental and other agencies having activities related to the legal functions of this office. Provides advice and technical guidance to regional counsel in the processing, closing, disbursement, and servicing of loans, lease guarantees, and economic development financing. Reviews field operations to insure compliance with SBA policies and procedures and pertinent legal authorities. Makes field visits to appraise performance.

(c) *Office of Interagency Affairs.* Directs, coordinates, and administers the SBA interagency affairs program. Presents and advocates the small business point of view before Federal departments and agencies. Represents SBA at interagency conferences, hearings, and court proceedings involving the Agency's advocacy program. Provides legal counsel, assistance, and services to Agency officials in the following program and administrative areas: (1) Procurement and management assistance; sections 8(a) and 406 contracts and grants, (2) size standards; size appeals, (3) small business defense production; research and development pools, (4) administrative functions, including fiscal, personnel, property management; contracts for the procurement of supplies and services, (5) ad hoc committee matters; equal employ-

ment opportunity; advisory council; planning, research and analysis; congressional and public affairs; minority enterprise; franchising, (6) implementation of the requirements of the Civil Rights Act of 1964, and (7) employee organization-management program; negotiation of agreements. Conducts final legal review of all Boards of Survey Reports and recommendations on claims under the Federal Tort Claims Act in the denial or allowance of claims in unlimited amounts. Provides legal counsel appearing on behalf of the Agency in proceedings and hearings before Regional CSC Hearing Officers; prepares and submits appeals on behalf of the Agency before the Board of Appeals of the CSC. Provides legal counsel to small business concerns in their dealings with Government procurement officials; also, to the Agency's Size Appeals Board. Reviews and evaluates matters pertaining to security checks referred by the Office of Security and Investigations. Coordinates and maintains control over all formal and informal interagency committees, councils, task forces or other coordinating groups in which SBA participates, except Federal Executive Boards. Interprets applicable acts, regulations, and policies from a legal standpoint, including determinations as to eligibility and compliance with statutory and regulatory requirements. Prepares documents for publication in the FEDERAL REGISTER and, except with respect to the Small Business Investment Act, is responsible for interpreting the requirements of the Administrative Procedure Act. Also acts as liaison with the Office of the Federal Register. Maintains liaison with the Federal Trade Commission and the Antitrust Division of the Department of Justice.

(d) *Office of Litigation.* Plans, directs, coordinates, and evaluates litigation activities of the Small Business Administration. Formulates and recommends policies and establishes procedures to govern these activities. Advises the Administrator and other Agency officials with respect to all legal action necessary in litigative matters pending in the Agency, and provides legal services, as required. Act as liaison with the Department of Justice and field offices in all civil litigation and criminal matters. Makes recommendations to Department of Justice as to whether or not adverse decisions should be reviewed or appealed. Prepares cases for submission to the Department of Justice, with recommendations for litigation or prosecution; obtains and evaluates evidence; and assists in the trial of cases whenever necessary or requested. Conducts legal research, prepares pleadings, and conducts litigation and other legal proceedings with respect to revocation of SBIC licenses, subpoena enforcement, injunctions and receivers, removal or suspension of directors and officers of licensees, and violations of SBIC regulations, conducts all administrative hearings required to enforce compliance with the provisions of the SBI Act, policies and regulations, including preparation of necessary pleadings. Advises the Admin-

istrator, operating officials, and field offices on problems involving subpoenas served upon SBA employees and disclosure of information. Advises and assists the Office of Security and Investigations in all matters involving possible criminal activities by borrowers and others. Prepares and conducts any Agency disbarment proceedings which may be instituted as the result of improper activity by representatives of borrowers and SBIC's. Provides advice and technical guidance to regional counsel in connection with litigation activities. Reviews field operations to assure proper course of action consistent with applicable laws. Serves as member of the Central Office Claims Review Committee.

#### § 101.2-2 Associate Administrator for Financial Assistance.

Plans, directs, coordinates, and implements the financial assistance programs of the Small Business Administration, including the related activities of liquidation and disposal, and promotion of financial participation by private and public sources of finance in the SBA loan programs. Formulates and recommends policies and directs the establishment of agencywide standards and procedures to govern these programs and activities, and monitors financial assistance programs through a program of review and evaluation. Represents the Administrator in negotiations with other Government agencies whose activities relate to the financial assistance programs of SBA. Plans and directs the development of short-range and long-range goals and objectives. Evaluates and reports to the Administrator on the accomplishments in meeting such goals and objectives. Provides for the development of adequate controls over the administration of these programs as carried out by the Central and regional offices. Approves or declines applications for lease guarantee. Serves as member of the Size Appeals Board.

(a) *Office of Portfolio Management.* Plans, directs, and executes a program for the continuous review and evaluation of the Agency's financial assistance portfolio to provide for quality control in the financing, loan administration, and community development functions of SBA. Directs and participates in the review of the complete financial assistance (FA) portfolio in selected field offices. Develops checklists for detailed loan analysis and standards governing the scope of the examination. Analyzes and evaluates the status of FA accounts, reviewing all factors involved, such as credit judgment, servicing, management and technical assistance needs, delinquency ratio, deferment and liquidation actions, etc. Makes a detailed examination of individual FA accounts, particularly those which reflect a high proportion of Agency investment or risk, including past due and delinquent accounts, deferments, and liquidation actions. Pinpoints deficiencies by individual case and evaluates contributing causes as a basis for corrective action. Submits

a report of findings and recommendations to the Associate Administrator for corrective action by Central Office, and, where applicable, Agencywide implementation of controls found to be effective in a given regional office. Where appropriate, causes corrective actions to be taken concerning specific FA account deficiencies by the appropriate regional or district director; follows up to assure that such action is accomplished within the specified period of time. Where findings warrant, recommends investigative action be taken by the Office of Security and Investigations. Participates with the Associate Administrator in periodic conferences with key Agency officials concerning development or modification of policies, procedures, standards or criteria on the basis of FA portfolio examination findings.

(b) *Special Assistant.* In cooperation with the Associate Administrator for Financial Assistance, formulates and recommends Agency policy governing promotion of financial participation by private section financial and investment institutions, States, counties, and municipalities in the SBA loan programs. Develops, fosters, and stimulates interest and participation on a nationwide scale of the banking-investment industry and State and local governments in SBA loan programs. Maintains continuing liaison and personal contact with top representatives of banking, insurance-investing, and other financial institutions to promote their participation in guaranty and participation loan programs, better small business-bank relations, and liberalized financing for minority enterprises, and to develop a market for SBA loans. Promotes with State, county, and municipal officials plans for the use of public sources of finance in SBA loan programs. In cooperation with financing and legal staff, works with such public officials to establish enabling policies and legislation. Negotiates basic agreements with financial institutions at the national level. Represents the Associate Administrator for Financial Assistance at meetings or conventions of banking, insurance, investment, or other groups constituting sources of direct financing or financial participation in loans for small business. Plans, coordinates, directs, and evaluates the efforts of field bank relations officers and other field financing personnel participating in this program. Recommends staffing, selection, and deployment of field bank relations officers, or takes final action, as authorized. Provides advice and guidance to field bank relations officers and financing personnel with respect to all aspects of the program, including training of such personnel.

(c) *Deputy Associate Administrator for Financial Assistance.* Plans, directs, coordinates, and implements the financing, loan administration, appraisal, program management and community development programs of the Small Business Administration, including the related activities of liquidation and disposal. Formulates and recommends policies and directs the establishment of agencywide standards and procedures to

govern these programs and activities. Participates with or acts for the Associate Administrator for Financial Assistance in negotiations with other government agencies relating to the financing, loan administration, appraisal, program management and community development programs. Plans and directs the development of short-range and long-range goals and objectives. Evaluates and reports to the Associate Administrator on accomplishments in meeting such goals and objectives. Provides for the development of adequate controls over the administration of these programs as carried out by the Central and regional offices. Reviews financing, loan administration, appraisal, program development, and community development program operations conducted at the Central and field level and initiates corrective policies when required. Approves or declines those applications, including applications for regular business, displaced business, disaster, economic opportunity, lease guarantee, section 501, State development company, and section 502, local development company, loans which are submitted to this office. Recommends for Administrator approval or decline applications for trade adjustment loans.

(d) *Office of Financing.* Formulates and recommends Agency policy governing the financing programs of the Small Business Administration. Plans, directs, coordinates, and evaluates the SBA programs involving the processing of regular business, displaced business, and economic opportunity assistance loans; rehabilitation loans for the Department of Housing and Urban Development; trade adjustment loans; and financial aspects of Certificate of Competency applications. Cooperates in the planning, directing, and coordinating of SBA's disaster loanmaking program. Develops and recommends agencywide standards and procedures to govern the financing programs and activities. Exercises final authority on all requests from the field for deviations from established financing procedures. Makes final determinations of loan eligibility on difficult or complex cases submitted by regional directors. Processes Certificate of Competency cases referred to the Central Office with respect to applicant's financial competency to perform on the proposed contract. Serves as member of the COC Review Committee. At the request of Office of Loan Administration assists in special reviews of COC cases. Approves or declines, within delegated authority, those business and disaster loan applications which are submitted to this office. Coordinates with the Associate Administrator for PMA in providing financial support in connection with the section 8(a) contracting program. Serves as member of the Central Office Claims Review Committee which takes or recommends final action on all requests for compromise settlements of obligations due SBA. Maintains liaison with governmental and nongovernmental agencies whose activities relate to the financing programs of SBA. Directs the development of short-range and long-range objectives and program goals.

Evaluates the performance of the personnel for which responsible and assures that the goals and objectives established are met. Provides advice and guidance to the regional offices with respect to the financing programs of SBA, including training of program personnel. Participates with the Industrial Support Services Division, Office of Procurement and Management Assistance, and the General Counsel, in conducting training programs for field personnel in the processing of Certificates of Competency. Reviews operations within the regions and makes visits to appraise performance.

(e) *Office of Appraisal.* Formulates and recommends Agency policy governing the appraisal program of the Small Business Administration. Plans, directs, coordinates, and evaluates the Agency program involving appraisal, evaluation, and engineering operations in support of all SBA programs, and EDA requirements. Takes necessary action on appraisal matters referred to Central Office for decision. Maintains surveillance of approved projects for loan proceeds disbursements, and makes location studies on applications for lease guarantees. Provides advice, guidance, and technical support to the regional offices with respect to the appraisal program. Initiates technical training directives and guides. Maintains liaison with governmental and nongovernmental agencies whose activities relate to the appraisal program of SBA. Directs the development of short-range and long-range objectives and program goals. Evaluates the performance of personnel for which responsible and assures that the goals and objectives established are met.

(f) *Office of Loan Administration.* Formulates and recommends Agency policy governing the loan administration programs of the Small Business Administration, including loan servicing and liquidation and disposal activities. Plans, directs, coordinates, and evaluates the SBA programs for administration of all Agency loans, rehabilitation loans for the Department of HUD, trade adjustment loans, loans to small businesses acquired and retained by SBA as a result of liquidation of an SBIC, EDA loans for the Department of Commerce, financial aspects of Certificates of Competency, and lease guarantees, including problem and delinquent loans, and loans and SBIC's classified "in liquidation" and nonjudicial foreclosures (exclusive of litigated matters). Develops and recommends agencywide standards and procedures governing the loan administration program. Exercises final authority on all requests from regional offices for deviations from established procedures. Participates with General Counsel and other SBA offices in developing procedures for administering problem and delinquent loans; also, coordinates with General Counsel, Office of Budget and Finance, and Office of Appraisal regarding policies and procedures affecting liquidation and disposal activities. Recommends final action on all requests from field personnel regarding purchase of bank's share of participation loan;



denial of Agency liability under the terms of a participation or guarantee agreement; taking legal action against a participant; decline of bank's request for funds under the "liquidity privilege" of a loan guarantee agreement, or acceptance of compromise settlement, except as permitted in the loan administration directives. Conducts, as required by Central Office officials, financial reviews of complex COC cases including plant visits or followup of delinquent and problem cases. Directs the development of short-range and long-range objectives and program goals. Evaluates the performance of the personnel for which responsible and assures that the goals and objectives established are met. For the agencywide loan administration function, develops budget estimates and cost reduction and manpower utilization plans. In cooperation with the Office of Reports, develops statistical and other reporting requirements for the loan administration program. Analyzes all data on the loan administration program for deficiencies and inadequacies and recommends or initiates corrective action. Represents the Associate Administrator and the Deputy Associate Administrator in continuing liaison with Office of the Associate Administrator for PMA regarding management assistance needs in connection with problem, delinquent, or other loan accounts. Maintains liaison with other Government agencies whose activities relate to the loan administration programs of SBA. Develops, recommends, and implements interagency agreements regarding liquidation of loan accounts in which other agencies have a financial interest. Participates with Office of General Counsel in the formulation of recommended legislation relating to the SBA loan administration program and in the preparation of data required for the submission of cases to Department of Justice for litigation. Serves as chairman of the Central Office Claims Review Committee which takes or recommends final action on all requests from field personnel on compromise settlements of obligations due SBA on loans classified "in liquidation." Serves as vice chairman and member of the SBA SBIC Liquidation Determination Board. Provides advice and guidance to the regional offices with respect to the loan administration programs of SBA, including training of program personnel. Participates with the Industrial Support Services Division, Office of Procurement and Management Assistance, and the General Counsel in conducting training programs for field personnel in the servicing of Certificates of Competency. Reviews operations within the regions and makes visits to appraise performance.

(g) *Office of Community Development.* Formulates and recommends Agency policy governing the community development programs of the Small Business Administration. Plans, directs, coordinates, and evaluates the SBA programs involving community development counseling, the processing of State development company and local development company loans, processing of ap-

plications for lease guarantee, and loan processing and disbursement activities conducted on behalf of the Economic Development Administration. Approves or declines, within delegated authority, those loan applications and applications for lease guarantee which are submitted to this office. Maintains liaison with State and local development companies, the Economic Development Administration, and other governmental and non-governmental agencies having programs relating to these activities. Directs the development of short-range and long-range objectives and program goals. Evaluates the performance of the personnel for which responsible and assures that the goals and objectives established are met. Provides advice and guidance to the regional offices with respect to the community development program of SBA, including training of program personnel.

(h) *Office of Program Management.* Plans, directs, coordinates and evaluates the SBA disaster planning program and SBA loanmaking programs governing physical, economic injury, product, and mine disaster loans. Develops and recommends Agency policy and procedures governing these programs and program activities. Develops and recommends plans for new special loan programs and evaluates existing programs, including the displaced business loan (DBL), rehabilitation loan (section 312, HUD), and trade adjustment loan programs. Administers all matters except credit judgments and decisions relating to such special loan programs. Provides administrative support to the Associate Administrator for Financial Assistance in the planning, budgeting, and control of financial assistance programs. Provides statistical support to these officials and office heads in connection with policy development, program planning and review, and program supervision. Recommends physical and product disaster declarations to the Administrator through the Associate Administrator for Financial Assistance. Directs the continuing analyses of internal and external reports and studies covering all phases of financial assistance. Submits recommendations to program officials, or takes necessary action in relation to program responsibilities. Advises the Associate Administrator on all administrative management, personnel, and general services matters relating to the financial assistance programs. Coordinates financial assistance activities with respect to mobilization planning.

#### § 101.2-3 Associate Administrator for Investment.

Plans, directs, coordinates, and administers the small business investment program, including related examinations, other than postexaminations (investigations), activities. Formulates and recommends policies and regulations and directs the establishment of agencywide standards and procedures governing the program and program activities. Takes final action on all transactions contemplated by the Small Business Invest-

ment Act or the SBA regulations. This includes the issuance of licenses to small business investment companies (SBIC's) and minority enterprise small business investment companies (MESBIC's); the purchase of debentures from SBIC's and MESBIC's; refunding and conversion of existing direct loan notes to debentures; the repurchase of subordinated debentures and direct loan notes from the holders. Determines actions required to protect SBA's credit position in connection with such transactions; also, defines courses of action to be followed in cases of noncompliance with the act or regulations. When indicated, requests investigations and appropriate legal action. Reviews program operations conducted at the Central and field level and initiates corrective policies. Plans and directs the development of short-range and long-range goals and objectives. Evaluates and reports to the Administrator on the accomplishments in meeting such goals and objectives. Serves as an alternate member of the Size Appeals Board.

(a) *Deputy Associate Administrator for Staff Operations.* Plans, administers, coordinates, and directs the staff operations of the small business investment company program. Formulates and recommends new or revised policies, regulations, and procedures and changes in legislation governing the investment program. Establishes procedures for the staff operations program and program activities. On the basis of studies and analyses of the overall program accomplishment, determines need for new or revised program direction to improve the effectiveness of the SBIC-MESBIC program for the benefit of small business. Recommends policy or regulatory changes to achieve this objective. Directs and coordinates the development of program goals and missions and briefing documents for presentation by the Associate Administrator to the Administrator and for submission to Office of Management and Budget and congressional committees. Establishes guidelines and controls for the orderly examination of all licensed SBIC's and MESBIC's to assure that prompt corrective action is taken on alleged violations of the act and regulations. To maximize private sector participation in the provision of venture capital to small business, promotes and stimulates the involvement of key business enterprises in the investment program. Coordinates with SBA and other Government agency officials in directing these efforts toward those businesses owned, or to be owned, by the socially or economically disadvantaged. Provides for counseling with respect to and interpretations of accounting policies and regulations to Investment and other SBA offices, and to the operating licensees. Approves investment companies' selections of independent public accountants. Advises the Associate Administrator on all administrative matters relating to the program, and provides administrative support to the Investment offices. Participates with other interested SBA offices in special studies for

policy guidance based on accounting reports, financial analyses, and related matters concerning SBIC's and MESBIC's. Directs the systematic evaluation of the SBIC-MESBIC industry, to provide financial and activities data to SBA management officials, other executive and legislative officials, and the public. Also provides for dissemination of such information to licensees to enable them to evaluate their own performance against that of the industry as a whole. Serves as liaison for the Associate Administrator with other organizational segments of SBA, other Government agencies, financial and industrial organizations, trade associations, and similar groups.

(1) *Office of Program Development.* Develops and recommends policies and regulations to improve the operations of SBIC's and MESBIC's for the benefit of small business. Conducts research studies, with emphasis on the growth, stabilization, and financing of the SBIC-MESBIC industry. Also, participates with the Office of Assistant Administrator for Planning, Research, and Analysis in connection with economic studies involving the investment program. Prepares investment program goals and missions and develops the planning, programing, and budgeting data reflecting the short-range and long-range objectives of investment programs. Develops and establishes procedures and instructions to SBIC's and MESBIC's for reporting program evaluation data on portfolio small business concerns. Analyzes financial and statistical data furnished on licensees' financial reports and provides management and the public information on the operating effectiveness of the industry. Counsels with interested groups or individuals concerning the possible formation and licensing of SBIC's and MESBIC's and to promote the growth and development of the program. Participates as member of working group for implementation of the interagency program, under which SBA is charged with the advocacy of small business before other Government agencies. Serves as liaison with other Government agencies, financial and industrial organizations, trade associations and similar groups to keep such organizations informed of the investment program and regulations. Provides technical information to the program coordinators in the field relative to the formation and licensing of SBIC's and MESBIC's. Coordinates with the Office of Public Information in the preparation of all informational material released to the public on the investment program and the preparation of the SBIC Digest.

(2) *Office of Examinations and Review.* Plans, directs, coordinates, and executes Agencywide examination and review programs relating to SBIC's and MESBIC's licensed under the Small Business Investment Act. Develops policies and establishes standards and procedures governing the examinations and review program. Schedules and maintains control over all examinations conducted on a nationwide basis. Reviews reports of examinations for compliance with the established standards. In co-

operation with the Offices of SBIC and MESBIC Operations, determines the actual or potential violations of the act and regulations resulting from the onsite examinations as a basis for regulatory action. Reports to the Deputy Associate Administrator for Staff Operations facts and evidence to support corrective action to be taken by the Associate Administrator for Investment, administrative proceedings, or recommendation for legal action. Provides supervision over the examiners stationed in the field offices and instructs them in their activities. Directs the development of short-range and long-range objectives and program goals. Evaluates the performance of the field staff for which responsible and assures that the goals and objectives established are met. Advises and counsels Central and field office officials on all matters pertaining to the programs and activities of the office. Conducts special examinations as requested. In cooperation with Office of Personnel, develops and conducts training programs for investment company examiners.

(3) *Office of Administrative Operations.* Furnishes all administrative and logistic support to the Office of Investment. Formulates, develops, and executes budget submissions, including receipt and control of allotment advices, and planning, programing, and budgeting system requirements. Provides all administrative operating facilities services involving space management, procurements, communications, records, printing, and other administrative support. Provides and advises on personnel administration and staffing requirements, employee relations, training, and other related activities. Develops systems for and processes financial, statistical, and summary reports on the operations of all licensees for the use of SBA in administering the program and in counseling the management of the SBIC's and MESBIC's. Controls the receipt and distribution of all financial and program evaluation reports received from SBIC's and MESBIC's. Establishes and maintains internal controls on investigations, litigation, surrenders, receivership cases, administrative proceedings, referrals to Department of Justice, civil court actions, and licensee financing. Prepares periodic program data reports. Conducts or participates with other organizational elements in management type surveys and studies and organizational matters which affect or involve the operation of Investment. Reviews or prepares procedures and instructions and other guidelines as required. Prepares analytical reports and data on manpower utilization, workload, production, staffing, and other information, as needed. Advises Deputy Associate Administrator for Staff Operations on special problems and administrative matters, prepares materials and reports for submission to the Administrator or Congress, and carries out other assignments, as directed. Develops and coordinates investment activities with respect to the SBA emergency preparedness program. Coordinates all functions of the office with the administrative offices involved.

(b) *Deputy Associate Administrator for Program Operations.* Plans, directs, coordinates, and administers the Agency's program for licensing SBIC's and MESBIC's to operate under the provisions of the Small Business Investment Act, as amended. Recommends action on proposals and license applications filed under the SBI Act and Agency regulations, including the review of security information reports. Also, recommends final action on licensees' applications for funds. Develops and recommends policies and establishes procedures for the licensing of SBIC's and MESBIC's. Recommends changes in legislation and regulations governing the program and program activities. Provides counseling with respect to and interpretation of established regulations; also provides information relating to licensed SBIC's and MESBIC's. Takes final action on all requests and applications submitted by licensees for prior SBA approval of transactions requiring such approval under the regulations; i.e., changes in control, changes in capital structure, mergers, dissolutions, and surrenders of licenses; approval of officers, directors, and 10 percent or more stockholders in connection with actions involving changes of control. Also, determines that surviving company meets the prescribed licensing standards. Based on analyses of financial statements and examination reports, determines the financial stability and reliability of individual SBIC's and MESBIC's and compliance with the act and regulations. Determines courses of action to assure compliance and, where appropriate, refers to the Assistant Administrator for Management cases for investigation. Reviews and makes appropriate comment to the Securities and Exchange Commission on all proxy material and prospectuses of licensees filed with SEC. Establishes adequate reserves for losses in connection with outstanding loans and debentures of operating licensees. Provides documentation and testimony in administrative proceedings and court cases.

(1) *Office of SBIC Operations.* Provides licensing and operational assistance and service to the SBIC's. Plans, administers, and coordinates the program for licensing SBIC's to operate under the provisions of the Small Business Investment Act of 1958, as amended. Recommends action on proposals and license applications filed under the act and regulations, including the review of security information reports. Implements procedures for the licensing, funding, and regulating of SBIC's. Provides counseling with respect to and interpretation of the act and established regulations; answers specific official inquiries and provides information relating to licensed SBIC's. Reviews and recommends the action to be taken for the approval of officers, directors, and 10 percent or more stockholders in connection with actions involving change of control of a licensee. Also, determines that surviving company meets the prescribed licensing standards. Conducts the analyses of all financial statements, examination and

investigation reports covering the operations and practices of the individual SBIC's. Evaluates the financial stability, reliability of the companies, and compliance with the act and regulations. Recommends to the program deputy actions to assure compliance. Recommends the levels of reserves for losses in connection with outstanding loans and debentures of operating licensees. Recommends appropriate action on all requests and applications submitted by SBIC's for prior SBA approval of transactions requiring such approval under the regulations. As required, provides testimony as an expert witness in administrative proceedings or court proceedings involving SBIC's.

(2) *Office of MESBIC Operations.* Provides licensing and operational assistance and service to the MESBIC's. Plans, administers, and coordinates the program for licensing MESBIC's to operate under the provisions of the Small Business Investment Act of 1958, as amended. Recommends action on proposals and license applications filed under the act and regulations, including the review of security information reports. Implements procedures for the licensing, funding, and regulating of MESBIC's. Provides counseling with respect to and interpretation of the act and established regulations; answers specific official inquiries and provides information relating to licensed MESBIC's. Reviews and recommends the action to be taken for the approval of officers, directors, and 10 percent or more stockholders in connection with actions involving change of control of a licensee. Also, determines that surviving company meets the prescribed licensing standards. Conducts the analyses of all financial statements, examination and investigation reports covering the operations and practices of the individual MESBIC's. Evaluates the financial stability, reliability of the companies, and compliance with the act and regulations. Recommends to the program deputy actions to assure compliance. Recommends the levels of reserves for losses in connection with outstanding loans and debentures of operating licensees. Recommends appropriate action on all requests and applications submitted by MESBIC's for prior SBA approval of transactions requiring such approval under the regulations. As required, provides testimony as an expert witness in administrative proceedings or court proceedings involving MESBIC's.

§ 101.2-4 Associate Administrator for Procurement and Management Assistance.

Plans, directs, coordinates, and implements the procurement and management assistance program of the Small Business Administration. Formulates and recommends policies and directs the establishment of agencywide standards and procedures to govern these programs and activities. Represents the Administrator in negotiations with other Government agencies whose activities relate to the procurement and management assistance

programs of SBA. Plans and directs the development of short-range and long-range goals and objectives for agencywide PMA programs and activities. Evaluates and reports to the Administrator on the accomplishments in meeting such goals and objectives. Provides for the development of adequate controls over the administration of these programs as carried out by the Central and field offices. Serves as member on the Size Appeals Board.

(a) *Government Liaison Staff.* Represents the Small Business Administration with the Department of Defense and civilian agencies within the Executive Branch on procurement and management assistance matters. Recommends and participates in the development and preparation of interagency agreements and related policies and regulations applicable to small business procurement programs. Participates with these agencies in the development, modification, or changes in policies, procedures and directives to assure overall consistency with SBA policies and procedures. Develops and coordinates with the Department of Defense, General Services Administration, and other Government agencies programs, policies, goals, regulations, and procedures to insure that a fair portion of the total Government contracts, including research and development and stockpile surpluses, is placed with small business concerns (such as the prime contracting and set-aside programs). Provides for and coordinates SBA participation at procurement conferences sponsored by other Federal agencies or on behalf of congressional or local sponsors. On receipt at headquarters level of specific complaints by small business, arranges and participates in hearings with policy officials of cognizant Federal agencies to present the position of the complainants and seek amendatory action. Evaluates overall small business procurement programs of Government agencies (departmental level) and makes recommendations designed to increase awards to small business concerns and facilitate their participation in related procurement. Advises other SBA offices with respect to positions to be taken by SBA in dealings with Government procurement agencies.

(b) *Administrative Operations Staff.* Provides administrative support to the Associate Administrator for Procurement and Management Assistance and the Deputy Associate Administrator in the planning, budgeting, and control of the procurement and management assistance programs for which they have responsibility. Provides statistical support for the Associate Administrator and procurement and management assistance office heads in their reviews of program effectiveness and use in program planning, policy development, and program supervision. Coordinates and recommends procedures and other instructions for the administration of the procurement and management assistance activities. Cooperates with the Assistant Administrator for Management and his staff with respect to such activities. Develops require-

ments for program reporting, cost reduction, and manpower utilization. Analyzes deficiencies and inadequacies in program reports and proposes corrective actions. Advises the Associate Administrator on all administrative management, personnel, and general services matters relating to the procurement and management assistance activities with respect to mobilization planning. In cooperation with the Office of Reports develops work measurement system for Central and field office staff. Analyzes workload and work measurement data submitted by Central Office and field procurement and management assistance personnel. Coordinates and prepares planning, programming, budgeting system statements, statistics and reports for submission by the Associate Administrator and Deputy Associate Administrator to the Administrator and Assistant Administrator (Comptroller). Coordinates the development of budget estimates for the procurement and management assistance programs and develops supporting data. Cooperates with the Budget Division, Office of Budget and Finance, in budget preparation, presentation, and control. Prepares material and reports for Congress.

(c) *Size Standards Staff.* Conducts industrial studies and develops size definitions for financial assistance, procurement and management assistance, and investment programs. Recommends and promulgates size standards including establishment of procedures in connection with the size standards program. Processes inquiries received from various companies, Members of Congress, and other outside sources requesting interpretations or other information on the Small Business Administration size standards or regulations in concert with the General Counsel's office. Conducts industrial hearings on size matters, which are attended by representatives of the program areas concerned and a representative from the General Counsel's office. Processes all inquiries received from the field offices on size matters.

(d) *Technical Planning Staff.* Formulates technical projects with respect to program matters to be carried out at the preplanning and preoperational stage, and conducts such special studies and comprehensive analyses concerning matters such as, but not limited to, Government, military, and civilian procurement, surplus sales and property disposal, program requirements, contract administration, appeals, and trade expansion, special communications, management assistance, management training, and technological utilization. Directs SBA's foreign trade activities. Develops, fosters, and stimulates interest and participation of small domestic concerns in foreign trade opportunities. Responsible for the implementation and coordination of the Foreign Assistance Program, both in Washington and in the field, and for establishing and maintaining liaison with a private sector of the economy in matters relating to the Foreign Trade Program. Serves as the focal contact point

and represents the Associate Administrator or his Deputy as their representative with authority to speak on their behalf with other officials of SBA, officials of other Government agencies, and such congressional contacts as may be required through the Office of Congressional Relations. Serves as the alternate for the Associate Administrator or his Deputy on intra-agency or interagency groups, committees, etc. Reviews correspondence and documents of policy nature prepared for the signature of the Associate Administrator. Prepares correspondence and documents which are of major importance on behalf of the Associate Administrator.

(e) *Office of Procurement Assistance.* Formulates and recommends Agency policy governing the procurement assistance programs of the Small Business Administration. Plans, directs, coordinates, and evaluates the SBA programs governing contract services, industrial support services, subcontracting assistance, and research and technology assistance. Represents SBA at the Secretary or Administrator's staff level of the Department of Defense and civilian agencies within the Executive Branch, regarding matters involving procurement assistance activities pertaining to specific technical matters. Recommends and participates in the development and preparation of inter-agency agreements and related policies and regulations. Participates with these agencies in the development, modification, or changes in policies, procedures, and directives to try to assure overall consistency with SBA policies and procedures. Directs the development of short-range and long-range objectives and program goals. Evaluates the performance of the divisions for which responsible and assures that the goals and objectives established are met. Develops and coordinates, in conjunction with the Assistant Administrator for Planning, Research, and Analysis, procedures for making economic studies to be utilized in strengthening the SBA procurement assistance programs. Provides advice and guidance to the regional offices with respect to the procurement assistance programs of SBA.

(f) *Office of Management Assistance.* Formulates and recommends Agency policy and establishes standards and procedures governing the management assistance program of the Small Business Administration. Plans, directs, coordinates, and evaluates Agencywide the education, counseling, and management contracts programs. Within delegated authority administers section 406 contracts, grants, and agreements executed by the Associate Administrator for Procurement and Management Assistance under authority granted in section 406 of the Economic Opportunity Amendments of 1967. Maintains liaison and coordinates with other SBA organizational components and other Government agencies in relation to the management assistance program and program activities. Directs the development of short-range and long-range objectives and program goals. Evaluates the perform-

ance of the personnel for which responsible and assures that the goals and objectives established are met. Provides advice and guidance to the regional offices with respect to the management assistance programs, including training of program personnel. Reviews operations within the regions to appraise performance.

(g) *Office of Business Development.* Formulates Agency policy and establishes standards and procedures governing the business development programs. Plans, directs, coordinates, and evaluates the Agency's program to identify, develop, and strengthen the small business potential of disadvantaged groups, including minorities, within the manufacturing, construction, and related service industries. Utilizes the authority granted under section 8(a) of the Small Business Act as a primary tool in meeting this objective. Develops policy and establishes procedures for the implementation of section 8(a), which authorizes SBA to enter into contracts with the U.S. Government and any Department, Agency, or office thereof having procurement powers, obligating the administration to furnish articles, equipment, supplies, and materials to the Government. Executes prime contracts with Government procurement agencies and subcontracts with firms selected to perform the contracts on behalf of SBA. Provides for the development of adequate controls to assure that contracts are performed as scheduled. Develops, directs, and carries out an Agencywide promotional program to encourage the involvement of industrial concerns, professional and trade associations, local governments, and community groups in the business development program, and to enlist their direct participation in providing technical, management, financial, and procurement support to the individual entrepreneur. Directs and maintains effective liaison and coordination with other SBA organizational components and other Government agencies for the provision of such assistance under SBA and other agencies' programs, including the request for management and technical assistance funded under authority granted in section 406 of the Economic Opportunity Amendments of 1967. Directs the development of short-range and long-range objectives and program goals. Evaluates the performance of the personnel for which responsible and assures that the goals and objectives established are met. Provides advice and guidance to the field offices in carrying out the program at the local level, including training of program personnel. Reviews operations within the regions and makes visits to appraise performance.

#### § 101.2-5 Assistant Administrator for Management.

Plans, directs, coordinates, and implements all personnel, organization and management, and administrative services management programs of the Small Business Administration. Directs, coordinates, and administers the Agency's investigatory, security, emergency pre-

paredness, and external audits and inspections activities. Formulates and recommends policies and directs the establishment of standards and procedures to govern these programs and activities. Represents the Administrator in negotiations with the General Services Administration, Federal Bureau of Investigation, Civil Service Commission, and other agencies on matters relating to office programs and activities. Plans and directs the development of short-range and long-range goals and objectives. Evaluates and reports to the Administrator on the accomplishments in meeting such goals and objectives. Provides for the development of adequate controls over the administration of these programs as carried out by the Central and regional offices. Directs the conduct of Agency-wide cost reduction and management improvement programs, including systems, procedural and manpower utilization surveys and studies. Provides administrative support to the Office of the Administrator and to the Offices of the Assistant Administrator (Comptroller), and Assistant Administrator for Congressional and Public Affairs.

(a) *Administrative Operations Staff.* Serves as administrative support for all staff functions under the jurisdiction of the Administrator and the Assistant Administrator (Comptroller) and staff offices under the jurisdiction of the Assistant Administrator for Management. Provides direct service and assistance to staff functions and operating offices on all personnel matters including recruitment, training, reassignments, related records, and control of personnel authorizations and ceilings. Maintains funds control on travel and other administrative expenses allotted for operations of the Office of Administrator, Assistant Administrator for Management, and Assistant Administrator (Comptroller). Provides services in connection with travel for staffs of these offices. Coordinates and serves as focal point for administrative service activities including space requirements, office services, local purchases, and related functions. Prepares and coordinates administrative reports required by the Administrator, Assistant Administrator for Management, or Assistant Administrator (Comptroller), and Assistant Administrator for Congressional and Public Affairs for functional responsibilities assigned.

(b) *Office of Personnel.* Develops policies and establishes standards and procedures governing the personnel program throughout the Agency. Plans and conducts the Central Office personnel program including position classification, recruitment, selection, placement, promotion, separation, pay and wage administration, labor-management relations, performance evaluation and incentives, grievances and appeals, conduct and discipline, training and career development, personnel records management, employee services, and safety. Plans and conducts the Agency personnel management evaluation program. This includes planning and conducting inspections and

evaluations of field office personnel management programs and operations. Provides technical guidance and assistance to Central and regional offices regarding the interpretation and application of regulations and procedures pertaining to the personnel program. Reviews, processes, and controls all field office personnel actions requiring Central Office approval and reviews all personnel actions requiring the Administrator's concurrence or approval. Maintains liaison with the Civil Service Commission in matters relating to the development, interpretation, and application of personnel regulations and procedures. Directs the development of short-range and long-range objectives and program goals. Evaluates the performance of the divisions for which responsible and assures that the goals and objectives established are met. Coordinates and administers the Central Office fund drives.

(c) *Office of Organization and Management.* Develops policy and establishes procedures or guidelines for the analysis and improvement of management, organization, systems, procedures, and methods within the Small Business Administration. Develops, plans, and conducts organizational and management or special project studies as requested by the Administrator or top management officials of SBA or other agencies. Proposes such studies which will improve the effectiveness of the Agency's activities or operations. Conducts followup studies or surveys of field office operations and procedures to insure the attainment of productivity standards. In addition, determines ways and means of simplifying operations, improving manpower utilization, and providing more effective work methods. Develops schedules, plans, and conducts manpower surveys and procedural analyses throughout the Agency. Plans, directs, coordinates, and administers the cost reduction and management improvement programs of the Agency, including the manpower improvement program. Directs the preparation of reports for submission to the Office of Management and Budget and congressional committees. Develops and maintains an organizational plan which describes the structure and functions of the organizational units and the geographical location and responsibilities of the field offices. Develops, prepares, and manages the delegation of authority system for the Central and field offices. Develops, coordinates, and evaluates comprehensive directives and forms control systems for the Agency. Recommends policy and establishes guidelines for Agency communications. Coordinates public availability of SBA information and records under the "Freedom of Information" law.

(d) *Office of Administrative Services.* Develops policies and establishes standards and procedures governing administrative service operations throughout the Agency. Procures and controls equipment, supplies, and printing and conducts procurement negotiations for items and services required. Plans and provides for communications and related services. Plans and directs the SBA rec-

ords management program including the maintenance of a central records system and service. Plans, coordinates, and administers Agency functions under the emergency preparedness program, including relocation activities relating to the establishment and evaluation of relocation sites and communications network. Develops, directs, and controls the vital material program to assure protection of the Agency's vital records. Directs the Agency's central mail, messenger, reproduction, distribution, and graphic arts services. Plans, directs, and provides technical guidance to all offices on the utilization and acquisition of space. Operates a Central Office reproduction plant. Serves as liaison with other Federal and non-Federal agencies on matters relating to the functions of the office. Directs and coordinates the Central Office reference library activities. Reviews, analyzes, and evaluates the performance of the office and the field offices and takes appropriate action to implement improved methods of operation as they relate to administrative services. Formulates short-range and long-range administrative goals. Conducts and negotiates all administrative contracting functions of the Agency. Negotiates with the General Services Administration on acquisition and utilization of space.

(e) *Office of Security and Investigations.* Develops policies and establishes standards and procedures governing the security and investigations programs of the Agency. Plans, directs, coordinates, and executes the Agencywide security and investigations activities. Conducts investigations of or relating to: Violation or alleged violation of any criminal provision of Federal or State law, including the fraud provisions of the Small Business Act, by any applicant for or recipient of SBA assistance; activities of loan applicant representatives; violations by SBA recipients of title VI of the Civil Rights Act of 1964; compliance with size standard requirements; and other investigations as requested by the Administrator or other Agency officials. Directs and executes the personnel and physical security programs. Investigates allegations and charges against employees on such matters as misconduct, conflict of interest, bribery, and acceptance of gratuities. Conducts character investigations on officials of proposed small business investment companies, candidates for national and state advisory councils, SCORE candidates, and candidates for national awards given by the Agency. Maintains liaison with the Federal Bureau of Investigation, Civil Service Commission, other Federal agencies, and local enforcement authorities on all matters involving the programs and related activities for which responsible. Conducts joint investigations with other Government investigative agencies. Coordinates with Office of General Counsel on all matters requiring legal review and interpretation of investigative facts and findings. Assists that office in cases involving prosecution by the Department of Justice. Serves as an expert witness in support of any legal proceeding brought against an SBA recipient. Administers

the execution of oaths and affirmations; takes evidence; and as authorized, requires the production of any books, papers, and documents which are relevant to inquiries or investigations. Renders advice and counsel to Central and field office officials on all matters pertaining to the programs and activities of the office. Directs the development of short-range and long-range objectives and program goals. Evaluates performance of personnel for which responsible and assures that goals and objectives established are met.

(f) *Office of External Audit and Inspections.* Plans, directs, coordinates, and executes the agencywide external audit and inspection programs relating to contracts, grants, and agreements made under section 406 of the Economic Opportunity Act Amendments of 1967; State and local development companies; small business investment companies licensed under the Small Business Investment Act; and loans made under the financial assistance programs of SBA, including the related activities of liquidation and disposal. Develops policies and establishes standards and procedures to govern the external audit and inspection programs and related activities for which responsible. Administers the execution of oaths and affirmations, subpoenas witnesses, compels their attendance, takes evidence and requires the production of any books, papers, and documents which are relevant to the external audit and inspection of state and local development companies and small business investment companies. Develops and reports through the Assistant Administrator for Management to the Associate Administrators for Procurement and Management Assistance, Financial Assistance, and Investment and to the General Counsel, facts and evidence to support corrective actions to be taken, administrative proceedings, or recommendations for legal action. Advises and counsels Central and field office officials on all matters pertaining to the programs and activities of the office. Serves as adviser to the SBIC "Preliquidation Conference." Assists the Office of General Counsel in cases developed by external audit and inspections involving prosecution by the Department of Justice. Serves as an expert witness in support of any legal proceeding brought against an SBA recipient. Coordinates findings and evidence for the Department of Justice, Federal Bureau of Investigation, Internal Revenue Service, and congressional committees, when necessary. Maintains liaison with SEC, FDIC, IRS, Comptroller of the Currency, GAO, Home Loan Bank Board, and other agencies where external audit and inspection findings are of mutual interest or in matters affecting the operations of SBA.

§ 101.2-6 Assistant Administrator for Congressional and Public Affairs.

Develops, coordinates, and directs the public information, congressional relations, and advisory councils programs of the Small Business Administration. Formulates and recommends policies and directs the establishment of agencywide

standards and procedures to govern these programs and activities. Provides advice and assistance to the Administrator and other Central and field office officials on the public and congressional relations aspects of their functions and in the administration of the advisory councils programs. Develops sources of candidates for membership, screens candidates, and recommends to the Administrator the selection of members to serve on the advisory councils. Develops and prepares speeches for the Administrator and key officials of the Agency. Reviews and evaluates results of the public information, congressional relations, and advisory councils programs.

(a) *Office of Public Information.* Prepares and issues news releases, statements, and speeches for the Administrator and other top SBA officials, pamphlets, and other informational materials for public dissemination. Provides material for insertion in publications of other Government agencies. Responsible for final design and editing of Agency general publications (except Management Aids). Edits reports, statements, studies, or other informational materials as requested from operating offices. Plans and directs the development of SBA program and informational films, other than management training films. Distributes these films through the PMA film library nationwide to further the understanding of SBA's policies, programs, and objectives. Plans and directs photographic activities in conjunction with presentation of SBA programs for news stories, articles, pamphlets, and conferences. Responsible for artwork in all publications (except Management Aids) and exhibits. Plans, organizes, and conducts Administrator's news conferences with representatives of newspapers, wire services, trade, and business publications, and radio and television networks. Establishes and maintains liaison with newspapers, wire services, business press, trade associations, chambers of commerce, and similar groups. Promotes their involvement in informing the public as to Agency policies, programs, and objectives. Acts for the Agency in the development and preparation of public statements and special reports. Coordinates SBA participation in public meetings. Plans, organizes, and directs preparation of the Agency's Annual Report to the President and the Congress. Maintains a central facility in the Central Office for public access to Agency records and other material. Directs a program for providing adequate public informational materials to meet the needs at the local level to advance the programs and policies of the Agency. Provides material for SBA display at local exhibits. Plans, develops, and operates orientation programs for visitors to the Central Office.

(b) *Office of Congressional Relations.* Serves a liaison with Members of Congress, congressional committees, commissions, organizations, and agencies dealing with legislative matters. Processes and coordinates with other SBA offices concerned oral inquiries and responses to Members of Congress or congressional committees and the Executive

Office of the President. Obtains, assembles, prepares, and coordinates information and data requested by Members of Congress or congressional committees on the SBA programs, legislative proposals and other matters concerning the activities of the Agency. Keeps the Administrator and top officials of the Agency informed of the activities of congressional committees as they relate to the programs and activities of SBA. Interprets for Members of Congress the Agency's policies, programs, practices, and objectives. Works with other Federal agencies on matters of mutual interest.

(c) *Office of Advisory Councils.* Develops and recommends policies and procedures for the establishment and operation of the National Small Business Advisory Council and Regional Advisory Councils. Provides advice and assistance in the administration of the advisory councils programs. Develops sources of candidates for membership, screens candidates, and submits recommendations on the selection of members to serve on the advisory councils. Organizes, plans, and participates in the annual meeting of the National Advisory Council for the Small Business Administration. Participates in meetings of the Regional Advisory Councils and reviews agendas of meetings and proposed resolutions of the councils. Refers resolutions to interested Central Office officials for appropriate consideration and action. Notifies the chairman of the respective council of the Small Business Administration's position on the resolutions received. Reviews and consolidates resolutions adopted by the Regional Advisory Council for presentation to and consideration at the annual meeting of the National Advisory Council. Organizes, plans, and participates in the several meetings of the National Small Business Investment Company Advisory Council. Handles all details in preparing the summaries of those meetings. Processes reimbursement of travel claims for all members of the National Advisory Council and the National SBIC Advisory Council. Publishes a monthly newsletter, covering the activities of the National and Regional Councils and the National SBIC Council, including the preparation of and organization of material on policy programs and securing and editing of items regarding activities by council members. Keeps Central Office officials informed of the activities of the councils as they relate to their functional areas of responsibility.

#### § 101.2-7 Assistant Administrator for Planning, Research, and Analysis.

Conducts planning studies and evaluations of the economic environment and relates the forecasted environment to the needs and problems of the small business community. Conducts economic and cost benefit analyses and special studies of Agency activities to provide the Administrator with alternative courses of action in the decisionmaking process. Develops program memorandums in conformance with the program category structure of the Agency as required by the Office of Management and Budget under the planning, programing, budget-

ing system. Provides in-house research capability and identifies and formulates economic and industry research projects to be pursued under contract and monitors such contracts approved by the Administrator. Initiates, with the approval of the Administrator, and participates in interagency studies dealing with the critical aspects of the economy and public policy affecting small business. Initiates studies and develops procedures to provide a historical and current statistical description of the small business sector to provide, in a timely manner, data for policy and program formulation. Provides the Administrator and program managers with economic counsel on the problems of small business and the programs of the Agency. Serves as a member on the Program Advisory Council and the Size Appeals Board.

#### § 101.2-8 Assistant Administrator for Minority Enterprise.

Plans, develops, coordinates, and administers the minority enterprise (ME) program of the Small Business Administration. Formulates and recommends policies and directs the establishment of agencywide standards and procedures to govern ME programs and activities. Plans and directs the development of short-range and long-range goals and objectives. Evaluates and reports to the Administrator on the accomplishments in meeting such goals and objectives. Represents the Administrator at interagency meetings convened by the Secretary of Commerce for the purpose of coordinating programs and activities that affect or contribute to the growth of minority business enterprise. Serves in this capacity, in cooperation with Associate Administrator for Procurement and Management Assistance (PMA), at other interagency meetings and in negotiations with Government agencies whose activities relate to the ME and business development programs. Provides information and assistance and otherwise participates with the Secretary of Commerce, when requested, in the development of national program objectives for minority business enterprise. Confers with top representatives of industry, trade associations, local governments, and community action groups to enlist their substantial participation and involvement in the SBA ME program. Promotes their cooperation in the development of minority enterprises and entrepreneurships in the disadvantaged areas. Negotiates basic agreements with industries for establishment of local outlets and franchises. Coordinates with and invites participation by Associate Administrator for PMA in meetings and conferences that include representatives of manufacturing industries or that relate to manufacturing enterprises. Encourages the establishment of and funds management and technical assistance projects and activities to furnish centralized services in the disadvantaged areas. Chairs the ad hoc ME advisory group, consisting of key representatives of the major program and staff offices of the Central Office. In cooperation with these officials formulates overall plans

and procedures for provision of developmental and follow-on services vital to the viability of minority entrepreneurs. Serves as a member of the Program Advisory Council.

(a) *Office of Program Development and Supervision.* Develops overall Agency criteria and procedures for the minority enterprise (ME) program, in collaboration with ME staff and ME advisory group members. In cooperation with the Assistant Administrator for Minority Enterprise (AA/ME) and Director, Office of Minority Industry Relations, establishes approved policies, criteria, and procedures governing Agencywide program operations and activities. Develops requirements for submission of program, cost reduction, and manpower utilization reports, as required. Maintains liaison with district directors and advises regional directors concerning activities and performance of field personnel engaged in the ME program. Monitors the performance of such personnel to ensure compliance with program policies and procedures and understanding of program objectives. Assists regional directors in determining the competency and developing the potential of ME representatives in the field. Recommends for Assistant Administrator's approval selected candidates to serve as ME representatives. Advises the AA/ME on all administrative and personnel matters. Also, assists the Assistant Administrator in recruitment and training programs, in cooperation with Office of Personnel. Coordinates and prepares PPBS statements, statistics, and reports for submission by AA/ME to the Administrator and Assistant Administrator (Comptroller). In cooperation with Office of Reports, develops work measurement system for Central Office and ME staff located at field offices. Analyzes the workload and work measurement data submitted by ME staff and ME representatives. Maintains liaison with ME staff and advisory group members to assure program implementation and support on a coordinated basis. Serves as alternate for the AA/ME at interagency meetings and in negotiations with other agencies concerning related activities.

(b) *Office of Minority Industry Relations.* Formulates and recommends Agency policies governing the minority industry relations program. Plans, directs, coordinates, and evaluates the SBA program governing minority industry relations. Directs and promotes relations and effective liaison with industry, trade associations, local governments, and community action groups to stimulate their participation in the SBA ME program. Promotes involvement by such groups in developing and assisting minority enterprises and entrepreneurs in ghetto areas, particularly through: establishment of local outlets and franchises, provision of management and technical expertise, management and technical assistance projects and activities furnishing centralized services. Negotiates agreements with industries at the national level for management and

other forms of support and assistance for minority owned and operated enterprises. Funds management and technical assistance projects and outreach activities designed to inform individuals in the disadvantaged areas of the programs and services available. Directs the development of short-range and long-range objectives and program goals. Evaluates the performance of personnel for which responsible and assures that the goals and objectives established are met. Develops criteria and procedures to be used by ME representatives in the field in carrying out at the local level all aspects of the program. Maintains liaison with other Federal agencies, such as OEO, Labor, HUD, HEW, for coordination of activities in specific target areas.

§ 101.2-9 Assistant Administrator (Comptroller).

Plans, directs, coordinates, and implements all budget and finance and data services programs and the reports system of the Small Business Administration. Directs the agencywide work measurement system. Plans, directs, and coordinates the Agency program planning system, integration of planning, programing, and budgeting activities, and the evaluation of program plans and activities. Provides for analytical services to permit objective evaluation of Agency goals in meeting the needs of the small business sector of the Nation. Establishes formal liaison with other agencies such as Economic Development Administration, Office of Economic Opportunity, and Department of Housing and Urban Development, for coordinating the compilation of data essential to joint studies of mutual benefit. Directs, coordinates, and administers the Agency's financial and management reporting and audit activities. Formulates and recommends policies and directs the establishment of standards and procedures to govern these programs and activities. Represents the Administrator in negotiations with the Office of Management and Budget, congressional appropriation committees, General Accounting Office, Treasury Department, and other agencies on budgetary, accounting, and fiscal matters. Plans and directs the development of short-range and long-range goals and objectives. Evaluates and reports to the Administrator on the accomplishments in meeting such goals and objectives. Provides for the development of adequate controls over the administration of these programs as carried out by the Central and regional offices.

(a) *Office of Budget and Finance.* Plans, directs, coordinates, and executes all budget, accounting, and fiscal activities of the Small Business Administration. Maintains liaison with the Office of Management and Budget, General Accounting Office, Treasury Department, staffs of congressional committees, and other Federal agencies on budgetary, accounting, and fiscal matters. Directs the development and administration of systems for the accountability of all funds, property, and other assets for

which the Agency is responsible. Directs the establishment and implementation of procedures and control systems involving the collection, deposit, and disbursement of funds, including the preparation of financial information and data, and certain statistical data covering the operational programs of the Agency. Provides advice and assistance to the Central and regional offices on all matters involving the budget, accounting, and fiscal activities. Directs the program planning system and insures the proper integration of planning, programing, and budgeting activities of the Agency. Directs the development of short-range and long-range objectives and program goals. Evaluates the performance of the divisions for which responsible and assures that the objectives and goals established are met.

(b) *Office of Data Management.* Develops and recommends Agency policy governing the provision and management of data processing, data communications, computer systems analysis, and management science services within SBA. Plans, develops, and conducts systems of feasibility studies of the application of automatic data processing (ADP) and data communications techniques to the programs and operations of the Agency. Develops, implements, and maintains such systems for collection, compiling, and reporting information through the use of ADP and data communications. Develops and applies management science, operations research, and statistical techniques in support of Agency program and staff office needs and the SBA planning, programing, and budgeting system. Develops and operates computerized information systems and models to support these planning and evaluation activities. Coordinates with program and staff offices using ADP systems for improving the effective utilization of ADP and data communications equipment. Plans and conducts feasibility studies for the acquisition, installation, and operation of data processing, data communications, and related peripheral equipment. Submits reports to the Office of Management and Budget and other external and internal authorities, as required. Cooperates with other Federal agencies and ADP equipment manufacturers on advanced technology for utilization, capacity, and maintenance of ADP systems and equipment. Develops and establishes systems and procedures governing the utilization of ADP and data communications equipment in the field extension located in Denver, Colo. Provides technical and operational advice and support and coordinates equipment utilization and management reporting for field extension ADP activities to insure compliance with Federal and Agency ADP management standards. Maintains liaison with other Government agencies and private sector organizations to coordinate and promote the interchange of data. Directs the development of short-range and long-range objectives and program goals. Evaluates the performance of the personnel for which responsible and assures that the goals and objectives established are met.

(c) *Office of Reports.* Recommends policy on, develops, establishes procedures for, and administers the SBA Management Information System. Maintains official SBA program statistics. Prepares or authenticates all replies to external requests for data, including inquiries from Congressmen, testimonies for hearings, and White House requests. Directs the SBA Reports Control System, keeping Agency reporting at an optimum level to provide all essential data for internal management use and external requirements. Plans, develops, and administers the SBA work measurement performance standards system. Provides periodic and special reports and analyses to the Administrator, associate administrators, and Agency managers on activity performance. Coordinates in the development of automated systems to gather and retrieve financial and management information.

(d) *Office of Audit.* Plans, directs, coordinates, and executes the agencywide audit activities. Develops policies and establishes standards and procedures governing the audit program and related activities for which responsible. Schedules and maintains control over all audits conducted. Provides supervision over the auditors stationed in the field offices and instructs them in their activities. Conducts an internal audit program of SBA operations in accordance with accepted principles and standards of auditing, including the provisions of sections 111, 113, and 117 of Public Law 784, 81st Congress, Budget and Accounting Act of 1950. Conducts special audits as requested by Central or field officials. Submits reports and recommendations covering all audits to appropriate officials for correction of deficiencies disclosed by the audits. Analyzes reports of corrective action taken on reported deficiencies. Recommends to the Assistant Administrator (Comptroller) any matters which require further action by the officials concerned or the Administrator. Analyzes audit reports and recommendations submitted by auditors stationed in the field. Maintains liaison with the General Accounting Office and other agencies with respect to all audit activities pertaining to SBA. Serves as the focal point in coordinating GAO audit reports covering the Agency's operations and activities. Prepares replies and reports for submission to GAO on the position taken or actions required to correct audit deficiencies contained in the GAO reports. Confers with and maintains close working relations with the Office of Security and Investigations on all matters disclosed in the audits where it appears that investigative action is warranted as a result of possible fraud or violation of criminal statutes or regulations applicable to the operations of SBA. Renders advice and counsel to Central and field office officials on all matters pertaining to the programs and activities of the office. Formulates short-range and long-range audit goals and objectives. Evaluates performance of personnel for which responsible and assures that program goals and objectives established are met.

### § 101.3 Organization and functions of the field offices.

(a) *Regional office.* An SBA office, headed by a regional director, it is the principal field office of the Agency, responsible and responsive to the Central Office. The city location and geographical boundaries of each of the 10 regional offices were designated by the President in a statement on May 2, 1969. Such office exercises full authority and supervisory responsibility for: (1) The execution of all field activities within the region; (2) supervision of all district offices within the region; (3) execution of all field programs within a defined and limited geographical area referred to as the regional operational boundary; (4) direct supervision of those branch offices and post-of-duty stations within the regional operational boundary; and (5) providing district offices and those branch offices and post-of-duty stations within the regional operational boundary with the technical capability necessary to execute assigned programs.

(b) *District office.* An SBA office, headed by a district director, located in a city designated by the Administrator within a defined, limited, and contiguous geographical area within a region. Such office is responsible and responsive to the regional office for the region in which it is located. Except for restrictions based on delegations of authority, the district office has full authority and supervisory responsibility for: (1) The execution of all field activities within the district boundaries; (2) supervision of all branch offices and post-of-duty stations located within district boundaries; and (3) providing subordinate branch offices and post-of-duty stations with the technical capability necessary to execute assigned programs.

(c) *Branch office.* An SBA office headed by a branch manager, located in a city designated by the Administrator within a defined, limited, contiguous geographical area within a district or within the operational boundary of a regional office. Such office is directly responsible and responsive to the district office within whose boundaries it is located, or to the regional office when located in a portion of the region where field programs are performed by the regional office. It executes one or more elements of the business or disaster loan programs and has limited authority for program execution.

(d) *Post-of-duty station.* An SBA office headed by an officer-in-charge, located in a city designated by the Administrator within a district or within a regional office operational boundary. Such office is directly responsible and responsive to the district office within whose boundaries it is located, or to the regional office when located within the regional office operational boundary. It performs tasks required to promote and support the business and disaster loan programs and procurement and management assistance activities. It has no authority for program execution.

#### § 101.3-1 Listing of field offices.

(a) Region I. Regional Office, John F. Kennedy Federal Building, Govern-

ment Center, Boston, MA 02203. Serving Massachusetts and having jurisdiction over the following district offices and post-of-duty station:

(1) 326 Appleton Street, Holyoke, MA 01040. Serving Massachusetts counties of Berkshire, Franklin, Hampden, and Hampshire.

(2) 40 Western Avenue, Augusta, ME 04330. Serving Maine.

(3) 55 Pleasant Street, Concord, NH 03301. Serving New Hampshire.

(4) 450 Main Street, Hartford, CT 06103. Serving Connecticut.

(5) 87 State Street, Montpelier, VT 05601. Serving Vermont.

(6) 57 Eddy Street, Providence, RI 02903. Serving Rhode Island.

(b) Region II. Regional Office, 26 Federal Plaza, New York, NY 10007. Serving New York counties of Bronx, Columbia, Delaware, Dutchess, Greene, Kings, Nassau, New York, Orange, Putnam, Queens, Richmond, Rockland, Suffolk, Sullivan, Ulster, and Westchester, and having jurisdiction over the following district and branch offices:

(1) 970 Broad Street, Newark, NJ 07102. Serving New Jersey.

(2) Hunter Plaza, Fayette and Salina Streets, Syracuse, NY 13202. Serving New York counties of Allegany, Albany, Broome, Cattaraugus, Cayuga, Chautauqua, Chemung, Chennango, Clinton, Cortland, Erie, Essex, Franklin, Fulton, Genesee, Hamilton, Herkimer, Jefferson, Lewis, Livingston, Madison, Monroe, Montgomery, Niagara, Oneida, Onondaga, Ontario, Orleans, Oswego, Otsego, Rensselaer, Saratoga, Schenectady, Schoharie, Schuyler, Seneca, St. Lawrence, Steuben, Tioga, Tompkins, Warren, Washington, Wayne, Wyoming, and Yates.

(3) 121 Ellicott Street, Buffalo, NY 14203. Serving New York counties of Allegany, Cattaraugus, Chautauqua, Erie, Genesee, Niagara, Orleans, and Wyoming.

(4) 91 State Street, Albany, NY 12207. Serving New York counties of Albany, Rensselaer, Saratoga, Schenectady, Schoharie, Warren, and Washington.

(5) Rochester, N.Y. Serving New York counties of Livingston, Monroe, Ontario, Seneca, Wayne, and Yates.

(6) 255 Ponce de Leon Avenue, Hato Rey, PR 00919. Serving the Commonwealth of Puerto Rico and the U.S. Virgin Islands.

(c) Region III. Regional Office, 1 Decker Square, East Lobby, Bala Cynwyd, PA 19004. Serving Delaware and the Pennsylvania counties of Adams, Berks, Bradford, Bucks, Carbon, Chester, Clinton, Columbia, Cumberland, Dauphin, Delaware, Juniata, Lackawanna, Lancaster, Lebanon, Lehigh, Luzerne, Lycoming, Mifflin, Monroe, Montgomery, Montour, Northampton, Northumberland, Perry, Philadelphia, Pike, Potter, Schuylkill, Snyder, Sullivan, Susquehanna, Tioga, Union, Wayne, Wyoming, and York, and having jurisdiction over the following district and branch offices:

See footnotes at end of document.



(1) Sixth and King Streets, Wilmington, DE 19801. Serving Delaware.

(2) 31 Hopkins Plaza, Baltimore, MD 21202. Serving Maryland, except the counties of Montgomery and Prince Georges.

(3) 109 North Third Street, Clarksburg, WV 26301. Serving West Virginia.

(4) 500 Quarrier Street, Charleston, WV 25301. Serving West Virginia counties of Boone, Braxton, Cabell, Calhoun, Clay, Fayette, Gilmer, Greenbrier, Jackson, Kanawha, Lincoln, Logan, Mason, McDowell, Mercer, Mingo, Monroe, Nicholas, Pocahontas, Putnam, Raleigh, Roane, Summers, Wayne, Webster, Wirt, and Wyoming.

(5) 1000 Liberty Avenue, Pittsburgh, PA 15222. Serving Pennsylvania counties of Allegheny, Armstrong, Beaver, Bedford, Blair, Butler, Cambria, Cameron, Centre, Clarion, Clearfield, Crawford, Elk, Erie, Fayette, Forest, Franklin, Fulton, Greene, Huntingdon, Indiana, Jefferson, Lawrence, McKean, Mercer, Somerset, Venango, Warren, Washington, and Westmoreland.

(6) 400 North Eighth Street, Richmond, VA 23240. Serving Virginia, except the counties of Arlington, Fairfax, and Loudoun.

(7) 1310 L Street NW., Washington, DC 20417. Serving the District of Columbia; Maryland counties of Montgomery and Prince Georges; and Virginia counties of Arlington, Fairfax, and Loudoun.

(d) Region IV. Regional Office, 1401 Peachtree Street NE., Atlanta, GA 30309. Serving Georgia and having jurisdiction over the following district and branch offices and post-of-duty stations:

(1) 908 South 20th Street, Birmingham, AL 35205. Serving Alabama.

(2) 222 South Church Street, Charlotte, NC 28202. Serving North Carolina.

(3) 1801 Assembly Street, Columbia, SC 29201. Serving South Carolina.

(4) Post Office Box 2351, 245 East Capitol Street, Jackson, MS 39205. Serving Mississippi.

(5) Hancock Building, Fourth Floor, Gulfport, MS 39501. Serving Mississippi counties of Forrest, George, Greene, Hancock, Harrison, Jackson, Lamar, Marion, Pearl River, Perry, and Stone.

(6) 400 West Bay Street, Jacksonville, FL 32202. Serving Florida counties of Alachua, Baker, Bay, Bradford, Calhoun, Citrus, Clay, Columbia, Dixie, Duval, Escambia, Flagler, Franklin, Gadsden, Gilchrist, Gulf, Hamilton, Hernando, Holmes, Jackson, Jefferson, Lafayette, Lake, Leon, Levy, Liberty, Madison, Marion, Nassau, Okaloosa, Orange, Putnam, Santa Rosa, St. Johns, Seminole, Sumter, Suwannee, Taylor, Union, Volusia, Wakulla, Walton, and Washington.

(7) 600 Federal Place, Louisville, KY 40202. Serving Kentucky.

(8) 51 Southwest First Avenue, Miami, FL 33130. Serving Florida counties of Brevard, Broward, Charlotte, Collier, Dade, De Soto, Glades, Hardee, Hendry, Highlands, Hillsborough, Indian River, Lee, Manatee, Martin, Monroe, Okeechobee, Osceola, Palm Beach, Pasco, Pinellas, Polk, St. Lucie, Sarasota, and Florida Keys.

(9) 500 Zack Street, Tampa, FL 33602. Serving Florida counties of Hillsborough, Pinellas, Polk, and Pasco. (Circuit rider to Manatee and Hendry.)

(10) 500 Union Street, Nashville, TN 37219. Serving Tennessee.

(11) 502 Gay Street, Knoxville, TN 37902. Serving Tennessee counties of Anderson, Bledsoe, Blount, Bradley, Campbell, Carter, Claiborne, Cocke, Cumberland, Fentress, Grainger, Greene, Hamblen, Hancock, Hawkins, Jefferson, Johnson, Knox, Loudon, McMinn, Meigs, Monroe, Morgan, Polk, Rhea, Roane, Scott, Sevier, Sullivan, Unicoi, Union, and Washington.

(12) 167 North Main Street, Memphis, TN 38103. Serving Tennessee counties of Fayette, Hardeman, Haywood, Lauderdale, Shelby, and Tipton.

(e) Region V. Regional Office, 219 South Dearborn Street, Chicago, IL 60604. Serving Illinois and having jurisdiction over the following district and branch offices and post-of-duty stations:

(1) 502 East Monroe Street, Springfield, IL 62701. Serving Illinois counties of Adams, Alexander, Bond, Brown, Calhoun, Cass, Champaign, Christian, Clark, Clay, Clinton, Coles, Crawford, Cumberland, De Witt, Douglas, Edgar, Edwards, Effingham, Fayette, Franklin, Fulton, Gallatin, Greene, Hamilton, Hancock, Hardin, Jackson, Jasper, Jefferson, Jersey, Johnson, Lawrence, Logan, McDonough, Macon, Macoupin, Madison, Marion, Mason, Massac, Menard, Monroe, Montgomery, Morgan, Moultrie, Perry, Piatt, Pike, Pope, Pulaski, Randolph, Richland, St. Clair, Saline, Sangamon, Schuyler, Scott, Shelby, Union, Vermillion, Wabash, Washington, Wayne, White, and Williamson.

(2) 1240 East Ninth Street, Cleveland, OH 44199. Serving Ohio counties of Ashtabula, Carroll, Columbiana, Cuyahoga, Erie, Geauga, Harrison, Huron, Jefferson, Lake, Lorain, Lucas, Mahoning, Medina, Ottawa, Portage, Sandusky, Stark, Summit, Trumbull, Tuscarawas, Wayne, and Wood.

(3) 50 West Gay Street, Columbus, OH 43215. Serving Ohio counties of Adams, Allen, Ashland, Athens, Auglaize, Belmont, Brown, Butler, Champaign, Clark, Clermont, Clinton, Coshocton, Crawford, Darke, Defiance, Delaware, Fairfield, Fayette, Franklin, Fulton, Gallia, Greene, Guernsey, Hamilton, Hancock, Hardin, Henry, Highland, Hocking, Holmes, Jackson, Knox, Lawrence, Licking, Logan, Madison, Marion, Meigs, Mercer, Miami, Monroe, Montgomery, Morgan, Morrow, Muskingum, Noble, Paulding, Perry, Pickaway, Pike, Preble, Putnam, Richland, Ross, Scioto, Seneca, Shelby, Union, Van Wert, Vinton, Warren, Washington, Williams, and Wyandot.

(4) Federal Building, Room 5524, Cincinnati, OH 45202. Serving Ohio counties of Adams, Brown, Butler, Clermont, Clinton, Hamilton, Highland, Montgomery, Preble, and Warren.

(5) 1249 Washington Boulevard, Detroit, MI 48226. Serving Michigan.

(6) 502 West Kay Avenue, Marquette, MI 49855. Serving the Upper Peninsula of Michigan.

(7) 36 South Pennsylvania Street, Indianapolis, IN 46204. Serving Indiana.

(8) 25 West Main Street, Madison, WI 53703. Serving Wisconsin counties of Adams, Ashland, Barron, Bayfield, Brown, Buffalo, Burnett, Calumet, Chippewa, Clark, Columbia, Crawford, Dane, Dodge, Door, Douglas, Dunn, Eau Claire, Florence, Fond du Lac, Forest, Grant, Green, Green Lake, Iowa, Iron, Jackson, Jefferson, Juneau, Kenosha, Kewaunee, La Crosse, Lafayette, Langlade, Lincoln, Manitowoc, Marathon, Marinette, Marquette, Menominee, Milwaukee, Monroe, Oconto, Oneida, Outagamie, Ozaukee, Pepin, Pierce, Polk, Portage, Price, Racine, Richland, Rock, Rusk, St. Croix, Sauk, Sawyer, Shawano, Sheboygan, Taylor, Trempealeau, Vernon, Vilas, Walworth, Washburn, Washington, Waukesha, Waupaca, Waushara, Winnebago, and Wood.

(9) 238 West Wisconsin Avenue, Milwaukee, WI 53203. Serving Wisconsin counties of Dodge, Fond du Lac, Jefferson, Kenosha, Milwaukee, Ozaukee, Racine, Sheboygan, Walworth, Washington, and Waukesha.

(10) 500 South Barstow Street, Eau Claire, WI 54701. Serving Wisconsin counties of Ashland, Barron, Bayfield, Buffalo, Burnett, Chippewa, Douglas, Dunn, Eau Claire, Florence, Forest, Iron, Lincoln, Oneida, Pepin, Pierce, Polk, Price, Rusk, Sawyer, St. Croix, Taylor, Trempealeau, Vilas, and Washburn.

(1) 816 Second Avenue South, Minneapolis, MN 55402. Serving Minnesota.

(f) Region VI. Regional Office, 1309 Maine Street, Dallas, TX 75202. Serving Texas counties of Anderson, Archer, Baylor, Bell, Bosque, Brown, Callahan, Clay, Coleman, Collin, Comanche, Cooke, Coryell, Dallas, Delta, Denton, Eastland, Ellis, Erath, Falls, Fannin, Freestone, Grayson, Hamilton, Henderson, Hill, Hood, Hopkins, Hunt, Jack, Johnson, Kaufman, Lamar, Limestone, McLennan, Mills, Montague, Navarro, Palo Pinto, Parker, Rains, Rockwell, Shackelford, Somervell, Stephens, Tarrant, Throckmorton, Van Zandt, Wichita, Wilbarger, Wise, and Young, and having jurisdiction over the following district and branch offices and post-of-duty stations:

(1) 500 Gold Avenue SW., Albuquerque, NM 87101. Serving New Mexico.

(2) 1015 El Paso Road, Las Cruces, NM 88001. Serving New Mexico counties of Catron, Dona Ana, Grant, Hidalgo, Luna, Otero, and Sierra.

(3) 808 Travis Street, Houston, TX 77002. Serving Texas counties of Angelina, Austin, Brazoria, Brazos, Burleson, Chambers, Colorado, Fort Bend, Galveston, Grimes, Hardin, Harris, Houston, Jasper, Jefferson, Leon, Liberty, Madison, Matagorda, Milam, Montgomery, Newton, Orange, Polk, Robertson, San Jacinto, Trinity, Tyler, Waller, Walker, Washington, and Wharton.

(4) 600 West Capitol Avenue, Little Rock, AR 72201. Serving Arkansas, except Columbia, Lafayette, and Miller counties.

See footnotes at end of document.

(5) 1616 19th Street, Lubbock, TX 79408. Serving Texas counties of Andrews, Armstrong, Bailey, Borden, Briscoe, Carson, Castro, Childress, Cochran, Coke, Collingsworth, Cottle, Crane, Crosby, Dallam, Dawson, Deaf Smith, Dickens, Donley, Ector, Fisher, Floyd, Foard, Gaines, Garza, Glasscock, Gray, Hale, Hall, Hansford, Hardeman, Hartley, Haskell, Hemphill, Hockley, Howard, Hutchinson, Jones, Kent, King, Knox, Lamb, Lipscomb, Lubbock, Lynn, Martin, Midland, Mitchell, Moore, Motley, Nolan, Ochiltree, Oldham, Parmer, Potter, Randall, Reagan, Roberts, Runnels, Scurry, Sherman, Sterling, Stonewall, Swisher, Taylor, Terry, Upton, Ward, Wheeler, Winkler, and Yoakum.

(6) 219 East Jackson Street, Lower Rio Grande Valley, TX 78550. Serving Texas counties of Aransas, Brooks, Cameron, Duval, Hidalgo, Jim Hogg, Jim Wells, Kenedy, Kleberg, Nueces, San Patricio, Starr, Willacy, and Zapata.

(7) 701 North Upper Broadway, Corpus Christi, TX 78401. Serving Texas counties of Aransas, Brooks, Kleberg, Nueces, and San Patricio.

(8) 505 East Travis Street, Marshall, TX 75670. Serving Arkansas counties of Columbia, Lafayette, and Miller; Texas counties of Bowie, Camp, Cass, Cherokee, Franklin, Gregg, Harrison, Marion, Morris, Nacogdoches, Panola, Red River, Rusk, Sabine, San Augustine, Shelby, Smith, Titus, Upshur, and Wood; and Louisiana parishes of Bienville, Bossier, Caddo, Claiborne, De Soto, Red River, and Webster.

(9) 124 Camp Street, New Orleans, LA 70130. Serving Louisiana, except Bienville, Bossier, Caddo, Claiborne, De Soto, Red River, and Webster Parishes.

(10) 30 North Hudson Street, Oklahoma City, OK 73102. Serving Oklahoma.

(11) 301 Broadway, San Antonio, TX 78205. Serving Texas counties of Atascosa, Bandera, Bastrop, Bee, Bexar, Blanco, Brewster, Burnet, Cladwell, Calhoun, Comal, Concho, Crockett, Culberson, De Witt, Dimmit, Edwards, El Paso, Fayette, Frio, Gillespie, Goliad, Gonzales, Guadalupe, Hays, Hudspeth, Irion, Jackson, Jeff Davis, Karnes, Kendall, Kerr, Kimble, Kinney, La Salle, Lampasas, Lavaca, Lee, Live Oak, Llano, Loving, Mason, Maverick, McCulloch, McMullen, Medina, Menard, Pecos, Presidio, Real, Reeves, Refugio, San Saba, Schleicher, Sutton, Terrell, Tom Green, Travis, Uvalde, Val Verde, Victoria, Webb, Williamson, Wilson, and Zavala.

(12) 109 North Oregon Street, El Paso, TX 79901. Serving Texas counties of Brewster, Culberson, El Paso, Hudspeth, Jeff Davis, Loving, Pecos, Presidio, Reeves, and Terrell.

(g) Region VII. Regional Office, 911 Walnut Street, Kansas City, MO 64106. Serving Kansas counties of Allen, Anderson, Atchison, Bourbon, Brown, Cherokee, Coffey, Crawford, Doniphan, Douglas, Franklin, Jackson, Jefferson, Johnson, Labette, Leavenworth, Linn, Marshall, Miami, Montgomery, Nemaha, Neosho, Osage, Pottawatomie, Shawnee, Wilson, Woodson, and Wymondotte; and Missouri counties of Adair, Andrew,

Atchison, Barry, Barton, Bates, Benton, Boone, Buchanan, Caldwell, Camden, Carroll, Cass, Cedar, Chariton, Christian, Clay, Clinton, Cole, Copper, Dade, Dallas, Daviess, De Kalb, Douglas, Gentry, Greene, Grundy, Harrison, Henry, Hickory, Holt, Howard, Howell, Jackson, Jasper, Johnson, Laclede, Lafayette, Lawrence, Linn, Livingston, Macon, McDonald, Mercer, Miller, Moniteau, Morgan, Newton, Nodaway, Ozark, Pettis, Platte, Polk, Pulaski, Putnam, Randolph, Ray, St. Clair, Saline, Schuyler, Stone, Sullivan, Taney, Texas, Vernon, Webster, Worth, and Wright; and having jurisdiction over the following district offices:

(1) 210 Walnut Street, Des Moines, IA 50309. Serving Iowa.

(2) 215 North 17th Street, Omaha, NE 68102. Serving Nebraska.

(3) 210 North 12th Street, St. Louis, MO 63101. Serving Missouri counties of Audrain, Bollinger, Butler, Callaway, Cape Girardeau, Carter, Clark, Crawford, Dent, Dunklin, Franklin, Gasconade, Iron, Jefferson, Knox, Lewis, Lincoln, Madison, Maries, Marion, Mississippi, Monroe, Montgomery, New Madrid, Oregon, Osage, Pemiscot, Perry, Phelps, Pike, Ralls, Reynolds, Ripley, St. Charles, St. Francois, Ste. Genevieve, St. Louis, St. Louis City, Scotland, Scott, Shannon, Shelby, Stoddard, Warren, Washington, and Wayne.

(4) 120 South Market Street, Wichita, KS 67202. Serving Kansas counties of Barber, Barton, Butler, Chase, Chautauqua, Cheyenne, Clark, Clay Cloud, Comanche, Cowley, Decatur, Dickinson, Edwards, Elk, Ellis, Ellsworth, Finney, Ford, Geary, Gove, Graham, Grant, Gray, Greeley, Greenwood, Hamilton, Harper, Harvey, Haskell, Hodgeman, Jewell, Kearny, Kingman, Kiowa, Lane, Lincoln, Logan, Lyon, McPherson, Marion, Meade, Mitchell, Morris, Morton, Ness, Norton, Osborne, Ottawa, Pawnee, Phillips, Pratt, Rawlins, Reno, Republic, Rice, Riley, Rooks, Rush, Russell, Saline, Scott, Sedgwick, Seward, Sheridan, Sherman, Smith, Stafford, Stanton, Stevens, Sumner, Thomas, Trego, Wabaunsee, Wallace, Washington, and Wichita.

(h) Region VIII. Regional Office, 721 19th Street, Denver, CO 80202. Serving Colorado, and having jurisdiction over the following district offices:

(1) 100 East B Street, Casper, WY 82601. Serving Wyoming.

(2) 653 Second Avenue North, Fargo, ND 58120. Serving North Dakota.

(3) Power Block Building, Corner Main and Sixth Avenue, Helena, MT 59601. Serving Montana.

(4) 125 South State Street, Salt Lake City, UT 84111. Serving Utah.

(5) National Bank Building, Eighth and Main Avenue, Sioux Falls, SD 57102. Serving South Dakota.

(i) Region IX. Regional Office, 450 Golden Gate Avenue, San Francisco, CA 94102. Serving California, except the counties of Imperial, Inyo, Kern (E. Pt.), Los Angeles, Orange, Riverside, Santa Barbara, San Bernardino, San Diego, San Luis Obispo, and Ventura, and having jurisdiction over the following

district and branch offices and post-of-duty stations:

(1) 1130 O Street, Fresno, CA 93721. Serving California counties of Fresno, Kern (W. Pt.), Kings, Madera, Merced, and Tulare.

(2) 1149 Bethel Street, Honolulu, HI 96813. Serving Hawaii and American Samoa.

(3) Ada Plaza Center Building, Agana, GU 96910. Serving Guam and the Trust Territory of the Pacific Islands.

(4) 849 South Broadway, Los Angeles, CA 90014. Serving California counties of Kern (E. Pt.), Los Angeles, Orange, Riverside, Santa Barbara, San Bernardino, San Luis Obispo, and Ventura.

(5) 300 Las Vegas Boulevard South, Las Vegas, NE 89101. Serving Nevada and the California county of Inyo.

(6) 532 North Mountain Avenue, San Bernardino, CA 92401. Serving California counties of Riverside and San Bernardino.

(7) 112 North Central Avenue, Phoenix, AZ 85004. Serving Arizona.

(8) 155 East Alameda Street, Tucson, AZ 85701. Serving Arizona counties of Pima, Santa Cruz, and Cochise.

(9) 110 West C Street, San Diego, CA 92101. Serving California counties of Imperial and San Diego.

(j) Region X. Regional Office, 506 Second Avenue, Seattle, WA 98104. Serving Washington counties of Chelan, Clallam, Douglas, Grays Harbor, Island, Jefferson, King, Kitsap, Kittitas, Lewis, Mason, Okanogan, Pacific, Pierce, San Juan, Skagit, Snohomish, Thurston, Whatcom, and Yakima, and having jurisdiction over the following district and branch offices and post-of-duty stations:

(1) 1016 West Sixth Avenue, Anchorage, AK 99501. Serving Alaska election districts of Ketchikan-Prince of Wales, Wrangell-Petersburg, Sitka, Juneau, Yakutat, Cordova-Valdez, Palmer, Anchorage, Seward, Kenai, Kodiak, Aleutian Islands, Bristol Bay, Bethel, Nome, and Wade Hampton.

(2) 504 Third Avenue, Fairbanks, AK 99701. Serving Alaska election districts of Barrow-Kobuk, Fairbanks-Yukon, and Yukon-Kuskokwin.

(3) Federal Building, Room 423, Juneau, AK 99801. Serving Alaska election districts of Ketchikan-Prince of Wales, Wrangell-Petersburg, Sitka, Juneau, and Yakutat.

(4) 216 North Eighth Street, Boise, ID 83701. Serving Idaho, except Benewah, Bonner, Boundary, Clearwater, Idaho, Kootenai, Latah, Lewis, Nez Perce, and Shoshone Counties, and serving Oregon counties of Baker, Grant, Harney, Malheur, Union, and Wallowa.

(5) 921 Southwest Washington Street, Portland, OR 97205. Serving Oregon, except Baker, Grant, Harney, Malheur, Union, and Wallowa counties; and serving Washington counties of Clark, Cowlitz, Klickitat, Skamania, and Wahliakum.

(6) Courthouse Building, Room 651, Spokane, WA 99210. Serving Washing-

See footnotes at end of document.

ton counties of Adams, Asotin, Benton, Columbia, Ferry, Franklin, Garfield, Grant, Lincoln, Pend Oreille, Spokane, Stevens, Walla Walla, Whitman; and Idaho counties of Benewah, Bonner, Boundary, Clearwater, Idaho, Kootenai, Latah, Lewis, Nez Perce, and Shoshone.

Effective date: February 10, 1971.

THOMAS S. KLEPPE,  
Administrator.

[FR Doc.71-2282 Filed 2-18-71;8:46 am]

[Rev. 1, Amdt. 1]

**PART 106—LEASE GUARANTEE**

**Insurance Premium, Amount of Insurance, and Insurer's Rights**

Part 106 of Chapter I of Title 13 of The Code of Federal Regulations is hereby amended:

1. Paragraphs (b), (c), and (e) of § 106.7 are revised to read as follows:

§ 106.7 Insurance premium and amount of insurance.

(b) The minimum term of a lease which SBA will guarantee directly is 10 years; the maximum term for such insurance is 20 years. The minimum term of a lease which SBA will guarantee in participation with a qualified company is 5 years; the maximum term for such insurance is 20 years.

(c) (1) The maximum amount of contract rent (exclusive of contingent overages) under leases to any small business concern or its affiliates for which a direct guarantee is issued by SBA shall not exceed the lesser of \$15,000 in any month or \$2,500,000 in the aggregate over the term guaranteed.

(2) The maximum amount of contract rent (exclusive of contingent overages) under two or more leases in any single property or group of contiguous properties for which direct guarantees are issued by SBA shall not exceed the lesser of \$30,000 in any month or \$5 million in the aggregate over the term guaranteed.

(3) SBA's share of the obligation to pay rental in participation with a qualified participating insurance company under leases to any small business concern or its affiliates shall not exceed the lesser of \$15,000 in any month or \$2,500,000 in the aggregate over the term guaranteed.

(4) The limitations of this subsection shall apply to all cases in which SBA has not, prior to April 1, 1971, issued a conditional commitment on an application for such a guarantee.

(e) The Administrator has determined on the basis of actuarial studies that the following schedule of premiums (which exclude processing fees) for

rental insurance of leases of real property constitutes the maximum reasonable premiums for direct policies and policies reinsured by SBA.

Maximum reasonable premium (as percentage of total minimum rent guaranteed)

Term of Lease in Years	Maximum reasonable premium (as percentage of total minimum rent guaranteed)
5	6.5
6	5.9
7	5.3
8	4.8
9	4.4
10	4.0
11	3.7
12	3.4
13	3.1
14	2.9
15	2.8
16	2.8
17	2.8
18	2.8
19	2.8
20	2.8

4. Subparagraph (1) of paragraph (b) of § 106.12 is revised to read as follows:

§ 106.12 Insurer's rights.

(b) \* \* \*

(1) The insurer shall become the successor to the lessor for the sole purpose of causing the premises to be relet by the lessor for any lawful purpose at such rentals and to any lessee acceptable to the insurer. Any rentals accruing under such new lease shall be paid to, and become the property of the insurer; provided, that if at the end of any month the cumulative rentals paid to SBA under the new lease shall exceed the sum of (i) the cumulative amounts of the guaranteed rent paid on the claim by the insurer, (ii) the cumulative amounts paid to the lessor in past months under this subparagraph by reason of excess rentals under new leases, and (iii) an amount determined by SBA to be sufficient to defray the direct and administrative expenses incurred by SBA in connection with the claim, then the insurer will remit to the lessor for that month the amount of any such excess.

Effective date. Except as stated in § 106.7(c) as revised, this amendment shall become effective upon publication in the FEDERAL REGISTER (2-19-71).

Dated: February 9, 1971.

THOMAS S. KLEPPE,  
Administrator.

[FR Doc.71-2294 Filed 2-18-71;8:47 am]

**Title 16—COMMERCIAL PRACTICES**

**Chapter I—Federal Trade Commission**

[Docket No. C-1841]

**PART 13—PROHIBITED TRADE PRACTICES**

**Christian Dior-New York, Inc.**

Subpart—Importing, selling, or transporting flammable wear: § 13.1060 *Im-*

porting, selling, or transporting flammable wear:

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended, 67 Stat. 111, as amended; 15 U.S.C. 45, 1191) [Cease and desist order, Christian Dior-New York, Inc., New York, N.Y., Docket No. C-1841, Jan. 4, 1971]

**In the Matter of Christian Dior-New York, Inc., a Corporation**

Consent order requiring a New York City manufacturer and seller of women's and misses' wearing apparel, including ladies' dresses, to cease violating the Flammable Fabrics Act by selling, importing, or delivering any fabric which fails to conform with the standards of said Act.

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

It is ordered, That respondent Christian Dior-New York, Inc., a corporation, and its officers, and respondent's representatives, agents, and employees, directly or through any corporate or other device, do forthwith cease and desist from manufacturing for sale, selling, offering for sale, in commerce, or importing into the United States, or introducing, delivering for introduction, transporting or causing to be transported in commerce, or selling or delivering after sale or shipment in commerce, any product, fabric, or related material; or manufacturing for sale, selling, or offering for sale, any product made of fabric or related material which has been shipped or received in commerce, as "commerce," "product," "fabric," and "related material" are defined in the Flammable Fabrics Act, as amended, which product, fabric, or related material fails to conform to an applicable standard or regulation continued in effect, issued, or amended under the provisions of the aforesaid Act.

It is further ordered, That respondent herein shall, within ten (10) days after service upon it of this order, file with the Commission an interim special report in writing setting forth the respondent's intention as to compliance with this order. This interim special report shall also advise the Commission fully and specifically concerning the identity of the product which gave rise to the complaint, (1) the amount of such product in inventory, (2) any action taken to notify customers of the flammability of such product and the results thereof and (3) any disposition of such product since March 9, 1970. Such report shall further inform the Commission whether respondent has in inventory any other fabric, product or related material having a plain surface and made of silk, paper, rayon and acetate, nylon and acetate, rayon or cotton, or combinations thereof in a weight of 2 ounces or less per square yard or with a raised fiber surface and made of cotton or rayon or combinations thereof. Respondent will submit samples of any such fabric, product or related material with this report. Samples of the fabric, product or related material shall be not less than 1 square yard of material.

<sup>1</sup> Denotes post-of-duty station under regional office.  
<sup>2</sup> Denotes branch office under district office.  
<sup>3</sup> Denotes post-of-duty station under district office.  
<sup>4</sup> Denotes branch office under regional office.

*It is further ordered.* That the respondent herein either process the fabrics which gave rise to this complaint and any wearing apparel made from said fabrics so as to bring them within the applicable flammability standards of the Flammable Fabrics Act, as amended, or destroy said fabrics or any wearing apparel made therefrom.

*It is further ordered.* That respondent notify the Commission at least 30 days prior to any proposed change in the corporate respondent such as dissolution, assignment or sale resulting in the emergence of a successor corporation, the creation or dissolution of subsidiaries or any other change in the corporation which may affect compliance obligations arising out of the order.

*It is further ordered.* That the respondent corporation shall forthwith distribute a copy of this order to each of its operating divisions.

*It is further ordered.* That the respondent shall maintain full and adequate records concerning all products, fabrics or related materials subject to the Flammable Fabrics Act, as amended, which are sold or distributed by it.

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

Issued: January 4, 1971.

By the Commission.

[SEAL] CHARLES A. TOBIN,  
Secretary.

[FR Doc.71-2259 Filed 2-18-71; 8:45 am]

[Docket No. C-1842]

### PART 13—PROHIBITED TRADE PRACTICES

#### Golden-Venet, Inc., and Arthur Goldenberg

Subpart—Invoicing products falsely: § 13.1108 *Invoicing products falsely*: 13.1108-45 *Fur Products Labeling Act*. Subpart—Misbranding or mislabeling: § 13.1212 *Formal regulatory and statutory requirements*: 13.1212-30 *Fur products Labeling Act*. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1852 *Formal regulatory and statutory requirements*: 13.1852-35 *Fur Products Labeling Act*. (Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended, sec. 8, 65 Stat. 179; 15 U.S.C. 45, 69f) [Cease and desist order, Golden-Venet, Inc., et al., Millburn, N.J., Docket No. C-1842, Jan. 4, 1971]

*In the Matter of Golden-Venet, Inc., a Corporation, and Arthur Goldenberg, Individually and as an Officer of Said Corporation*

Consent order requiring a Millburn, N.J., retailer of furs to cease and desist from misbranding and deceptively invoicing any fur product.

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

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

1. Misbranding any fur product by failing to affix a label to such fur product showing in words and in figures plainly legible all of the information required to be disclosed by each of the subsections of section 4(2) of the Fur Products Labeling Act.

2. Falsely or deceptively invoicing any fur product by failing to furnish an invoice, as the term "invoice" is defined in the Fur Products Labeling Act, showing in words and figures plainly legible all the information required to be disclosed by each of the subsections of section 5(b)(1) of the Fur Products Labeling Act.

3. Representing directly or by implication on an invoice that the fur contained in such fur product is "natural," when such fur is pointed, bleached, dyed, tip-dyed, or otherwise artificially colored.

*It is further ordered.* That respondents notify the Commission at least 30 days prior to any proposed change in the corporate respondent such as dissolution, assignment or sale resulting in the emergence of a successor corporation, the creation or dissolution of subsidiaries or any other change in the corporation which may affect compliance obligations arising out of the order.

*It is further ordered.* That the respondent corporation shall forthwith distribute a copy of this order to each of its operating divisions.

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

Issued: January 4, 1971.

By the Commission.

[SEAL] CHARLES A. TOBIN,  
Secretary.

[FR Doc.71-2260 Filed 2-18-71; 8:45 am]

[Docket No. 8763]

### PART 13—PROHIBITED TRADE PRACTICES

#### Maremont Corp.

Subpart—Acquiring corporate stock or assets: § 13.5 *Acquiring corporate stock*

or assets: 13.5-20 Federal Trade Commission Act.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; sec. 7, 38 Stat. 731, as amended; 15 U.S.C. 45, 18) [Cease and desist order, Maremont Corp., Chicago, Ill., Docket No. 8763, Jan. 28, 1971]

*In the Matter of Maremont Corp., a corporation*

Consent order requiring a major manufacturer and distributor of automotive parts with headquarters in Chicago, Ill., to divest itself of 28 warehouse distributors not located in California by selling them to a minimum of four different purchasers, to sell its 153 automotive parts jobber stores to at least three separate purchasers, respondent must not acquire any processor or wholesaler of automobile parts without Commission approval for the next 10 years, and not to engage in any systematic reciprocal buying and selling agreements with other manufacturer-wholesalers of automotive parts, accessories, or equipment.

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

The Commission having considered all the facts and circumstances and without adjudication of any issue of fact or law, and in settlement of the proceeding and all issues raised by the Complaint, now issues this order, in which the following words shall have the following meanings:

"Respondent" shall mean Maremont Corp., an Illinois corporation, and shall include all its subsidiaries, affiliates, officers, directors, agents, employees, and representatives, as well as any and all successors and assigns to any substantial portion of Respondent's automotive business other than any assets divested under this order.

"Divestiture" shall mean a transfer by Respondent of all the assets of a business as a going business in its historic marketing area to one other than Respondent.

"Assets" shall mean the property (whether owned or leased) used by Respondent in carrying on a business of wholesaling automotive parts, accessories and equipment and shall include, but not restrictively, all buildings and grounds, machinery, equipment, supplies, inventory, accounts receivable, trade-names and trade marks, franchises, good will, customer lists and employment and other contract rights insofar as assignable.

"Warehouse distributor" or "warehouse" shall refer to any of Respondent's 35 wholesalers of automotive parts, accessories and equipment which are listed by location in Appendix A, all of which are represented to be in operation unless therein expressly described as closed.

"Jobber store" or "store" shall refer to any of Respondent's 153 wholesalers of automotive parts, accessories and equipment which are listed by location in Appendix B, all of which are represented to be in operation unless therein expressly described as closed.

"1969 dollar sales volume" shall refer to those figures appearing in one certain letter of even date herewith from Respondent to the Commission stating the

1969 dollar sales volume of each of Respondent's 35 warehouses with aggregate 1969 sales of \$81.1 million listed in Appendix A and each of Respondent's 153 stores with aggregate 1969 sales of \$38.35 million listed in Appendix B, which statements are warranted there by Respondent to be true 1969 sales volumes and are accepted by the Commission for all purposes of this order. Such figures are received in camera and shall not be released for a 4-year period without Commission approval except insofar as they are revealed herein or, in the judgment of the Commission's staff, should be released to particular bona fide prospective divestiture transferees.

"Group" shall mean all warehouse distributors and/or jobber stores divested to a single transferee, whether in one or more separate transactions and whether or not at the same time. "Group" may refer to a single warehouse or store.

"West Coast" refers to the three States of California, Oregon, and Washington.

#### I. Divestiture of Warehouses and Stores. It is ordered, That:

A. *Basic divestiture.* Respondent shall as soon as possible and in any event no later than 48 months from the date of service of this Order divest itself absolutely and unconditionally, on terms and to transferees approved in advance by the Commission, of all interest, direct or indirect, in all the assets of the following warehouse distributors and jobber stores having aggregate 1969 sales of \$100.37 million:

(1) All of Respondent's 28 warehouse distributors identified in Appendix A as being located elsewhere than in the State of California and having aggregate 1969 sales of \$62.02 million; and

(2) All of Respondent's 153 jobber stores identified in Appendix B and having aggregate 1969 sales of \$38.35 million. Divestiture of warehouses accounting for no less than 50 percent of the 1969 dollar sales volume of the warehouses to be divested hereunder and of stores accounting for no less than 30 percent of the 1969 dollar sales volume of all such stores to be divested hereunder shall be completed within 24 months of the date of service of this order. The warehouses to be divested under this order shall be divested to no less than 4 different transferees, all completely independent of each other. No such divestiture transferee shall acquire, whether by one or more transactions, more than seven warehouses or more than \$20 million aggregate 1969 sales, except that Respondent may divest all nine of its West Coast warehouses to a single transferee if it so elects in accordance with Paragraph I-B below. The jobber stores to be divested under this order shall be divested to no less than three different transferees, all completely independent of each other. No such divestiture transferee shall acquire, whether by one or more transactions, jobber stores with more than \$13 million aggregate 1969 sales. If all the requirements of this paragraph are otherwise satisfied, one or more warehouses and one or more jobber stores may be divested to the same transferee; not-

withstanding this provision no jobber store shall be divested to a transferee of West Coast warehouses with 1969 sales in excess of \$20 million. All numerical limits fixed by this paragraph are to be followed strictly and without deviation therefrom.

B. *Alternative divestiture.* If but only if, within 24 months after service of this order on Respondent, it elects to divest itself of all seven California warehouses identified in Appendix A which it would otherwise be permitted to retain under Paragraph I-A above, and within that period in good faith submits to the Commission a contract or contracts to dispose of all seven California warehouses wanting only Commission approval to be binding on Respondent, then within 48 months from the date of service of this order Respondent may elect to retain six other warehouses which had aggregate 1969 dollar sales volume not exceeding \$16 million and accordingly the aggregate 1969 sales volume of the other 29 warehouses divested or to be divested shall in such case be at least \$65.1 million. All numerical limits fixed by this section are to be followed strictly and without any deviation therefrom.

C. *Common ownership.* None of the assets to be divested under this Order shall be transferred, directly or indirectly, to anyone who, at the time of such divestiture, is an owner, officer, director, employee, or agent or under the control of Respondent. Nor shall any divestiture transferee at the time when any such assets are divested be related to any other divestiture transferee under any provision of this Order as parent, subsidiary or affiliate or by virtue of any interlocking ownership, direction or control, nor shall any such transferees then have any common employees, unless all divestiture assets acquired by such related parties in the aggregate could have been acquired by a single transferee without violating any rules laid down in paragraph I-A or any other provision of this order.

D. *Credit transactions.* If any sale by Respondent to effect divestiture of assets under this order is not entirely for cash, Respondent is not prohibited from retaining, accepting or enforcing a bona fide lien, mortgage or deed of trust to secure the payment of any balance due: *Provided, however,* That except with the advance approval of the Commission the Respondent shall neither extend nor guarantee credit to any divestiture transferee for a term of more than 5 years. It shall be a provision of any financing contract between Respondent and a divestiture transferee that the transferee may at any time prepay all or part of such debt without penalty. If Respondent shall reacquire any divestiture assets by virtue of such lien, mortgage or deed of trust, Respondent shall redigest itself of all such assets within 1 year or the remainder of the 4-year period provided in paragraph I-A herein (whichever is longer) in substantially the same manner as above provided.

E. *Conservation of assets.* 1. Pending divestiture, the Respondent shall make

every reasonable effort to maintain all the warehouses and jobber stores to be divested in good operating condition with such replacements and additions and such effective overall organization as may be necessary to divest them as viable competitive entities: *Provided, however,* That nothing contained herein shall be deemed to require the Respondent to continue to operate any warehouse or jobber store which has become so unprofitable that sound business judgment requires its closing or which warehouse or store is rendered inoperative as a result of force majeure or other event beyond the control of the Respondent. Notwithstanding the foregoing, except for Respondent's warehouses at New Berlin, Wis., and Sioux Falls, S. Dak., no warehouse shall be closed under any circumstances on grounds of alleged unprofitability for a period of 2 years from the date of service of this order.

2. Whether the operation of a particular warehouse has become so unprofitable during the pendency of divestiture that sound business judgment requires its closing shall be determined on the basis that such operation shall have yielded an aggregate operating loss during the last previous 2 calendar years, taken together, and no acquirer of the warehouse as a going business on reasonable terms appears to be available. An "operating loss" occurs when the total operating revenues of a warehouse fail to cover its total reasonable operating costs. "Operating costs" shall not include taxes on net income or any provision for the general and administrative overhead of national headquarters. Other general and administrative expense, provision for doubtful accounts and inventory adjustments shall be deemed to be reasonable if they do not exceed by more than one-third either the industry average as a percentage of sales during the most recent available period as shown by ASIA and AWDA reports or Respondent's own nationwide experience for warehouses of similar size. Corrections to year-end statements to reflect differences between actual year-end physical inventory and interim estimated figures shall not be deemed to be "inventory adjustments" for the purposes of this paragraph; provided, however, that such adjustments shall be based on a complete physical verification of inventory of such warehouse regularly performed on an annual basis for each of the preceding 3 calendar years.

3. The judgment of Respondent that a particular warehouse should be closed shall be communicated in writing to the Commission at least 90 days before the proposed closing, together with a full statement of (1) the reasons for such closing; (2) in case unprofitability is alleged, the warehouse's sales and profitability history; (3) the unavailability of a transferee of the warehouse as a going business including the identity of all parties unsuccessfully approached by Respondent; (4) Respondent's plans, if any, for the disposition of the warehouse's assets, the consideration to be received therefor and the identity of proposed transferees so far as then known;

and (5) such other information, including production of and/or access to original accounting records, as the Commission may require for consideration of the proposed warehouse closing. Any request for supplementary information shall be made in writing within 30 days after receipt of Respondent's original submission.

Unless, within 90 days after receipt by the Commission of information on items (1) through (4) or within 45 days after receipt of any supplementary information requested within 30 days after receipt of the original submission (whichever date is later), the Commission shall notify Respondent in writing that the closing is disapproved, setting forth the reasons therefor, Respondent may then but only then proceed to effectuate such planned closing. The provisions of this paragraph I.E-3 to the contrary notwithstanding, no further notice or approval by the Commission, except insofar as required under paragraph I.E-5, shall be required if Respondent closes either or both of its warehouses in New Berlin, Wis., and/or Sioux Falls, S. Dak.

4. Whether a jobber store has become unprofitable during the pendency of divestiture so that sound business judgment requires its closing shall rest in the good faith judgment of Respondent: *Provided, however,* That the Commission must be notified in writing of any such proposed closing at least 30 days before it is to be effectuated. Such notice shall include a description of the store or stores to be closed, the reasons for such closing, including a sales and profit history of such store(s), the identity of any proposed purchaser(s) of any assets of said store(s) and the terms of any such transfer(s).

5. It shall be a condition of any closing by Respondent of either a warehouse distributor or a jobber store that:

(a) No part of the assets of such warehouse or jobber store, other than inventory to be returned to its original manufacturer, shall be transferred (except in the ordinary course of business), either before or after such closing, to anyone other than Respondent not approved in writing in advance by the Commission.

(b) Respondent shall receive no consideration for such closing other than the direct consideration in cash or its equivalent given by a transferee pursuant to section (a) of this paragraph I.E-5.

6. The identity and 1969 dollar sales of any warehouse listed on Appendix A which is closed by Respondent shall thereafter automatically be attributed to Respondent's other warehouses located within 200 miles of said closed warehouse for the purpose of determining (a) whether the number and the aggregate 1969 dollar sales of all warehouses to be retained by Respondent and/or (b) whether the number and aggregate 1969 dollar sales of any group of warehouses to be divested hereunder fall within the requirements of the order. The identity and 1969 sales of a closed warehouse shall not be attributed to more than one warehouse divested in the same

group nor more than once in determining the number of warehouses or amount of dollar sales which Respondent may retain or must divest under paragraphs I-A or I-B. Notwithstanding any of the foregoing, if Respondent elects to close its warehouses at New Berlin, Wis., and/or Sioux Falls, S. Dak., the 1969 sales of such warehouses shall be attributed to Respondent's warehouse at St. Paul, Minn. For a period of 1 year from the date of Respondent's election whether to sell or keep the last warehouse located within 200 miles of a closed warehouse, no warehouse retained by Respondent shall sell or service any former customers of the closed warehouse, except a warehouse to which the 1969 sales of the closed warehouse have been attributed pursuant to the foregoing provisions.

II. *Champion Parts Rebuilders, Inc. It is further ordered:*

(a) That paragraph 4.16 of the Note Agreement between Respondent and Champion Parts Rebuilders, Inc., dated April 2, 1969, shall be cancelled effective as of the date of the service of this order; and

(b) That the Common Share Purchase Warrant issued to Respondent by Champion Parts Rebuilders, Inc., on April 2, 1969, shall be cancelled automatically on payment in full of the three notes provided for in said Note Agreement and, in any event, shall be canceled no later than April 1, 1974; except that this subparagraph (b) shall be null and void if the Respondent, within one (1) year from the date of service of this order, divests itself irrevocably of ownership of said Warrant for a fixed consideration to a purchaser approved by the Commission. Respondent represents that it now has no actual or potential equity interest in Champion Parts Rebuilders, Inc.

III. *Future Acquisitions. It is further ordered.* That Respondent, for a period of ten (10) years from the date of service of this order, shall cease and desist from acquiring, directly or indirectly, through subsidiaries or otherwise, the whole or any part of the stock, share capital or assets (except merchandise purchased in the usual course of trade for consumption or resale by the Respondent) or any warrant, option or other right to acquire any share capital or other equity interest or right to participate in earnings of any concern, corporate or noncorporate, engaged in the manufacture or remanufacture or wholesale distribution of automotive replacement parts, accessories, or equipment anywhere in the United States and shall also cease and desist from entering into any agreement or understanding with any such concern whereby Respondent obtains the market share of such concern, unless and until the Commission in its sole and final discretion, on petition filed by Respondent, specifically permits such acquisition by Respondent.

IV. *Sales Through Own Warehouses. It is further ordered.* That, during the period of divestiture pursuant to paragraph 1 herein and for so long thereafter as Respondent continues to own any of the automotive parts warehouses listed in Appendix A, each year a mini-

mum of two-thirds ( $\frac{2}{3}$ ) of such retained warehouses' aggregate dollar purchase requirements for each and every product line, considering each product line separately and including shock absorbers as a line but excluding exhaust system parts, shall be manufactured by and purchased from manufacturers other than Respondent and shall not be sold under any of Respondent's own manufacturer brands. Dollar purchase requirements shall include internal transfers valued at Respondent's then current warehouse distributor prices.

V. *Buying and Selling Practices. It is further ordered.* That Respondent shall not engage in any systematic reciprocal buying and selling practices with any company which, itself or through a subsidiary or affiliate, engages in both the manufacturing and wholesaling of automotive parts, accessories or equipment. This special prohibition shall expire 10 years from the date of service of this order.

VI. *Compliance Reports. It is further ordered.* That Respondent within sixty (60) days from the date of service of this order, and every ninety (90) days thereafter until it has fully complied with the provisions of this order, shall submit in writing to the Commission a report setting forth in detail the manner and form in which it intends to comply, is complying, and/or has complied with this order. All compliance reports shall include, among other things which may from time to time be required, a summary of all contacts and negotiations with all persons who are contacted by or who express to Respondent a possible interest in acquiring ownership of or control over the assets or warrant to be divested under this order, the identity of all such persons, copies of any proposed or executed sales contracts, copies of any internal corporate documents discussing such divestiture, and copies of any proposed plan of divestiture.

Issued: January 26, 1971.

By the Commission.

[SEAL] CHARLES A. TOBIN,  
Secretary.

#### APPENDIX A—WAREHOUSES

##### ARIZONA

Phoenix, 2320 West Sherman.

##### CALIFORNIA

Bakersfield, 409 Sumner.  
Brisbane, 380 Valley Drive.  
Fresno, 311 West Amador.  
Oakland, 7955 Edgewater Drive.  
Sacramento, 151 Commerce Circle.  
San Diego, 1341 Commercial Avenue.  
Vernon, 4321 Exchange Avenue.

##### COLORADO

Denver, 4747 South Whipple.

##### ILLINOIS

Chicago, 3024 West 47th Street.

##### INDIANA

Evansville, 2214 Highway 41 North.  
Fort Wayne, 4911 Industrial Road.  
Indianapolis, 439 North Capitol Avenue.  
South Bend, 805 South Fellows.

IOWA

Des Moines, 2205 Bell Avenue.

MICHIGAN

Dearborn, 4800 Stecker.  
Grand Rapids, 400 Mart Street.

MINNESOTA

St. Paul, 475 North Prior Avenue.

NEBRASKA

Omaha, 7400 Pacific Street.

OHIO

Lima, 1221 Stewart Road.  
Valley View, 5500 Clover Leaf Highway.

OREGON

Portland, 2805 Northwest 31st Avenue.

NEW YORK

Dewitt, Chrysler Lane.

PENNSYLVANIA

Harrisburg, 1917 North Third Street.  
Pittsburgh:  
Campbell's Run Road.  
Parkway West, Oakdale Exit.

SOUTH DAKOTA

Sioux Falls, 400 West Ninth Street.

TEXAS

Ablene, 242 Sycamore.  
Dallas, 2016 Lucas Drive.  
Fort Worth, 901 Lake Street.  
Houston, 4701 Calhoun Street.  
Odessa, 1306 North Grant.  
Waco, 1800 Franklin.  
Wichita Falls, 113 Henrietta.

WASHINGTON

Seattle, 3434 Second Avenue South.

WISCONSIN

New Berlin, 2215 South 162d Street.

APPENDIX B—JOBBER STORES

ARIZONA

Apache Junction, 9622 Apache Trail.  
Chandler, 151 South Arizona.  
Coolidge, 466 West Central.  
Douglas, 1133 G Avenue.  
Mesa, 56 South Robson.  
Nogales:  
300 Arroyo Boulevard.  
304 Arroyo Boulevard.  
Phoenix:  
720 South 23d Avenue.  
4918 North 35th Avenue.  
1813 East Indian School Road.  
530 West Van Buren.  
Sierra Vista, 689 Fry Boulevard.  
Tucson:  
530 North Stone Avenue.  
1133 North Alvernon Way.  
1434 South Sixth Avenue.  
5028 East 22d Street.

INDIANA

Anderson, 24 West Sixth Street.  
Evansville:  
1015 Main Street.  
10 South Weinbach.  
2424 B North Governor.  
Fort Wayne:  
245 West Main.  
4911 Industrial Road.  
Greensburg, 915 East Main Street.  
Indianapolis:  
432 North Illinois Street.  
6019 East 34th Street.  
2006 South Shelby.  
1621 North Tibbs.  
5352 North Tacoma.  
Logansport, 635 Burlington.  
Mishawaka, 119 East Front Street.  
New Haven, 634 Hartzell Road.

INDIANA—Continued

Plainfield, 1215 Main Street.  
South Bend:  
1149 South Main.  
2214 Western Avenue.  
320 Dixie Way North.  
Terre Haute:  
207 Hulman.  
1605 Wabash Avenue.

IOWA

Ames, 402 East Lincolnway.  
Atlantic, 403 Elm Street.  
Boone, 708 Arden Street.  
Centerville, Jackson and Haynes.  
Council Bluffs, 100 South 16th Street.  
Des Moines:  
2207 Bell Avenue.  
825 Grand.  
6110 Southwest Ninth Street.  
Fort Dodge, 3011 Fifth Avenue South.  
Garner, 230 State Street.  
Indianola, 1010 North Jefferson.  
Mason City, 714 South Delaware.  
Missouri Valley, 206 East Erie.  
New Hampton, 21 West Main Street.  
Newton, 1730 First Avenue East.  
Onawa, 1014 Iowa Avenue.  
Perry, 1012 Second Street.  
Red Oak, 211 Coolbaugh Street.  
Shenandoah, 828 West Thomas.  
Spirit Lake, 905 Lake Street.

KANSAS

Great Bend, 3010 10th Street.  
Hoisington, 170 West Second Street.  
Kinsley, 508 Marsh.  
La Crosse, 601 Main Street.  
Marysville, 719 Broadway Street.  
Norton, 102 West Washington.  
Oakley, 112 Converse.  
Phillipsburg, 460 State Street.

MINNESOTA

Duluth, 416 East Superior.  
Red Wing, 909 West Main Street.

NEBRASKA

Alliance, 324 West Third Street.  
Alma, 606 Main Street.  
Beatrice, 116 North Seventh Street.  
Bellevue, 2229 Madison Street.  
Broken Bow, 228 South Fifth Street.  
Chadron, 820 West Third Street.  
Falls City, 1801 Chase Street.  
Fremont, 233 East Fifth Street.  
Grand Island, 517-523 West Fourth.  
Hastings, 218 North Lexington.  
Holdrege, 219 Grant Street.  
Kearney, 2117 Avenue A.  
Lexington, Fourth and Jefferson.  
Lincoln:  
1621 M Street.  
4830 Wilshire Boulevard.  
McCook, 802 West C Street.  
Norfolk, 702 Norfolk Avenue.  
North Platte, 518 North Chestnut.  
Omaha:  
7410 Pacific Street.  
2413 Q Street.  
4535 South 88th Street.  
6919 Maple Street.

O'Neill, 121 South Fourth Street.  
Plattsmouth, 526 Main Street.  
Scottsbluff, 1409 First Avenue.  
Superior, 325 Commercial Avenue.  
Valentine, 210 South Main.  
York, 128 East Eighth.

NEW YORK

Auburn, 25 Seminary Street.  
Batavia, 244 West Main Street.  
Elmira, William and Second Streets.  
Fulton, 570 South Fourth Street.  
Geneva, 611 West Washington Street.  
Rochester:  
2808 Dewey Avenue.  
2921 West Henrietta Road.  
471 Ridge Road East.  
178 Charlotte Street.  
Rome, 278 East Dominick Street.

NEW YORK—Continued

Utica, 143 Hotel Street.  
Watertown, 249 State Street.

OHIO

Cleveland, 1585 East 40th.  
Lima:  
119 North McDonel.  
Route 81, Findlay Road.  
2133 Elida Road.  
Lyndhurst, 5125 Mayfield.  
Maple Heights, 17170 Broadway.  
Mentor, 8510 Mentor Avenue.  
Painesville, 1440 Mentor Avenue.

PENNSYLVANIA

Altoona, 1917 Margaret Avenue.  
Barnesboro, 908 Philadelphia Avenue.  
Bedford, North Street.  
Chambersburg, 18 North Second Street.  
Clearfield, 418 West Second Avenue.  
Ebensburg, 219 West High Street.  
Everett, South Street.  
Gettysburg, 535 York Street.  
Glenshaw, 970 William Flynn Highway.  
Harrisburg, 137 North 10th Street.  
Hollidaysburg, 509-11 Blair Street.  
Homestead, 201-03 West Eighth Avenue.  
Johnstown:  
945 Franklin Street.  
1129 Scalp Avenue.  
Lewistown, 45 Hale Street.  
Lock Haven, 206-212 Bellefonte Avenue.  
McKeesport, 820 Market Street.  
McKees Rocks, 431 Broadway.  
Phillipsburg, Corner 15th and Pine.  
Pittsburgh:  
5803 Centre Avenue.  
5033 Liberty Avenue.  
2305 West Liberty Avenue.  
Rochester, 351 Brighton Avenue.  
Selingsgrove, 316 South Market Street.  
Sharon, 39-51 South Main Street.  
Shippensburg, 65 West Burd Street.  
Somerset, 344 West Main Street.  
State College, 616 West College.  
Tyrone, 952-954 Logan Avenue.  
Williamsport, 243-51 West Third Street.  
York, 190 Arsenal Road.

SOUTH DAKOTA

Brookings, 411 Fourth Street.  
Hot Springs, 206 South Chicago.  
Madison, 218 South Van Eps.  
Rapid City, 517 Third Street.

WEST VIRGINIA

Kingwood, Route 7 East.  
Morgantown, 1029 University Avenue.

WISCONSIN

River Falls, 421 North Main Street.

[FR Doc.71-2261 Filed 2-18-71; 8:45 am]

Title 18—CONSERVATION OF POWER AND WATER RESOURCES

Chapter I—Federal Power Commission

SUBCHAPTER B—REGULATIONS UNDER THE FEDERAL POWER ACT

[Docket No. R-413; Order No. 422]

PART 8—RECREATIONAL OPPORTUNITIES AND DEVELOPMENT AT LICENSED PROJECTS

Information Respecting Use and Development of Public Recreational Opportunities

FEBRUARY 12, 1971.

By Order No. 330, issued December 12, 1966, 36 FPC 1030 (31 F.R. 16201,

Dec. 17, 1966) the Commission amended Subchapter B, Part 8 of regulations under the Federal Power Act, and Subchapter D, Part 141—Statements and Reports, Chapter I, Title 18 of the Code of Federal Regulations by adding thereto §§ 8.11 (a) and (b) and 141.14, respectively prescribing the biennial filing by licensees of Recreation Reports, FPC Form No. 80, for hydroelectric projects licensed by the Commission pursuant to the Federal Power Act. Commission Order No. 369, issued September 20, 1968, 40 FPC 521 (33 F.R. 14592, Sept. 28, 1968), amended these regulations by providing a new § 8.11(c) and revising FPC Form No. 80.

This order amends § 8.11 of the Commission's regulations dealing with the Form No. 80 reporting program. The amendment sets November 30 of odd-numbered years as the filing date for Form No. 80. This amendment will have the effect of shifting the workload from the summer recreation season, when most Form 80 filings were previously due, to a less busy time of the year and will also provide information on a more current basis relating to recreational facilities and use. This order also amends the regulations to provide that a licensee of a project with no recreational use or potential may apply for exemption from any further filing of Form No. 80 at any time within 6 months of the next filing date.

Based upon our experience with this reporting program, we believe that these changes will be helpful to all concerned. The Commission Staff is presently working on some minor revisions in Form No. 80, which it is anticipated will be completed for use for the next report.

The Commission finds:

(1) Since the amendment of Part 8, § 8.11 of the regulations under the Federal Power Act will not increase the reporting burden on licensees, but will provide additional opportunities to apply for exemption from these requirements, and inasmuch as the amendment relates to matters of agency practice and procedure and is necessary and appropriate for the administration of the Federal Power Act, compliance with the notice, public procedure and effective date provisions of 5 U.S.C. 553, is unnecessary.

(2) Since the amendment of Part 8, § 8.11 of the regulations under the Federal Power Act herein ordered is for use during the year 1971, good cause exists for making the amendments effective forthwith.

The Commission, acting pursuant to the authority granted by the Federal Power Act, and particularly sections 4 (g), 10, 304, 309, and 311 thereof (41 Stat. 1065, 1068; 49 Stat. 839, 842, 855, 858, 859; 16 U.S.C. 797, 803, 825(c), 825(h), 825(j)); orders:

(A) Effective upon the issuance of this order, Part 8, § 8.11, Subchapter B of Chapter I, Title 18 of the Code of Federal Regulations, is amended as follows:

In paragraph (a) at line 6, delete "June 30, 1967, and biennially thereafter" and substitute therefor "November 30 of each odd-numbered year"; and at line 11, delete "1967" and substitute "initial".

In paragraph (b) at line 6, insert after the word "file", "its initial"; and at line 7, delete "December 31, 1968, or at such time as may be required by a special license condition" and substitute therefor "November 30 of the first odd-numbered year following the year in which the plan was filed."

In paragraph (c) at line 7, delete the word "second" and substitute therefor "next".

As so amended, § 8.11 reads as follows:

§ 8.11 Information respecting use and development of public recreational opportunities.

(a) Except as provided in paragraph (b) of this section, each licensee of a project under major or minor Commission license shall prepare with respect to each such project owned and file by November 30 of each odd-numbered year, an original and two conformed copies of FPC Form No. 80 prescribed by § 141.14 of this chapter for use by licensees of projects under major and minor license. Forms filed subsequently to the initial filing need be completed only to the extent necessary to correct, supplement, update, or add to the information supplied in a previously filed form. One copy of the report should be retained by the correspondent in its file.

(b) A licensee or applicant who submits a statement that it has previously filed an acceptable recreational use plan pursuant to a special license condition or § 4.41 Exhibit R, of this chapter will not be required to file its initial Form 80 until November 30 of the first odd-numbered year following the year in which the plan was filed. Such statement shall indicate the document previously so filed and its status, i.e., whether approved as being an accepted recreational use plan submitted pursuant to a special license condition, or as an Exhibit R in a pending license application, or as the case may be.

(c) A licensee may request an exemption from any further filing of Form 80, for a project or any development thereof which has no recreational use or potential, by submitting a statement not later than 6 months prior to the due date for the next filing, stating that Form 80 has been filed previously for the project or development thereof and setting out the basis for believing that the project has no recreational use or potential.

(B) The Secretary shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB,  
Acting Secretary.

[FR Doc.71-2295 Filed 2-18-71;8:47 am]

## Title 33—NAVIGATION AND NAVIGABLE WATERS

### Chapter I—Coast Guard, Department of Transportation

#### SUBCHAPTER J—BRIDGES

[CGFR 70-124a]

#### PART 117—DRAWBRIDGE OPERATION REGULATIONS

##### Hutchinson River, N.Y.

1. The New York State Thruway Authority requested that the special operation regulations for its bridge across the Hutchinson River, Mile 2.2 known as the Eastchester Creek Bridge be revised. A public notice dated September 17, 1970, setting forth the proposed revision of the regulations governing this drawbridge was issued by the Commander, Third Coast Guard District and was made available to all persons known to have an interest in this subject. The Commandant also published these proposals in the FEDERAL REGISTER of November 13, 1970 (35 F.R. 17425).

2. Interested persons were afforded an opportunity to participate in this rule making through the submission of comments. One adverse comment was received; however, after a series of meetings this objection was withdrawn. After consideration of all known factors in this case, the proposal, as submitted, is accepted.

3. Accordingly, Part 117 is amended by revising § 117.155(b) to read as follows:  
§ 117.155 Hutchinson River, N.Y.:  
bridges.

(b) All bridges, except the Eastchester Creek Bridge (I-95), shall open promptly on signal. The Eastchester Creek Bridge (I-95) shall open promptly on signal provided that at least 6 hours' advance notice has been given.

(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) and 33 CFR 1.05-1(c) (4) (35 F.R. 15922))

*Effective date.* This revision shall become effective 30 days following the date of publication in the FEDERAL REGISTER.

Dated: February 11, 1971.

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

[FR Doc.71-2279 Filed 2-18-71;8:46 am]



**Title 38—PENSIONS, BONUSES,  
AND VETERANS' RELIEF**

**Chapter I—Veterans Administration  
PART 36—LOAN GUARANTY**

**Maximum Interest Rate**

1. In § 36.4212(a), subparagraphs (2) and (3) are amended to read as follows:

§ 36.4212 Interest rates and late charges.

(a) The interest rate charged the borrower on a loan guaranteed pursuant to 38 U.S.C. 1819 may not exceed the following maxima:

(2) 7 percent simple interest per annum for that portion of the loan which finances the purchase of a lot and the cost of necessary site preparation, if any.

(3) 7 percent simple interest per annum on that portion of a loan which will finance the cost of the site preparation necessary to make a lot owned by the veteran acceptable as the site for the mobile home purchased with the proceeds of the loan except that a rate of not to exceed 10.75 percent may be charged if the portion of the loan to pay for the cost of such necessary site preparation does not exceed \$2,500.

2. In § 36.4311, paragraph (a) is amended to read as follows:

§ 36.4311 Interest rates.

(a) Excepting non-real-estate loans insured under 38 U.S.C. 1815 and loans guaranteed or insured pursuant to guaranty or insurance commitments issued by the Veterans Administration which specify an interest rate in excess of 7 per centum per annum, effective February 18, 1971, the interest rate on any loan guaranteed or insured wholly or in part on or after such date may not exceed 7 per centum per annum on the unpaid principal balance.

3. In § 36.4503, paragraph (a) is amended to read as follows:

§ 36.4503 Amount and amortization.

(a) The original principal amount of any loan made on or after May 7, 1968, shall not exceed an amount which bears the same ratio to \$21,000 (or to such increased maximum as the Administrator may from time to time specify for the area in which the loan is made pursuant to section 1811(d) of title 38, United States Code) as the amount of the guaranty to which the veteran is entitled under 38 U.S.C. 1810 at the time the loan is made bears to \$12,500. This limitation shall not preclude the making of advances, otherwise proper, subsequent to the making of the loan pursuant to the provisions of § 36.4511. Effective February 18, 1971, loans made by the Veterans

Administration shall bear interest at the rate of 7 percent per annum.

(72 Stat. 1114; 38 U.S.C. 210)

These VA regulations are effective February 18, 1971.

Approved: February 17, 1971.

By direction of the Administrator.

[SEAL] RUFUS H. WILSON,  
Associate Deputy Administrator.

[FR Doc.71-2373 Filed 2-18-71;8:50 am]

**Title 50—WILDLIFE AND  
FISHERIES**

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

**PART 32—HUNTING**

**Piedmont National Wildlife Refuge,  
Ga.**

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER (2-19-71).

§ 32.32 Special regulations; upland game; for individual wildlife refuge areas.

GEORGIA

**PIEDMONT NATIONAL WILDLIFE REFUGE**

Public hunting of wild turkey on the Piedmont National Wildlife Refuge, Ga., is permitted only on the area designated by signs as open to hunting. (The Hitchiti Experimental Forest is closed to turkey hunting.) The open area, comprising approximately 32,000 acres or 95 percent of the total area of the refuge, is delineated on a map available at the refuge headquarters and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Peachtree-Seventh Building, Atlanta, Ga. 30323. Hunting shall be in accordance with all applicable State regulations covering the hunting of wild turkey subject to the following special conditions:

(1) Species permitted to be taken: Turkey gobblers with visible beards.

(2) Open season: April 19-24, 1971. Persons are permitted in the areas open for turkey hunting and on refuge maintained roads only between the hours of 4 a.m. and 12 noon (e.s.t.) on the above cited hunting days.

(3) Bag limit: Only one turkey gobbler per hunter during the 6-day hunt.

(4) All turkeys killed must be checked in at refuge headquarters before leaving the area.

(5) Use of vehicles of all types are restricted to State and county roads.

(6) Camping and fires are restricted to the designated camping area in Compartment 10. The camping area will be open on April 18-25, 1971.

(7) Hunters not having reached their

18th birthday must be under the immediate supervision of an adult.

(8) Hunt permits are nontransferable.

(9) Apprehension of a permittee for any infraction of refuge regulations shall be cause for immediate revocation of his hunt permit by any officer authorized to enforce refuge regulations.

(10) It is unlawful to drive a nail, spike or other metal object into any tree or to hunt from any tree in which a nail, spike or other metal object has been driven.

(11) A refuge permit is required to enter the public hunting area. A maximum of 300 permits will be issued for the entire 6-day hunt. Hunters will be selected by an impartial public drawing from the applications received. Applications for this permit must be made on the form available from the Piedmont National Wildlife Refuge, Round Oak, Ga. 31080. Completed permit applications must be in the office of the Piedmont National Wildlife Refuge, Round Oak, Ga. 31080 by 4:30 p.m. on March 31, 1971. Submission of more than one application for each hunter shall be cause for rejection of all his applications and is a violation of hunt regulations.

The provisions of this special regulations supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through April 25, 1971.

C. EDWARD CARLSON,  
Regional Director, Bureau of  
Sport Fisheries and Wildlife.

FEBRUARY 11, 1971.

[FR Doc.71-2271 Filed 2-18-71;8:45 am]

**PART 80—RESTORATION OF GAME  
BIRDS, FISH, AND MAMMALS**

**Hunter Safety Program**

On page 370 of the FEDERAL REGISTER, Vol. 36, No. 7, for Tuesday, January 12, 1971, there was published a notice of proposed rule making revising Part 80 of Title 50, Code of Federal Regulations.

Interested persons were given 30 days in which to submit written comments, suggestions, or objections with respect to the proposed change and additions.

Every State fish and game department was notified of the proposed revisions by letter.

The suggestion that the first sentence in paragraph 80.1(o) end with the words "hazards associated with hunting" was worthwhile and has been incorporated in the regulation.

Therefore, since there were no objections and no other changes being deemed necessary the revisions as proposed are hereby adopted, subject to the above change and read as follows:

§ 80.1 Definitions.

As used in this part, terms shall have the meaning ascribed in this section.

(e) *Project.* A sound and substantial undertaking with the general objective of (1) restoring or managing fish and wildlife populations now and for the future and for preserving and improving sport fishing, hunting, and related uses of these resources, or (2) providing facilities and services for conducting a hunter safety program.

(k) [Deleted]

(o) *Hunter Safety Program.* A program to provide instruction and practice in safe use of firearms and the avoidance of all types of accidents and hazards associated with hunting. Training in survival techniques, first aid, sporting ethics, basic principle of wildlife management, and the proper use of archery equipment may be provided incidental to the program.

(p) *Target range.* A facility, to provide for the safe discharge of rifles, shotguns, pistols, and archery equipment. In carrying out the hunter safety program, public outdoor target ranges may be constructed, operated, and maintained to provide opportunity for training and practice in the use of shotguns, rifles, pistols, and archery equipment.

These regulations are effective upon publication in the FEDERAL REGISTER (2-19-71).

SPENCER H. SMITH,  
Acting Director, Bureau of  
Sport Fisheries and Wildlife.

FEBRUARY 16, 1971.

[FR Doc.71-2323 Filed 2-18-71;8:49 am]

## Title 7—AGRICULTURE

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

#### PART 401—FEDERAL CROP INSURANCE

##### Subpart—Regulations for the 1969 and Succeeding Crop Years

###### APPENDIX—COUNTIES DESIGNATED FOR COTTON CROP INSURANCE

Pursuant to authority contained in § 401.101 of the above-identified regulations, as amended, the following counties have been designated for cotton crop insurance for the 1972 crop year.

###### ALABAMA

Barbour.	Hale.
Blount.	Henry.
Cherokee.	Houston.
Chilton.	Jackson.
Coffee.	Lauderdale.
Colbert.	Lawrence.
Conecuh.	Limestone.
Covington.	Madison.
Crenshaw.	Marshall.
Cullman.	Morgan.
Dale.	Pickens.
Dallas.	Pike.
De Kalb.	Shelby.
Escambia.	Talladega.
Etowah.	Tuscaloosa.
Geneva.	

Maricopa.  
Pinal.

Arkansas.  
Ashley.  
Chicot.  
Clay.  
Craighead.  
Crittenden.  
Cross.  
Desha.  
Greene.  
Jackson.  
Jefferson.  
Lawrence.

Fresno.  
Imperial.  
Kern.  
Kings.

Jackson.

Baker.  
Ben Hill.  
Brooks.  
Bulloch.  
Calhoun.  
Candler.  
Clay.  
Coffee.  
Colquitt.  
Cook.  
Crisp.  
Decatur.  
Dooly.  
Early.

Fulton.

Acadia.  
Avoyelles.  
Bossier.  
Caddo.  
Caldwell.  
Catahoula.  
Concordia.  
East Carroll.  
Evangeline.  
Franklin.

Alcorn.  
Benton.  
Bollivar.  
Calhoun.  
Carroll.  
Chickasaw.  
Coahoma.  
De Soto.  
Hinds.  
Holmes.  
Humphreys.  
Issaquena.  
Jefferson Davis.  
Lee.  
Leflore.

Butler.  
Dunklin.  
Mississippi.  
New Madrid.

Chaves.  
Dona Ana.

###### ARIZONA

Yuma.

###### ARKANSAS

Lee.  
Lincoln.  
Lonoke.  
Mississippi.  
Monroe.  
Phillips.  
Poinsett.  
Prairie.  
Randolph.  
St. Francis.  
Woodruff.

###### CALIFORNIA

Madera.  
Merced.  
Riverside.  
Tulare.

###### FLORIDA

###### GEORGIA

Irwin.  
Lee.  
Miller.  
Mitchell.  
Randolph.  
Sumter.  
Tattnall.  
Terrell.  
Thomas.  
Tift.  
Toombs.  
Turner.  
Worth.

###### KENTUCKY

###### LOUISIANA

Madison.  
Morehouse.  
Natchitoches.  
Pointe Coupee.  
Rapides.  
Red River.  
Richland.  
St. Landry.  
Tensas.  
West Carroll.

###### MISSISSIPPI

Madison.  
Monroe.  
Panola.  
Pontotoc.  
Prentiss.  
Quitman.  
Sharkey.  
Sunflower.  
Tallahatchie.  
Tippah.  
Tunica.  
Union.  
Washington.  
Yazoo.

###### MISSOURI

Pemiscot.  
Scott.  
Stoddard.

###### NEW MEXICO

Eddy.  
Lea.

###### NORTH CAROLINA

Anson.  
Bertie.  
Chowan.  
Cleveland.  
Cumberland.  
Edgecombe.  
Franklin.  
Greene.  
Halifax.  
Harnett.  
Hertford.  
Hoke.  
Iredell.  
Johnston.  
Lincoln.  
Mecklenburg.

Montgomery.  
Moore.  
Nash.  
Northampton.  
Pitt.  
Richmond.  
Robeson.  
Rowan.  
Rutherford.  
Sampson.  
Scotland.  
Union.  
Warren.  
Wayne.  
Wilson.

###### OKLAHOMA

Beckham.  
Caddo.  
Grady.  
Harmon.

Jackson.  
Kiowa.  
Tillman.  
Washita.

###### SOUTH CAROLINA

Aiken.  
Allendale.  
Anderson.  
Bamberg.  
Barnwell.  
Calhoun.  
Chester.  
Chesterfield.  
Clarendon.  
Darlington.  
Dillon.  
Dorchester.  
Edgefield.  
Florence.

Greenville.  
Hampton.  
Kershaw.  
Laurens.  
Lee.  
Lexington.  
Marion.  
Marlboro.  
Orangeburg.  
Saluda.  
Spartanburg.  
Sumter.  
Williamsburg.  
York.

###### TENNESSEE

Carroll.  
Chester.  
Crockett.  
Dyer.  
Fayette.  
Franklin.  
Gibson.  
Giles.  
Hardeman.  
Haywood.  
Henderson.

Lake.  
Lauderdale.  
Lawrence.  
Lincoln.  
McNairy.  
Madison.  
Obion.  
Shelby.  
Tipton.  
Weakley.

###### TEXAS

Austin.  
Bailey.  
Bell.  
Bosque.  
Brazos.  
Briscoe.  
Burlison.  
Calhoun.  
Castro.  
Cochran.  
Collin.  
Crosby.  
Culberson.  
Dawson.  
Deaf Smith.  
Denton.  
Ellis.  
El Paso.  
Falls.  
Fannin.  
Floyd.  
Fort Bend.  
Garza.  
Grayson.  
Hale.  
Haskell.  
Hill.  
Hockley.

Hudspeth.  
Hunt.  
Knox.  
Lamar.  
Lamb.  
Limestone.  
Lubbock.  
Lynn.  
Matagorda.  
McLennan.  
Milam.  
Navarro.  
Nueces.  
Parmer.  
Pecos.  
Presidio.  
Reeves.  
Refugio.  
Robertson.  
San Patricio.  
Swisher.  
Terry.  
Travis.  
Victoria.  
Wharton.  
Wilbarger.  
Williamson.

###### VIRGINIA

Greenville. Southampton.

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

[SEAL] RICHARD H. ASLAKSON,  
Manager, Federal  
Crop Insurance Corporation.

[FR Doc.71-2289 Filed 2-18-71;8:47 am]

**PART 401—FEDERAL CROP INSURANCE**

**Subpart—Regulations for the 1969 and Succeeding Crop Years**

**APPENDIX—PARISHES DESIGNATED FOR SUGARCANE CROP INSURANCE**

Pursuant to authority contained in § 401.101 of the above-identified regulations, the following parishes have been designated for sugarcane crop insurance for the 1972 crop year.

**LOUISIANA**

Ascension.	St. James.
Assumption.	St. John the Baptist.
Iberia.	St. Martin.
Iberville.	St. Mary.
Lafourche.	Terrebonne.
Pointe Coupee.	West Baton Rouge.

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

[SEAL] RICHARD H. ASLAKSON,  
Manager, Federal  
Crop Insurance Corporation.

[FR Doc.71-2290 Filed 2-18-71;8:47 am]

**PART 411—GRAPE CROP INSURANCE**

**Subpart—Regulations for the 1967 and Succeeding Crop Years**

**APPENDIX—COUNTIES DESIGNATED FOR GRAPE CROP INSURANCE**

Pursuant to authority contained in § 411.1 of the above-identified regulations, the following counties have been designated for grape crop insurance for the 1972 crop year.

**NEW YORK**

Chautauqua.	Seneca.
Niagara.	Steuben.
Ontario.	Yates.
Schuyler.	

**PENNSYLVANIA**

Erie.

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

[SEAL] RICHARD H. ASLAKSON,  
Manager, Federal  
Crop Insurance Corporation.

[FR Doc.71-2291 Filed 2-18-71;8:47 am]

**PART 401—FEDERAL CROP INSURANCE**

**Subpart—Regulations for the 1969 and Succeeding Crop Years**

**APPENDIX—COUNTIES DESIGNATED FOR GRAIN SORGHUM CROP INSURANCE**

Pursuant to authority contained in § 401.101 of the above-identified regulations, as amended, the following counties

have been designated for grain sorghum crop insurance for the 1972 crop year.

**ARIZONA**

Maricopa.  
Pinal.  
Yuma.

**COLORADO**

Kit Carson.

**KANSAS**

Allen.  
Anderson.  
Atchison.  
Barton.  
Bourbon.  
Brown.  
Butler.  
Chase.  
Clay.  
Cloud.  
Coffey.  
Cowley.  
Crawford.  
Dickinson.  
Doniphan.  
Douglas.  
Elk.  
Ellis.  
Ellsworth.  
Finney.  
Franklin.  
Geary.  
Grant.  
Greenwood.  
Harvey.  
Haskell.  
Jackson.  
Jefferson.  
Jewell.  
Johnson.  
Kearny.  
Kingman.  
Labette.  
Lincoln.  
Linn.  
Lyon.  
Marion.  
Marshall.

McPherson.  
Meade.  
Miami.  
Mitchell.  
Montgomery.  
Morris.  
Nemaha.  
Neosho.  
Osage.  
Osborne.  
Ottawa.  
Pawnee.  
Phillips.  
Pottawatomie.  
Pratt.  
Reno.  
Republic.  
Rice.  
Riley.  
Rooks.  
Rush.  
Russell.  
Saline.  
Scott.  
Sedgwick.  
Seward.  
Shawnee.  
Smith.  
Stafford.  
Stanton.  
Stevens.  
Sumner.  
Wabaunsee.  
Washington.  
Wichita.  
Wilson.  
Woodson.

**MISSOURI**

Atchison.  
Bates.  
Henry.  
Vernon.

**NEBRASKA**

Adams.  
Boone.  
Butler.  
Cass.  
Clay.  
Colfax.  
Dodge.  
Fillmore.  
Franklin.  
Gage.  
Hall.  
Hamilton.  
Jefferson.  
Johnson.  
Kearney.  
Lancaster.

Madison.  
Nance.  
Nemaha.  
Nuckolls.  
Otoe.  
Pawnee.  
Platte.  
Polk.  
Richardson.  
Saline.  
Saunders.  
Seward.  
Thayer.  
Webster.  
York.

**NEW MEXICO**

Curry.  
Lea.

**OKLAHOMA**

Alfalfa.  
Blaine.  
Caddo.  
Canadian.  
Craig.  
Delaware.  
Garfield.  
Grady.  
Grant.

Jackson.  
Kay.  
Kiowa.  
Mayes.  
Nowata.  
Ottawa.  
Texas.  
Tillman.  
Washita.

**SOUTH DAKOTA**

Bon Homme.  
Charles Mix.  
Davison.  
Douglas.  
Hanson.  
Hutchinson.  
Sanborn.

**TEXAS**

Bailey.  
Bell.  
Bosque.  
Briscoe.  
Calhoun.  
Carson.  
Castro.  
Collin.  
Crosby.  
Dallam.  
Deaf Smith.  
Denton.  
Ellis.  
Falls.  
Floyd.  
Fort Bend.  
Grayson.  
Hale.  
Hansford.  
Hartley.  
Hill.  
Hunt.

Hutchinson.  
Lamb.  
Lubbock.  
Matagorda.  
McLennan.  
Milam.  
Moore.  
Navarro.  
Nueces.  
Ochiltree.  
Oldham.  
Parmer.  
Randall.  
Refugio.  
San Patricio.  
Sherman.  
Swisher.  
Travis.  
Victoria.  
Wharton.  
Wilbarger.  
Williamson.

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

[SEAL] RICHARD H. ASLAKSON,  
Manager, Federal  
Crop Insurance Corporation.

[FR Doc.71-2292 Filed 2-18-71; 8:47 am]

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

[Tangelo Reg. 40, Amdt. 4]

**PART 905—ORANGES, GRAPEFRUIT, TANGERINES, AND TANGELOS GROWN IN FLORIDA**

**Limitation of Shipments**

*Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 905, as amended (7 CFR Part 905), regulating the handling of oranges, grapefruit, tangerines, and tangelos grown in Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of tangelos, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this amendment until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy

of the act is insufficient; and this amendment relieves restrictions on the handling of tangelos grown in Florida.

*Order.* In § 905.526 (Tangelo Reg. 40; 35 F.R. 14500, 17937, 19245; 36 F.R. 40) paragraph (a) (1) (i) is amended to read as follows:

§ 905.526 Tangelo Regulation 40.

- (a) \* \* \*  
(1) \* \* \*

(i) Any Tangelos, grown in the production area, which do not grade at least U.S. No. 1 Golden; or

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

Dated February 12, 1971, to become effective February 15, 1971.

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

[FR Doc.71-2286 Filed 2-18-71; 8:47 am]

[Orange Reg. 67, Amdt. 4]

**PART 905—ORANGES, GRAPEFRUIT, TANGERINES, AND TANGELOS GROWN IN FLORIDA**

**Limitation of Shipments**

*Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 905, as amended (7 CFR Part 905), regulating the handling of oranges, grapefruit, tangerines, and tangelos grown in Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendation of the committee established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of oranges, except Navel, Temple, and Murcott Honey oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this amendment until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient; and this amendment relieves restrictions on the handling of Early and Midseason type oranges grown in Florida.

*Order.* In § 905.529 (Orange Reg. 67; 35 F.R. 18741, 19245, 19246; 36 F.R. 1522, 2860), the provisions of paragraph (a) (2) (i) are amended to read as follows:

§ 905.529 Orange Regulation 67.

- (a) \* \* \*  
(2) \* \* \*

(i) Any oranges, except Navel, Temple, and Murcott Honey oranges, grown in the production area, which do not grade at least Florida No. 1 Grade for oranges; *Provided*, That during the period February 15, 1971, through September 12, 1971, Early and Midseason oranges and other types commonly called "round oranges", except Navel oranges and except Valencia, Lue Gim Gong, and similar late maturing oranges of the Valencia type, may be shipped if they grade at least U.S. No. 1 Golden;

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

Dated: February 12, 1971.

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

[FR Doc.71-2287 Filed 2-18-71; 8:47 am]

**Chapter XI—Consumer and Marketing Service (Marketing Agreements and Orders; Miscellaneous Commodities), Department of Agriculture**

**PART 1207—POTATO RESEARCH AND PROMOTION PLAN**

**Subpart—Rules of Practice and Procedure Governing Proceedings To Formulate a Plan Under the Potato Research and Promotion Act**

The following new subpart establishes rules of practice and procedure governing proceedings to formulate a plan under the Potato Research and Promotion Act (Public Law 91-670, 91st Cong., approved January 11, 1971, 84 Stat. 2040).

**Subpart—Rules of Practice and Procedure Governing Proceedings To Formulate a Plan Under the Potato Research and Promotion Act**

Sec.	
1207.1	Words in the singular form.
1207.2	Definitions.
1207.3	Proposals.
1207.4	Institution of proceeding.
1207.5	Docket number.
1207.6	Presiding officers.
1207.7	Motions and requests.
1207.8	Conduct of the hearing.
1207.9	Oral and written arguments.
1207.10	Certification of the transcript.
1207.11	Copies of the transcript.
1207.12	Administrator's recommended decision.
1207.13	Submission to Secretary.
1207.14	Decision by Secretary.
1207.15	Issuance of plan.
1207.16	Filing; extensions of time; effective date of filing; and computation of time.
1207.17	Discussion of issues, etc., of proceeding prohibited.

Sec.  
1207.18 Additional documents to be filed with hearing clerk.

1207.19 Hearing before Secretary.

*AUTHORITY:* The provisions of this subpart issued under the Potato Research and Promotion Act (Public Law 91-670, 91st Cong., approved Jan. 11, 1971, 84 Stat. 2040).

§ 1207.1 Words in the singular form.

Words in this subpart in the singular form shall be deemed to import the plural, and vice versa, as the case may demand.

§ 1207.2 Definitions.

As used in this subpart, the terms as defined in the act shall apply with equal force and effect. In addition, unless the context otherwise requires:

(a) The term "act" means the Potato Research and Promotion Act, Title III of Public Law 91-670, 91st Congress, approved January 11, 1971 (84 Stat. 2041).

(b) The term "Department" means the U.S. Department of Agriculture.

(c) The term "Secretary" means the Secretary of Agriculture of the United States, or any officer or employee of the Department to whom authority has heretofore been delegated, or to whom authority may hereafter be delegated, to act in his stead.

(d) The term "examiner" means any hearing examiner in the Office of Hearing Examiners, U.S. Department of Agriculture.

(e) The term "Administrator" means the Administrator of the Consumer and Marketing Service, with power to redelegate, or any officer or employee of the Department to whom authority has been delegated or may hereafter be delegated to act in his stead.

(f) The term "FEDERAL REGISTER" means the publication provided for by the act of July 26, 1935 (49 Stat. 500), and acts supplementary thereto and amendatory thereof.

(g) The term "hearing" means that part of the proceeding which involves the submission of evidence.

(h) The term "plan" means any plan or any amendment thereto which may be issued pursuant to the act.

(i) The term "proceeding" means a proceeding upon the basis of which a plan may be issued.

(j) The term "hearing clerk" means the hearing clerk, U.S. Department of Agriculture, Washington, D.C.

(k) The term "presiding officer" means the examiner conducting a proceeding under the act.

§ 1207.3 Proposals.

(a) A plan may be proposed by potato producers or by any other interested person or persons, including the Secretary. If any person other than the Secretary proposes a plan, he shall file with the Administrator a written application, together with a copy of the proposal, requesting the Secretary to hold a hearing upon the proposal. Upon receipt of such proposal, the Administrator shall

cause such investigation to be made and such consideration thereof to be given as, in his opinion, are warranted. If the investigation and consideration lead the Administrator to conclude that the proposed plan will not tend to effectuate the declared policy of the act, or that for other proper reasons a hearing should not be held on the proposal, he shall deny the application, and promptly notify the applicant of such denial, which notice shall be accompanied by a brief statement of the grounds for the denial.

(b) If the investigation and consideration lead the Administrator to conclude that the proposed plan will tend to effectuate the declared policy of the act, or if the Secretary desires to propose a plan, he shall sign and cause to be served a notice of hearing, as provided herein.

§ 1207.4 Institution of proceeding.

(a) *Filing and contents of the notice of hearing.* The proceeding shall be instituted by filing the notice of hearing with the hearing clerk. The notice of hearing shall contain a reference to the authority under which the plan is proposed; shall define the scope of the hearing as specifically as may be practicable; shall contain either the terms or substance of the proposed plan or a description of the subjects and issues involved; and shall state the time and place of such hearing, and the place where copies of such proposed plan may be obtained or examined. The time of the hearing shall not be less than 15 days after the date of publication of the notice in the FEDERAL REGISTER, as provided herein, unless the Administrator shall determine that an emergency exists which requires a shorter period of notice, in which case the period of notice shall be that which the Administrator may determine to be reasonable in the circumstances: *Provided*, That, in the case of hearings on amendments to a plan, the time of the hearing may be less than 15 days but shall not be less than three days after the date of publication of the notice in the FEDERAL REGISTER.

(b) *Giving notice of hearing and supplemental publicity.* (1) The Administrator shall give or cause to be given notice of hearing in the following manner:

- (i) By publication of the notice of hearing in the FEDERAL REGISTER;
- (ii) By mailing a copy of the notice of hearing to each potato association known to the Administrator to be interested therein;
- (iii) By issuing a press release containing the complete text or a summary of the contents of the notice of hearing and making the same available to such newspapers as, in his discretion, are best calculated to bring the notice to the attention of the persons interested therein;
- (iv) By forwarding copies of the notice of hearing addressed to the governors of the 48 contiguous States of the United States.

(2) Legal notice of the hearing shall be deemed to be given if notice is given in the manner provided by subparagraph (1) of this paragraph; and failure to

give notice in the manner provided in subparagraph (1) (ii), (iii), and (iv) of this paragraph shall not affect the legality of the notice.

(c) *Record of notice and supplemental publicity.* There shall be filed with the hearing clerk or submitted to the presiding officer at the hearing an affidavit or certificate of the person giving the notice provided in paragraph (b) (1) (iii) and (iv) of this section. In regard to the provisions relating to mailing in paragraph (b) (1) (ii) of this section, a determination by the Administrator that such provisions have been complied with shall be filed with the hearing clerk or submitted to the presiding officer at the hearing. In the alternative, if notice is not given in the manner provided in paragraph (b) (1) (ii), (iii), and (iv) of this section there shall be filed with the hearing clerk or submitted to the presiding officer at the hearing a determination by the Administrator that such notice is impracticable, unnecessary, or contrary to the public interest with a brief statement of the reasons for such determination. Determinations by the Administrator as herein provided shall be final.

§ 1207.5 Docket number.

Each proceeding, immediately following its institution, shall be assigned a docket number by the hearing clerk and thereafter the proceeding may be referred to by such number.

§ 1207.6 Presiding officers.

(a) *Assignment.* No presiding officer who has any pecuniary interest in the outcome of a proceeding shall serve as presiding officer in such proceeding.

(b) *Powers of presiding officers.* Subject to review by the Secretary, as provided elsewhere in this subpart, the presiding officer, in any proceeding, shall have power to:

- (1) Rule upon motions and requests;
- (2) Change the time and place of hearing, and adjourn the hearing from time to time or from place to place;
- (3) Administer oaths and affirmations and take affidavits;
- (4) Examine and cross-examine witnesses and receive evidence;
- (5) Admit or exclude evidence;
- (6) Hear oral argument on facts or law;
- (7) Do all acts and take all measures necessary for the maintenance of order at the hearing and the efficient conduct of the proceeding.

(c) *Who may act in absence of presiding officer.* In case of the absence of the presiding officer or his inability to act, the powers and duties to be performed by him under this part in connection with a proceeding may, without abatement of the proceeding unless otherwise ordered by the Secretary, be assigned to any other presiding officer.

(d) *Disqualification of presiding officer.* The presiding officer may at any time withdraw as presiding officer in a proceeding if he deems himself to be disqualified. Upon the filing by an interested person in good faith of a timely and sufficient affidavit of personal bias or dis-

qualification of a presiding officer, the Secretary shall determine the matter as a part of the record and decision in the proceeding, after making such investigation or holding such hearings, or both, as he may deem appropriate in the circumstances.

§ 1207.7 Motions and requests.

(a) *General.* (1) All motions and requests shall be filed with the hearing clerk, except that those made during the course of the hearing may be filed with the presiding officer or may be stated orally and made a part of the transcript.

(2) Except as provided in § 1207.16 (b) such motions and requests shall be addressed to, and ruled on by, the presiding officer if made prior to his certification of the transcript pursuant to § 1207.10 or by the Secretary if made thereafter.

(b) *Certification to Secretary.* The presiding officer may in his discretion submit or certify to the Secretary for decision any motion, request, objection, or other question addressed to the presiding officer.

§ 1207.8 Conduct of the hearing.

(a) *Time and place.* The hearing shall be held at the time and place fixed in the notice of hearing, unless the presiding officer shall have changed the time or place, in which event the presiding officer shall file with the hearing clerk a notice of such change, which notice shall be given in the same manner as provided in § 1207.4 (relating to the giving of notice of the hearing): *Provided*, That, if the change in time or place of hearing is made less than 5 days prior to the date previously fixed for the hearing, the presiding officer, either in addition to or in lieu of causing the notice of the change to be given, shall announce, or cause to be announced, the change at the time and place previously fixed for the hearing.

(b) *Appearances—(1) Right to appear.* At the hearing, any interested person shall be given an opportunity to appear, either in person or through his authorized counsel or representative, and to be heard with respect to matters relevant and material to the proceeding. Any interested person who desires to be heard in person at any hearing under these rules shall, before proceeding to testify, state his name, address, and occupation. If any such person is appearing through a counsel or representative, such person or such counsel or representative shall, before proceeding to testify or otherwise to participate in the hearing, state for the record the authority to act as such counsel or representative, and the names and addresses and occupations of such person and such counsel or representative. Any such person or such counsel or representative shall give such other information respecting his appearance as the presiding officer may request.

(2) *Debarment of counsel or representative.* (i) Whenever, while a proceeding is pending before him, the presiding officer finds that a person, acting as counsel or representative for any person participating in the proceeding, is guilty of unethical or unprofessional conduct,

the presiding officer may order that such person be precluded from further acting as counsel or representative in such proceeding. An appeal to the Secretary may be taken from any such order, but the proceeding shall not be delayed or suspended pending disposition of the appeal: *Provided*, That the presiding officer may suspend the proceeding for a reasonable time for the purpose of enabling the client to obtain other counsel or other representative.

(ii) In case the presiding officer has ordered that a person be precluded from further acting as counsel or representative in the proceeding, the presiding officer, within a reasonable time thereafter, shall submit to the Secretary a report of the facts and circumstances surrounding such order and shall recommend what action the Secretary should take respecting the appearance of such person as counsel or representative in other proceedings before the Secretary. Thereafter the Secretary may, after notice and an opportunity for hearing, issue such order, respecting the appearance of such person as counsel or representative in proceedings before the Secretary, as the Secretary finds to be appropriate.

(3) *Failure to appear.* If any interested person fails to appear at the hearing, he shall be deemed to have waived the right to be heard in the proceeding.

(c) *Order of procedure.* (1) The presiding officer shall, at the opening of the hearing prior to the taking of testimony, have noted as part of the record his designation as presiding officer, the notice of hearing as filed with the Office of the FEDERAL REGISTER, and the affidavit or certificate of the giving of notice or the determination provided for in § 1207.4(c).

(2) Evidence shall then be received with respect to the matters specified in the notice of the hearing in such order as the presiding officer shall announce.

(d) *Evidence—(1) In general.* (i) The hearing shall be publicly conducted, and the testimony given at the hearing shall be reported verbatim.

(ii) Every witness shall, before proceeding to testify, be sworn or make affirmation. Cross-examination shall be permitted to the extent required for a full and true disclosure of the facts.

(iii) When necessary in order to prevent undue prolongation of the hearing, the presiding officer may limit the number of times any witness may testify to the same matter or the amount of corroborative or cumulative evidence.

(iv) The presiding officer shall, insofar as practicable, exclude evidence which is immaterial, irrelevant, or unduly repetitious, or which is not of the sort upon which responsible persons are accustomed to rely.

(2) *Objections.* (i) If a party objects to the admission or rejection of any evidence or to any other ruling of the presiding officer during the hearing, he shall state briefly the grounds of such objection, whereupon an automatic exception will follow if the objection is overruled by the presiding officer. The transcript shall not include argument or debate

thereon except as ordered by the presiding officer. The ruling of the presiding officer on any objection shall be a part of the transcript.

(ii) Only objections made before the presiding officer may subsequently be relied upon in the proceeding.

(3) *Proof and authentication of official records or documents.* An official record or document, when admissible for any purpose, shall be admissible as evidence without the production of the person who made or prepared the same. Such record or document shall, in the discretion of the presiding officer, be evidenced by an official publication thereof or by a copy attested by the person having legal custody thereof and accompanied by a certificate that such person has the custody.

(4) *Exhibits.* All written statements, charts, tabulations, or similar data offered in evidence at the hearing shall, after identification by the proponent and upon satisfactory showing of the authenticity, relevancy, and materiality of the contents thereof, be numbered as exhibits and received in evidence and made a part of the record. Such exhibits shall be submitted in quadruplicate and in documentary form. In case the required number of copies is not made available, the presiding officer shall exercise his discretion as to whether said exhibits shall, when practicable, be read in evidence or whether additional copies shall be required to be submitted within a time to be specified by the presiding officer. If the testimony of a witness refers to a statute, or to a report or document (including the record of any previous hearing) the presiding officer, after inquiry relating to the identification of such statute, report, or document, shall determine whether the same shall be produced at the hearing and physically be made a part of the evidence as an exhibit, or whether it shall be incorporated into the evidence by reference. If relevant and material matter offered in evidence is embraced in a report or document (including the record of any previous hearing) containing immaterial or irrelevant matter, such immaterial or irrelevant matter shall be excluded and shall be segregated insofar as practicable, subject to the direction of the presiding officer.

(5) *Official notice.* Official notice may be taken of such matters as are judicially noticed by the courts of the United States and of any other matter of technical, scientific or commercial fact of established character: *Provided*, That, interested persons shall be given adequate notice, at the hearing or subsequent thereto, of matters so noticed and shall be given adequate opportunity to show that such facts are inaccurate or are erroneously noticed.

(6) *Offer of proof.* Whenever evidence is excluded from the record, the party offering such evidence may make an offer of proof, which shall be included in the transcript. The offer of proof shall consist of a brief statement describing the evidence to be offered. If the evidence consists of a brief oral statement or of an

exhibit, it shall be inserted into the transcript in toto. In such event, it shall be considered a part of the transcript if the Secretary decides that the presiding officer's ruling in excluding the evidence was erroneous. The presiding officer shall not allow the insertion of such evidence in toto if the taking of such evidence will consume a considerable length of time at the hearing. In the latter event, if the Secretary decides that the presiding officer erred in excluding the evidence, and that such error was substantial, the hearing shall be reopened to permit the taking of such evidence.

#### § 1207.9 Oral and written arguments.

(a) *Oral argument before presiding officer.* Oral argument before the presiding officer shall be in the discretion of the presiding officer. Such argument, when permitted, may be limited by the presiding officer to any extent that he finds necessary for the expeditious disposition of the proceeding and shall be reduced to writing and made part of the transcript.

(b) *Briefs, proposed findings, and conclusions.* The presiding officer shall announce at the hearing a reasonable period of time within which interested persons may file with the hearing clerk proposed findings and conclusions, and written arguments or briefs, based upon the evidence received at the hearing, citing, where practicable, the page or pages of the transcript of the testimony where such evidence appears. Factual material other than that adduced at the hearing or subject to official notice shall not be alluded to therein, and, in any case, shall not be considered in the formulation of the plan. If the person filing a brief desires the Secretary to consider any objection made by such person to a ruling of the presiding officer, as provided in § 1207.8(d), he shall include in the brief a concise statement concerning each objection, referring where practicable, to the pertinent pages of the transcript.

#### § 1207.10 Certification of the transcript.

The presiding officer shall notify the hearing clerk of the close of a hearing as soon as possible thereafter and of the time for filing written arguments, briefs, proposed findings and proposed conclusions, and shall furnish the hearing clerk with such other information as may be necessary. As soon as possible after the hearing, the presiding officer shall transmit to the hearing clerk an original and three copies of the transcript of the testimony and the original and all copies of the exhibits not already on file in the office of the hearing clerk. He shall attach to the original transcript of testimony his certificate stating that, to the best of his knowledge and belief, the transcript is a true transcript of the testimony given at the hearing except in such particulars as he shall specify; and that the exhibits transmitted are all the exhibits as introduced at the hearing with such exceptions as he shall specify. A copy of such certificate shall be attached to each of the copies of the transcript of testimony. In accordance with

such certificate the hearing clerk shall note upon the official record copy, and cause to be noted on other copies of the transcript each correction detailed therein by adding or crossing out (but without obscuring the text as originally transcribed) at the appropriate place any words necessary to make the same conform to the correct meaning, as certified by the presiding officer. The hearing clerk shall obtain and file certifications to the effect that such corrections have been effected in copies other than the official record copy.

**§ 1207.11 Copies of the transcript.**

(a) During the period in which the proceeding has an active status in the Department, a copy of the transcript and exhibits shall be kept on file in the office of the hearing clerk, where it shall be available for examination during official hours of business. Thereafter said transcript and exhibits shall be made available by the hearing clerk for examination during official hours of business after prior request and reasonable notice to the hearing clerk.

(b) If a personal copy of the transcript is desired, such copy may be obtained upon written application filed with the reporter and upon payment of fees at a rate that may be agreed upon with the reporter.

**§ 1207.12 Administrator's recommended decision.**

(a) *Preparation.* As soon as practicable following the termination of the period allowed for the filing of written arguments or briefs and proposed findings and conclusions the Administrator shall file with the hearing clerk a recommended decision.

(b) *Contents.* The Administrator's recommended decision shall include: (1) A preliminary statement containing a description of the history of the proceedings, a brief explanation of the material issues of fact, law, or discretion presented on the record, and proposed findings and conclusions with respect to such issues as well as the reasons or basis therefor; (2) a ruling upon each proposed finding or conclusion submitted by interested persons; and (3) an appropriate proposed plan effectuating his recommendations.

(c) *Exceptions to recommended decision.* Immediately following the filing of his recommended decision the Administrator shall give notice thereof, and opportunity to file exceptions thereto by publication in the FEDERAL REGISTER. Within a period of time specified in such notice any interested person may file with the hearing clerk exceptions to the Administrator's proposed plan, and a brief in support of such exceptions. Such exceptions shall be in writing, shall refer, where practicable, to the related pages of the transcript and may suggest appropriate changes in the proposed plan.

(d) *Omission of recommended decision.* The procedure provided in this section may be omitted only if the Secretary

finds on the basis of the record that due and timely execution of his functions imperatively and unavoidably requires such omission.

**§ 1207.13 Submission to Secretary.**

Upon the expiration of the period allowed for filing exceptions or upon request of the Secretary, the hearing clerk shall transmit to the Secretary the record of the proceeding. Such record shall include: all motions and requests filed with the hearing clerk and rulings thereon; the certified transcript; any proposed findings or conclusions or written arguments or briefs that may have been filed; the Administrator's recommended decision, if any, and such exceptions as may have been filed.

**§ 1207.14 Decision by the Secretary.**

After due consideration of the record, the Secretary shall render a decision. Such decision shall become a part of the record and shall include (a) a statement of his findings and conclusions, as well as the reasons or basis therefor, upon all the material issues of fact, law or discretion presented on the record, (b) a ruling upon each proposed finding and proposed conclusion not previously ruled upon in the record, (c) a ruling upon each exception filed by interested persons and (d) either (1) a denial of the proposal to issue a plan or (2) if the findings upon the record so warrant, a plan, the provisions of which shall be set forth and such plan shall be complete, except for its effective date and any determinations to be made under § 1207.15: *Provided*, That such plan shall not be executed, issued or made effective until and unless the Secretary determines that the requirements of § 1207.15 have been met.

**§ 1207.15 Issuance of plan.**

(a) The Secretary shall, if he finds that it will tend to effectuate the purposes of the act, issue and make effective the plan, if any, which was filed as a part of his decision pursuant to § 1207.14: *Provided*, That the issuance of such plan shall have been approved or favored by producers as required by section 314 of the act.

(b) *Effective date of plan:* No plan shall become effective less than 30 days after its publication in the FEDERAL REGISTER, unless the Secretary, upon good cause found and published with the plan, fixes an earlier effective date therefor.

(c) *Notice of issuance:* After issuance of a plan, such plan shall be filed with the hearing clerk, and notice thereof, together with notice of the effective date, shall be given by publication in the FEDERAL REGISTER.

**§ 1207.16 Filing; extensions of time; effective date of filing; and computation of time.**

(a) *Filing, number of copies.* Except as is provided otherwise herein, all documents or papers required or authorized by the foregoing provisions hereof to be filed with the hearing clerk, shall be filed

in quadruplicate. Any document, or paper, so required or authorized to be filed with the hearing clerk, shall, during the course of an oral hearing, be filed with the presiding officer.

(b) *Extensions of time.* The time for filing of any document or paper required or authorized by the foregoing provisions to be filed may be extended by the presiding officer (before the record is certified by the presiding officer) or by the Administrator (after the record is so certified by the presiding officer but before it is transmitted to the Secretary), or by the Secretary (after the record is transmitted to the Secretary) upon request filed, and if, in the judgment of the presiding officer, Administrator, or the Secretary, as the case may be, there is good reason for the extension. All rulings made pursuant to this paragraph shall be filed with the hearing clerk.

(c) *Effective date of filing.* Any document or paper required or authorized by the foregoing provisions to be filed shall be deemed to be filed when it is post-marked or when it is received by the hearing clerk.

(d) *Computation of time.* Sundays and Federal holidays shall be included in computing the time allowed for the filing of any document or paper: *Provided*, That, when such time expires on a Sunday or legal holiday, such period shall be extended to include the next following business day.

**§ 1207.17 Discussion of issues, etc., of proceeding prohibited.**

Except as may be provided otherwise in this subpart, no officer or employee of the Department shall, following the close of the hearing in a plan proceeding and prior to the issuance of a plan, discuss the issues, merits, or evidence involved in the proceeding with any person interested in the result of the proceeding or with any representative of such person: *Provided, however*, That the provisions of this section shall not preclude an officer or employee who has been duly assigned to, or who has supervision over, a proceeding from discussing with interested persons or their representatives matters of procedure in connection with such proceeding. Insofar as the provisions of this section are inconsistent with the provisions of Regulation 1544 of the publication entitled "Regulations of the U.S. Department of Agriculture," the provisions of this section shall prevail.

**§ 1207.18 Additional documents to be filed with hearing clerk.**

In addition to the documents or papers required or authorized by the foregoing provisions of this subpart to be filed with the hearing clerk, the hearing clerk shall receive for filing and shall have custody of all papers, reports, records, plans, and other documents which relate to the administration of any plan and which the Secretary is required to issue or to approve.

## RULES AND REGULATIONS

## § 1207.19 Hearing before Secretary.

The Secretary may act in the place and stead of a presiding officer in any proceeding herein. When he so acts, the hearing clerk shall transmit the record to the Secretary at the expiration of the period provided for the filing of proposed findings of fact, conclusions and plans, and the Secretary shall thereupon, after due consideration of the record, issue his final decision in the proceedings: *Provided*, That he may issue a tentative de-

cision in which event the parties shall be afforded an opportunity to file exceptions before the issuance of the final decision.

*Effective date.* This subpart shall become effective on the date of its publication in the FEDERAL REGISTER (2-19-71).

Dated: February 12, 1971.

RICHARD E. LYNG,  
Assistant Secretary.

[FR Doc.71-2288 Filed 2-18-71;8:47 am]



# Proposed Rule Making

## DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[ 25 CFR Part 221 ]

### OPERATION AND MAINTENANCE CHARGES

#### Wapato Indian Irrigation Project, Wapato-Satus Unit, Yakima Indian Reservation, Wash.

Pursuant to section 4(a) of the Administrative Procedure Act of June 11, 1946 (60 Stat. 238 U.S.C. 1001) and pursuant to the Acts of August 1, 1914, and March 7, 1928 (38 Stat. 583, 45 Stat. 210; 25 U.S.C. 385, 387) and by virtue of authority delegated by the Secretary of the Interior to the Commissioner of Indian Affairs in Secretary's Order 2508 (10 BIAM 2.1, section 15(a)), and by virtue of authority delegated by the Commissioner of Indian Affairs to Area Directors by 10 BIAM 3.1, notice is hereby given of the intention to modify § 221.86 Charges, of Title 25, Code of Federal Regulations, dealing with the operation and maintenance charges on assessable lands under the Wapato Indian Irrigation Project, Wapato-Satus Unit, Yakima Indian Reservation, Wash., beginning with calendar year 1971 and for subsequent years until further notice, as follows:

By establishing under paragraph (a) subparagraph (4) the annual operation and maintenance rate for Additional Works lands at \$10.25 per acre.

Interested parties are hereby given opportunity to participate in preparing the proposed amendment by submitting their views and data or arguments in writing to Dale M. Baldwin, Area Director, Bureau of Indian Affairs, Post Office Box 3785, Portland, OR 97208, within 30 days from the date of publication of this notice of intention in the daily issue of the FEDERAL REGISTER.

DALE M. BALDWIN,  
Area Director.

[FR Doc.71-2270 Filed 2-18-71;8:45 am]

## DEPARTMENT OF AGRICULTURE

Agricultural Stabilization and Conservation Service

[ 7 CFR Part 729 ]

### PEANUTS

#### Notice of Proposed Determination To Be Made With Respect to the Supply of Valencia Type Peanuts for 1971-72 Marketing Year

At the request of interested producers, the Secretary of Agriculture is initiating

a study necessary to determine whether the supply of Valencia type peanuts for the 1971-72 marketing year will be insufficient to meet the estimated demand for cleaning and shelling purposes. This is in accordance with section 358(c) of the Agricultural Adjustment Act of 1938, as amended (7 U.S.C. 1358(c)). This section, as amended, reads in part as follows:

Notwithstanding any other provision of law, if the Secretary of Agriculture determines, on the basis of the average yield per acre of peanuts by types during the preceding 5 years, adjusted for trends in yields and abnormal conditions of production affecting yields in such 5 years, that the supply of any type or types of peanuts for any marketing year, beginning with the 1951-52 marketing year, will be insufficient to meet the estimated demand for cleaning and shelling purposes at prices at which the Commodity Credit Corporation may sell for such purposes peanuts owned or controlled by it, the State allotments for those States producing such type or types of peanuts shall be increased to the extent determined by the Secretary to be required to meet such demand but the allotment for any State may not be increased under this provision above the 1947 harvested acreage of peanuts for such State. The total increase so determined shall be apportioned among such States for distribution among farms producing peanuts of such type or types on the basis of the average acreage of peanuts of such type or types in the 3 years immediately preceding the year for which the allotments are being determined. The additional acreage so required shall be in addition to the national acreage allotment, the production from such acreage shall be in addition to the national marketing quota, and the increase in acreage allotted under this provision shall not be considered in establishing future State, county, or farm acreage allotments.

Prior to determining whether the supply of Valencia type peanuts for the 1971-72 marketing year will be insufficient under section 358(c) of the Act to meet the estimated demand for cleaning and shelling, consideration will be given to any data, views and recommendations relating thereto which are submitted in writing to the Director, Oilseeds and Special Crops Division, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, Washington, D.C. 20250. To be considered, any such submissions must be postmarked not later than February 27, 1971.

All written submissions made pursuant to this notice will be made available for public inspection at such time and places and in a manner convenient to the public business (7 CFR 1.27 (b)).

Signed at Washington, D.C. on February 12, 1971.

KENNETH E. FRICK,  
Administrator, Agricultural Stabilization and Conservation Service.

[FR Doc.71-2330 Filed 2-18-71;8:50 am]

## Consumer and Marketing Service

[ 7 CFR Part 914 ]

### ORANGES GROWN IN THE INTERIOR DISTRICT IN FLORIDA

#### Proposed Approval of Expenses and Fixing of Rate of Assessment for the Initial (1970-71) Fiscal Period

Consideration is being given to the following proposals submitted by the Interior Orange Marketing Committee, established under the marketing agreement and Order No. 914 (7 CFR Part 914; 35 F.R. 17169), regulating the handling of oranges grown in the Interior District in Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), as the agency to administer the terms and provisions thereof:

(a) That the expenses that are reasonable and likely to be incurred by the Interior Orange Marketing Committee, during the initial fiscal period beginning November 29, 1970, and ending July 31, 1971, will amount to \$28,000.

(b) That the rate of assessment for such period, payable by each handler in accordance with § 914.31, be fixed at \$0.004 per standard packed box.

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

All persons who desire to submit written data, views, or arguments in connection with the aforesaid proposals shall file the same, in quadruplicate, with the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250, not later than the 10th day after the publication of this notice in the FEDERAL REGISTER. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

Dated: February 16, 1971.

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

[FR Doc.71-2328 Filed 2-18-71;8:50 am]

[ 7 CFR Part 932 ]

[Docket No. AO-352-A2]

### OLIVES GROWN IN THE STATE OF CALIFORNIA

#### Notice of Hearing With Respect to Proposed Further Amendment of the Marketing Agreement and Order

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended

(secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674), and in accordance with the applicable rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of a public hearing to be held in Courtroom No. 2, Federal Building, 1130 O Street, Fresno, CA, beginning at 9 a.m., local time, March 3, 1971, with respect to proposed further amendment of the marketing agreement, as amended, and Order No. 932, as amended (7 CFR Part 932), hereinafter referred to as the "marketing agreement" and "order," respectively, regulating the handling of olives grown in the State of California. The proposed amendments have not received the approval of the Secretary of Agriculture.

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

The following amendments to the marketing agreement and order have been proposed by the Olive Administrative Committee, the administrative agency established pursuant to the marketing agreement and order:

1. Delete § 932.10 and substitute in lieu thereof a new § 932.10 *Lot and subplot* to read as follows:

**§ 932.10 Lot and subplot.**

"Lot" means the total net weight of natural condition olives of any one variety delivered to a handler at any one time; and "subplot" means a quantity of olives resulting from the separation by the handler of a lot into two or more parts.

2. Add a new § 932.22 to read as follows:

**§ 932.22 Belt sort-outs.**

"Belt sort-outs" means any subplot of natural condition olives separated from a lot, by hand or otherwise, because of color, quantity, or size.

3. Add a new § 932.23 to read as follows:

**§ 932.23 Undersize olives and limited use size olives.**

"Undersize olives" means olives of a size which, pursuant to § 932.51(a)(2), shall be disposed of as other than canned ripe olives; and "limited use size olives" means processed olives of a size which, pursuant to § 932.52(a)(3), are recommended and approved as eligible for limited use.

4. Add a new § 932.23a to read as follows:

**§ 932.23a Limited use.**

"Limited use" means the use of processed olives in the production of packaged olives of the halved, sliced, chopped, or minced styles, as defined in the then current U.S. Standards for Grades of Canned Ripe Olives (§§ 52.3751-52.3766 of this title), including modifications of the requirements for such styles pursuant to this part, and such additional styles (and the requirements applicable

thereto) as may be recommended by the committee and approved by the Secretary.

5. Add a new § 932.24 to read as follows:

**§ 932.24 Noncanning use.**

"Noncanning use" means the use of olives other than in the production of canned ripe olives, and is the authorized outlet for undersize olives and the limited use size olives which, pursuant to § 932.52(b), are not permitted for limited use in any crop year in which limited use is restricted to less than the available quantity of limited use sizes.

6. Revise § 932.45 to read as follows:

**§ 932.45 Production research, marketing research, and development projects.**

(a) The committee may, with the approval of the Secretary, establish or provide for the establishment of production research, marketing research and development projects designed to assist, improve, or promote the marketing, distribution, and consumption or efficient production of California olives. Such projects may provide for any form of marketing promotion including paid advertising. The expenses of such projects shall be paid from funds collected pursuant to § 932.39 or from voluntary contributions. Voluntary contributions may be accepted by the committee only to pay the expenses of such projects: *Provided*, That the committee shall retain complete control over the use of such contributions which shall be free from any encumbrances.

(b) In recommending marketing research and development projects pursuant to this section, the committee shall give consideration to the following factors:

(1) The expected supply of olives in relation to market requirements;

(2) The supply situation among competing areas and commodities; and

(3) The need for marketing research with respect to any marketing development activity and the need for a coordinated effort with USDA's Plentiful Food Program.

(c) In recommending production research projects pursuant to this section, the committee shall give consideration to the extent and need for assistance to, and improvement of, California olive production.

(d) If the committee should conclude that a program of production research, marketing research, or development should be undertaken or continued pursuant to this section in any crop year, it shall submit the following for the approval of the Secretary:

(1) Its recommendations as to funds to be obtained pursuant to § 932.39 or voluntary contributions;

(2) Its recommendations as to any production research or marketing research projects; and

(3) Its recommendation as to promotion activity and paid advertising.

7. Revise § 932.51 (a)(2) and (b) to read as follows:

**§ 932.51 Incoming regulations.**

(a) \* \* \*

(2) Each handler shall, under the supervision of any such inspection service, dispose of as other than canned ripe olives an aggregate quantity of olives, comparable in size and characteristics and equal to the quantities shown on the certification for each lot to be:

(i) Variety Group 1 olives, except the Ascolano, Barouni, and St. Agostino varieties, of a size which individually weigh less than one-ninetieth pound;

(ii) Variety Group 1 olives of the Ascolano, Barouni, and St. Agostino varieties of a size which individually weigh less than one one-hundred-fortieth pound;

(iii) Variety Group 2 olives, except the Obliza variety, of a size which individually weigh less than one one-hundred-eightieth pound;

(iv) Variety Group 2 olives of the Obliza variety of a size which individually weigh less than one one-hundred-fortieth pound;

(v) Such other sizes for the foregoing variety groups as are not authorized for limited use pursuant to § 932.52; and

(vi) Olives classified as culls.

(b) Whenever a handler receives a lot of natural condition olives, or makes a separation resulting in a subplot (which may be belt sort-outs), solely for use in the production of green olives or canned ripe olives of the "tree-ripened" type, he may handle such lot or subplot without regard to the provisions of this section, and § 932.52 only if (1) he notifies the committee upon receiving such a lot or making such a separation, (2) the identity of all lots and sublots of such olives is maintained by keeping them separate and apart from other olives he receives; (3) the packaged olives produced from such olives after processing are canned ripe olives of the "tree-ripened" type or green olives; and (4) there are no outgoing regulations pursuant to § 932.52 then applicable to packaged olives that are canned ripe olives of the "tree-ripened" type or green olives.

8. Revise § 932.52 to read as follows:

**§ 932.52 Outgoing regulations.**

(a) *Minimum standards for packaged olives.* No handler shall use processed olives in the production of packaged olives or ship such packaged olives unless they have first been inspected as required pursuant to § 932.53 and meet each of the following applicable requirements:

(1) Canned ripe olives, other than those of the "tree-ripened" type shall grade at least U.S. Grade C, as such grade is defined in the then current U.S. Standards for Grades of Canned Ripe Olives (§§ 52.3751-52.3766 of this title) or as modified by the committee, with the approval of the Secretary, for purposes of this part.

(2) Canned whole ripe olives, other than those of the "tree-ripened" type, shall conform to the size designations of "single size" or of the blended sizes "Family," "King," or "Royal," as set forth in said U.S. Standards, and shall

be of a size not smaller than the following applicable size requirements and tolerances: *Provided*, That the Secretary, on the basis of a recommendation of the committee or other available information, may change such sizes or percentage tolerances, or both:

(i) With respect to variety Group 1 olives, except the Ascolano, Barouni, and Saint Agostino varieties, the individual fruits shall each weigh not less than one seventy-fifth pound, except that (a) for olives of the mammoth size designation, not more than 25 percent, by count, of such olives may weigh less than one seventy-fifth pound each including not more than 10 percent, by count, of such olives that weigh less than one eighty-second pound each; and (b) for olives of any size designation except the mammoth size, not more than 5 percent, by count, of such olives may weigh less than one seventy-fifth pound each;

(ii) With respect to variety Group 1 olives of the Ascolano, Barouni, and Saint Agostino varieties, the individual fruits shall each weigh not less than one eighty-eighth pound except that (a) for olives of the extra large size designation, not more than 25 percent, by count, of such olives that weigh less than one eighty-eighth pound each including not more than 10 percent, by count, of such olives that weigh less than one ninety-eighth pound each; and (b) for olives of any size designation, except the extra large size, not more than 5 percent, by count, of such olives may weigh less than one eighty-eighth pound each;

(iii) With respect to variety Group 2 olives, except the Obliza variety, the individual fruits shall each weigh not less than one one-hundred-fortieth pound except that (a) for olives of the small, select or standard size designation, not more than 35 percent, by count, of such olives may weigh less than one one-hundred-fortieth pound each including not more than 7 percent, by count, of such olives that weigh less than one one-hundred-sixtieth pound each; and (b) for olives of any size designations, except the small, select or standard size, not more than 5 percent, by count, of such olives may weigh less than one one-hundred-fortieth pound each; and

(iv) With respect to variety Group 2 olives of the Obliza variety, the individual fruits shall each weigh not less than one one-hundred-twenty-first pound except that (a) for olives of the medium size designation, not more than 35 percent, by count, of such olives may weigh less than one one-hundred-twenty-first pound each including not more than 7 percent, by count, of such olives that weigh less than one one-hundred-thirty-fifth pound each; and (b) for olives of any size designation, except the medium size, not more than 5 percent, by count, of such olives may weigh less than one one-hundred-twenty-first pound each.

(3) Subject to the provisions set forth in subparagraph (4) of this paragraph, processed olives to be used in the production of canned pitted ripe olives, other

than those of the "tree-ripened" type, shall meet the same size requirements as specified in subparagraph (2) of this paragraph: *Provided*, That olives smaller than those so specified, as recommended annually by the committee and approved by the Secretary, may be authorized for limited use but any such limited use size olives so used shall be not smaller than the following applicable minimum size: *Provided further*, That each such minimum size may also include a size tolerance (specified as a percent) as recommended by the committee and approved by the Secretary:

(i) Variety Group 1 olives, except the Ascolano, Barouni, and St. Agostino varieties, of a size which individually weigh one-ninetieth pound;

(ii) Variety Group 1 olives of the Ascolano, Barouni, or St. Agostino varieties, of a size which individually weigh one one-hundred-fortieth pound;

(iii) Variety Group 2 olives, except the Obliza variety, of a size which individually weigh one one-hundred-eightieth pound;

(iv) Variety Group 2 olives of the Obliza variety, of a size which individually weigh one one-hundred-fortieth pound.

(4) The Secretary may, upon recommendation of the committee, restrict the total quantity of limited use size olives for limited use during any crop year. Such restricted quantity shall be apportioned among the handlers by applying a percentage, established annually by the Secretary upon recommendation by the committee, to each handler's total receipts of limited use size olives during such crop year.

(5) Canned ripe olives of the "tree-ripened" type and green olives shall meet such grade, size, and pack requirements as may be established by the Secretary based upon the recommendations of the committee or other available information.

(6) The size designations (mammoth, extra large, medium, etc.) used in this section mean the size designations described in paragraph (a)(1)(ii) of § 932.51.

(7) For the purposes of this part the committee may, with the approval of the Secretary, modify the applicable grade requirements for the halved, sliced, chopped, and minced styles and specify such additional styles, including the requirements with respect thereto, for olives for limited use.

(b) *Disposition requirements for limited use size olives.* (1) Each handler shall, under the supervision of the Processed Products Standardization and Inspection Branch, USDA, dispose of limited use size olives into limited use, or into noncanning use: *Provided*, That whenever a handler's use of limited use size olives is restricted pursuant to § 932.52(a)(4), he shall dispose of into noncanning use the quantity of such limited use size olives in excess of the quantity permitted for limited use.

(2) Notwithstanding the provisions of subparagraph (1) of this paragraph, a handler may meet any deficit in his obligation to dispose of limited use size olives into noncanning use pursuant to this

paragraph by disposing of, under supervision of the inspection service, an equivalent quantity of olives of a size larger than the limited use size and of a quality better than culls.

(3) Each handler shall hold at all times a quantity of olives eligible to meet the disposition requirements of this paragraph less any quantity previously disposed of as specified in subparagraphs (1) and (2) of this paragraph.

9. Amend § 932.54 by adding a new sentence to read as follows:

§ 932.54 Interhandler transfers.

\* \* \* Transfers of olives from a handler within the area to a handler outside the area shall be subject to such requirements as may be established by the Secretary on the basis of recommendations by the committee or other available information.

(In connection with this proposal, consideration will be given to making such changes in the definition of the term "Handle" (§ 932.16) and elsewhere in the provisions of the marketing agreement and order as may be necessary to effectuate such proposals.)

The following proposal has been submitted by Mr. Ralph Fusano of Cristo Fusano & Sons, Inc., Sylmar, Calif.:

10. Revise § 932.25 to read as follows:

§ 932.25 Establishment and membership.

(a) An Olive Administrative Committee consisting of 16 members, with an alternate for each member who shall have the same qualifications as the member for whom he is an alternate, is hereby established to administer the terms and provisions of this part. Eight of the members and their alternates shall be producers, or officers or employees of producers, and eight of the members and their alternates shall be handlers or directors, officers or employees of handlers. The eight members of the Committee who are producers or officers or employees of producers are referred to in this subpart as "producer members" of the committee; and the eight members of the Committee who are handlers or directors, officers or employees of handlers are referred to in this subpart as "handler members" of the committee.

(b) District representation of producers shall be balanced between producer members representing independent producers and producer members representing cooperative producers. There shall be two producer members each from District 1 and 3, one of whom shall be an independent producer in each district and one of whom shall be a cooperative producer in each district. There shall be four producer members from District 2 two of whom shall be independent producers and two of whom shall be cooperative producers. Producers who are affiliated with a cooperative marketing organization are herein referred to as "cooperative producers" and producers not so affiliated are herein referred to as "independent producers." The committee may, with the approval of the Secretary, provide such other allocation of producer representation as may be necessary to

assure a balanced and equitable representation of independent and cooperative producers.

(c) The allocation of handler representation shall be as follows: Four members shall represent cooperative marketing organizations, herein referred to as "cooperative handlers," and four members shall represent handlers who are not cooperative marketing organizations, herein referred to as "independent handlers." The committee may, with the approval of the Secretary, provide such other allocation of handler representation as may be necessary to assure balanced and equitable representation of independent and cooperative handlers.

The Fruit and Vegetable Division, Consumer and Marketing Service has proposed that consideration be given to making such other changes in the marketing agreement and order as may be necessary to make the entire marketing agreement and order conform with any amendments thereto that may result from this hearing.

Copies of the notice of hearing may be obtained from the Director, Fruit and Vegetable Division, Consumer and Marketing Service, U.S. Department of Agriculture, Washington, D.C. 20250, or from Mr. Joe Perrin, Fresno Marketing Field Office, Fruit and Vegetable Division, Consumer and Marketing Service, U.S. Department of Agriculture, Room 3114 Federal Building, 1130 O Street, Fresno, CA 93721.

Dated: February 16, 1971.

JOHN C. BLUM,  
Deputy Administrator,  
Regulatory Programs.

[FR Doc.71-2329 Filed 2-18-71;8:50 am]

## DEPARTMENT OF TRANSPORTATION

Coast Guard

[ 33 CFR Part 117 ]

[CGFR 70-100a]

HOQUIAM RIVER, WASH.

### Proposed Drawbridge Operation Regulations

1. The Washington State Highway Commission requested that the special operation regulations for its bridge across the Hoquiam River at Simpson Avenue, Hoquiam be revised. This request was made for the purpose of reducing the need for drawtenders due to infrequent requests for draw openings. The present regulations require that the draw shall be opened promptly on signal from 5 a.m. to 9 p.m. At all other times 8 hours' advance notice is required. If adopted the proposed regulations would require 1 hours' advance notice at all times.

2. A public notice dated August 24, 1970, was issued by the Commander, Thirteenth Coast Guard District which set forth the proposed revisions. The Commandant also published a notice of

proposed rule making in the FEDERAL REGISTER of August 27, 1970 (35 F.R. 13668). This proposal would have required 2 hours' advance notice at all times for this bridge. A number of objections were received to that proposed change. The Washington State Highway Commission reviewed these objections and revised its request from 2 to 1 hours' advance notice and agreed to install mooring facilities and a telephone on the downriver side of the bridge which would be connected with the Department of Highways that would be readily accessible to vessel operators. The upriver side has adequate mooring facilities and is readily accessible to telephones. This notice of proposed rule making is being published to solicit comments on this revised request and supersedes the notice of proposed rule making published on August 27, 1970 (35 F.R. 13668).

3. Accordingly, it is proposed that Part 117 be amended by revising § 117.810 (f) (6) to read as follows:

§ 117.810 Navigable waters in the State of Washington, bridges where constant attendance of drawtenders is not required.

(f) \* \* \*  
(6) *Hoquiam River.* State Department of Highways bridge at Simpson Avenue, Hoquiam. The draw need not be opened unless at least one (1) hour advance notice has been given. The State Department of Highways shall accept collect telephone calls from vessels via the local marine telephone operator. The State Department of Highways shall also provide a telephone and mooring facilities at the downriver side of the bridge for use of vessels which are otherwise unable to communicate with the bridge operators.

4. Interested persons may participate in this proposed rule making by submitting written data, views, arguments, or comments as they may desire on or before March 22, 1971. All submissions should be made in writing to the Commander, Thirteenth Coast Guard District, 618 Second Avenue, Seattle, WA 98104.

5. It is requested that each submission state the subject to which it is directed, the specific wording recommended, the reason for any recommended change, and the name, address and firm or organization, if any, of the person making the submission.

6. Each communication received within the time specified will be fully considered and evaluated before final action is taken on the proposal in this document. This proposal may be changed in light of the comments received. Copies of all written communications received will be available for examination by interested persons at the Office of the Commander, Thirteenth Coast Guard District.

7. After the time set for the submissions of comments by the interested parties, the Commander, Thirteenth Coast Guard District will forward the record, including all written submissions

and his recommendations with respect to the proposals and the submissions, to the Chief, Office of Operations, U.S. Coast Guard, Washington, D.C. The Chief, Office of Operations will thereafter make a final determination with respect to these proposals.

(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))

Dated: February 10, 1971.

[FR Doc.71-2280 Filed 2-18-71;8:46 am]

## Federal Aviation Administration

[ 14 CFR Part 71 ]

[ Airspace Docket No. 70-EA-111 ]

### TRANSITION AREA

#### Proposed Alteration

#### Correction

In F.R. Doc. 71-1827 appearing at page 2789 in the issue for Wednesday, February 10, 1971, the sixth line of the description of the Massena, N.Y., transition area, now reading "104° radial extending from the 6.5-mile-", should read "104° radial extending from the 8.5-mile-".

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

## FEDERAL POWER COMMISSION

[ 18 CFR Parts 201, 260 ]

[ Docket No. R-411 ]

### ACCOUNTING AND RATE TREATMENT OF ADVANCE PAYMENTS TO SUPPLIERS FOR EXPLORATION AND LEASE ACQUISITION OF GAS PRODUCING PROPERTIES

#### Notice of Extension of Time

FEBRUARY 10, 1971.

On January 26, 1971, Associated Gas Distributors filed a motion requesting an extension of time to and including March 3, 1971, and March 21, 1971, within which to file comments, and responses to the comments, respectively, in the above-designated matter. On February 9, 1971, similar requests were filed by Tennessee Gas Pipeline Co. and United Gas Pipeline Co. The American Gas Association on February 9, 1971, filed a request for an extension of time to and including March 31, 1971, within which to file comments.

Upon consideration, notice is hereby given that the time is extended to and including March 3, 1971, within which any interested person may submit views and comments in writing to the notice of proposed rulemaking (36 F.R. 377) issued January 8, 1971, in the above-designated matter. The time is extended to and including March 31, 1971, within which responses to the comments may be filed.

KENNETH F. PLUMB,  
Acting Secretary.

[FR Doc.71-2265 Filed 2-18-71;8:45 am]

# Notices

## DEPARTMENT OF THE TREASURY

Bureau of Customs

### ICE CREAM SANDWICH WAFERS FROM CANADA

#### Antidumping Proceeding Notice

FEBRUARY 2, 1971.

On October 21, 1970, information was received in proper form pursuant to §§ 153.26 and 153.27, Customs Regulations (19 CFR 153.26, 153.27), indicating a possibility that ice cream sandwich wafers from Canada are being, or likely to be, sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160 et seq.).

There is evidence on record concerning injury to or likelihood of injury to or prevention of establishment of an industry in the United States.

Having conducted a summary investigation as required by § 153.29 of the Customs Regulations (19 CFR 153.29) and having determined as a result thereof that there are grounds for so doing, the Bureau of Customs is instituting an inquiry to verify the information submitted and to obtain the facts necessary to enable the Secretary of the Treasury to reach a determination as to the fact or likelihood of sales at less than fair value.

A summary of information received from all sources is as follows: The information received tends to indicate that the prices of the merchandise sold for exportation to the United States are less than the prices for home consumption.

This notice is published pursuant to § 153.30 of the Customs Regulations (19 CFR 153.30).

[SEAL] EDWIN F. RAINS,  
Acting Commissioner of Customs.

[FR Doc.71-2332 Filed 2-18-71;8:50 am]

## DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Serial No. Idaho-3460]

### IDAHO

#### Order Providing for Opening of Public Lands

1. In exchanges of lands made under the provisions of section 8 of the Act of June 26, 1934 (48 Stat. 1272, 43 U.S.C. 315g) as amended, the following described lands have been conveyed to the United States:

BOISE MERIDIAN, IDAHO

#### TRACT 1

T. 10 S., R. 27 E.,  
Sec. 27, N $\frac{1}{2}$ .

#### TRACT 2

T. 15 S., R. 28 E.,  
Sec. 29, SW $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ ;  
Sec. 30, lots 1, 2, 3, 4, SE $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ ,  
SW $\frac{1}{4}$ SE $\frac{1}{4}$ , E $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 31, lots 1, 2, NE $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ .

#### TRACT 3

T. 13 S., R. 31 E.,  
Sec. 18, lot 4, SE $\frac{1}{4}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
Sec. 19, lots 1, 2, NW $\frac{1}{4}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ ,  
SE $\frac{1}{4}$ ;  
Sec. 20, SW $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 29, E $\frac{1}{2}$ W $\frac{1}{2}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ .

#### TRACT 4

T. 15 S., R. 30 E.,  
Sec. 4, a tract of land in lot 20, described as beginning at the southeast corner of said sec. 4, thence west 14 rods; thence north 57 $\frac{1}{2}$  rods; thence east 14 rods; thence south 57 $\frac{1}{2}$  rods to the place of beginning.

The above tracts aggregate 2,168.13 acres in Cassia and Oneida Counties.

2. Tract 1 is located three-fourths of a mile north of Yale, Idaho. Access is by hard surfaced country road to within three-fourths of a mile which is by unimproved range road. Topography is flat to slightly rolling, bisected by a drainage way. Vegetation is some seeded ryegrass and crested wheatgrass with considerable annual weeds. Soils are shallow to moderately deep with lava outcroppings and some float rock.

3. Tract 2 lies 5 $\frac{1}{2}$  miles north of Strevell, Idaho, and 5 $\frac{1}{2}$  miles southeast of Bridge, Idaho. Access is by the Strevell-Gunnell Guard Station Road or the Kelsaw Canyon Road each connecting from U.S. Highway 30, 3 miles from the tract. Topography is relatively flat, except along drainageways sloping west into Clear Creek. The tract is crossed by three major drainageways which are steep-walled and from 50 to 150 feet deep. Each has some water runoff in early spring. Vegetation is big sagebrush with an understory of grasses and forbs. Soils are generally deep, well drained. There is no water for irrigation and a very short growing season.

4. Tract 3 lies 10 miles northeast of Juniper, Idaho, and 35 miles south of American Falls. Access is good during summer, but in winter about 6 $\frac{1}{2}$  miles of road is not open. Topography is rolling to steep with several drainageways covered with sagebrush, patches of juniper, chokecherry, snowberry, wildrose, and an understory of grasses and forbs. Soils are shallow to moderate well drained. Steepness of slopes, rocky and shallow soils limit cultivation severely.

5. Tract 4 lies 2 miles east of Juniper, Idaho. The main Juniper access road crosses the tract. Access is good except for snow closures during winter months. Topography is rolling. Vegetation is big sagebrush with grass understory. Soils are moderately deep.

6. The following lands are not opened to the mining and mineral leasing laws as the United States does not have jurisdiction of the minerals in these lands:

T. 10 S., R. 27 E.,  
Sec. 27, N $\frac{1}{2}$ .  
T. 15 S., R. 28 E.,  
Sec. 30, lots 1, 2, 3, 4, SE $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ ,  
S $\frac{1}{2}$ SE $\frac{1}{4}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 31, lots 1, 2, NE $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ .

T. 15 S., R. 30 E.,  
Sec. 4, a tract of land in lot 20, described as beginning at the southeast corner of said sec. 4, thence west 14 rods; thence north 57 $\frac{1}{2}$  rods; thence east 14 rods; thence south 57 $\frac{1}{2}$  rods to the place of beginning.

T. 13 S., R. 31 E.,  
Sec. 18, lot 4, SE $\frac{1}{4}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
Sec. 19, lots 1, 2, NW $\frac{1}{4}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ .

7. The mineral rights in the following described lands were previously reserved to the United States. The lands have been open to mining location and mineral leasing. Their mineral status is not affected by this order.

T. 13 S., R. 31 E.,  
Sec. 19, SE $\frac{1}{4}$ ;  
Sec. 20, SW $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 29, E $\frac{1}{2}$ W $\frac{1}{2}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ .

8. All minerals were conveyed in the following described lands:

T. 15 S., R. 28 E.,  
Sec. 29, SW $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ .

9. Subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law, the lands will at 10 a.m. on March 19, 1971, be open to application, petition and selection under the public land laws; with the exception that all of the lands in Tracts 1 and 2, paragraph 1, are subject to the multiple use classification I-2836 of October 28, 1970, and are not open to application under the agriculture land laws (43 U.S.C. Parts 7 and 9; 25 U.S.C. sec. 334), or to public sale under section 2455 of the Revised Statutes (43 U.S.C. 1171). All valid applications received at or prior to 10 a.m. on March 19, 1971, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

10. The lands described in paragraph 8 above shall be opened to mining location under the U.S. mining laws and mineral leasing at 10 a.m. on March 19, 1971. Any offers received at or prior to this time and date will be considered as simultaneously filed.

11. Inquiries concerning the lands should be addressed to the Manager, Land Office, Room 334, Federal Building, 550 West Fort Street, Boise, ID 83702.

ORVAL G. HADLEY,  
Manager, Land Office.

[FR Doc.71-2273 Filed 2-18-71;8:46 am]

[Serial No. Idaho-3463]

**IDAHO****Order Providing for Opening of Public Lands**

1. In an exchange of lands made under the provisions of section 8 of the Act of June 28, 1934 (48 Stat. 1269), as amended (43 U.S.C. 315g), the following described lands have been reconveyed to the United States:

BOISE MERIDIAN, IDAHO

T. 13 N., R. 23 E.,  
Sec. 14, SE $\frac{1}{4}$ .

The area described contains 160 acres.  
2. The lands are located in Custer County, near Big Creek in the upper Pahsimeroi River Valley, approximately 28 miles by county roads and truck trails from Ellis, Idaho.

3. Mineral rights in the lands were not reconveyed. This order does not affect the mineral status of the lands.

4. Subject to valid, existing rights, the provisions of existing withdrawals, and the requirements of applicable law, the lands will at 10 a.m. on March 19, 1971, be open to application, petition, and selection under the public land laws, with the exception that all the lands are subject to the multiple use classification for Custer County, I-2834, and they are not open to application under the agricultural land laws (43 U.S.C. Parts 7 and 9; 25 U.S.C. sec. 334), or to public sale under section 2455 of the Revised Statutes (43 U.S.C. 1171). All valid applications received at or prior to 10 a.m. on March 19, 1971, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

5. Inquiries concerning the lands should be addressed to the Manager, Land Office, Room 334 Federal Building, 550 West Fort Street, Boise, ID 83702.

ORVAL G. HADLEY,  
Manager, Land Office.

[FR Doc.71-2274 Filed 2-18-71;8:46 am]

[BLM 079348]

**MICHIGAN****Notice of Proposed Withdrawal and Reservation of Land**

The Forest Service, Department of Agriculture, has filed application BLM 079348 for the withdrawal of the land described below. The land was conveyed to the United States pursuant to Section 8 of the Taylor Grazing Act. It lies within the exterior boundary of the Manistee National Forest, Mich. It has not been open to entry under the public land laws. The applicant desires the land for the addition to, and consolidation with other national forest lands to permit more efficient administration thereof.

MICHIGAN MERIDIAN, MICHIGAN

T. 13 N., R. 16 W., Oceana County,  
Sec. 19, E $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ , W $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ , W $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ .

T. 17 N., R. 12 W., Lake County,  
Sec. 4, Newell's Terrace Subdivision, blocks 1 to 12, inclusive, except lot 1 in block 4 (SE $\frac{1}{4}$ NW $\frac{1}{4}$ );  
Sec. 8, SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
Sec. 16, N $\frac{1}{2}$ S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
Sec. 17, W $\frac{1}{2}$ E $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$ N $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 28, W $\frac{1}{2}$ W $\frac{1}{2}$ W $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ .  
T. 18 N., R. 14 W.,  
Sec. 13, E $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ .  
T. 19 N., R. 13 W.,  
Sec. 16, NE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
Sec. 17, SE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 22, NW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
Sec. 30, W $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ .  
T. 15 N., R. 13 W., Newaygo County,  
Sec. 4, Woodland Park Acres Subdivision, lots 41, 42, 43, and 46 (E $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ , W $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ ).

The area described aggregate 209.94 acres.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Eastern States Land Office, Bureau of Land Management, Department of the Interior, 7981 Eastern Avenue, Silver Spring, MD 20910.

The authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the lands and their resources. The officer will also undertake negotiations with the applicant agency with the view of adjusting the application to reduce the area to the minimum essential to meet the applicant's needs, to provide for the maximum concurrent utilization of the lands for purposes other than the applicant's, to eliminate lands needed for purposes more essential than the applicant's and to reach agreement on the concurrent management of the lands and their resources.

The authorized officer will also prepare a report for consideration by the Secretary of the Interior who will determine whether or not the lands will be withdrawn as requested by the applicant agency. The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

If circumstances warrant, a public hearing will be held at a convenient time and place, which will be announced.

DORIS A. KOIVULA,  
Manager.

FEBRUARY 12, 1971.

[FR Doc.71-2272 Filed 2-18-71;8:46 am]

**Office of the Secretary****OTIS B. HOCKER****Statement of Changes in Financial Interests**

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and

Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests during the past 6 months:

- (1) None.
- (2) Purchased and sold 9 percent subordinated debentures with associated warrants of United Banks of Colorado.
- (3) None.
- (4) None.

This statement is made as of January 20, 1971.

Dated: January 25, 1971.

OTIS B. HOCKER.

[FR Doc.71-2281 Filed 2-18-71;8:46 am]

**DEPARTMENT OF COMMERCE****National Oceanic and Atmospheric Administration**

[Docket No. A-565]

**MILTON N. STEVENS****Notice of Loan Application**

FEBRUARY 11, 1971.

Milton N. Stevens, 4071 Warwick Place, Anchorage, AK 99504, has applied for a loan from the Fisheries Loan Fund to aid in financing the purchase of a new 37.5-foot length overall fiber glass vessel to engage in the fishery for herring, halibut, crab, 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.71-2278 Filed 2-18-71;8:46 am]

**DEPARTMENT OF AGRICULTURE**  
**Consumer and Marketing Service**  
**HUMANELY SLAUGHTERED LIVESTOCK**

**Identification of Carcasses; List of Establishments**

Pursuant to section 4 of the Act of August 27, 1958 (7 U.S.C. 1904), and the statement of policy thereunder in 9 CFR 381.1, the following table lists the establishments operated under Federal inspection pursuant to the Federal Meat Inspection Act (21 U.S.C. 601 et seq.) which were officially reported on January 2, 1971, as humanely slaughtering and handling on that date the species of livestock respectively designated for such establishments in the table. Additions to and deletions from this list will be made from time to time as the facts may warrant by notices published in the FEDERAL REGISTER. The establishment number given with the name of the establishment is branded on each carcass of livestock inspected at that establishment. The table should not be understood to indicate that all species of livestock slaughtered at a listed establishment are slaughtered and handled by humane methods unless all species are listed for that establishment in the table. Nor should the table be understood to indicate that the affiliates of any listed establishment use only humane methods.

ESTABLISHMENTS SLAUGHTERING HUMANELY

Name of establishment	Establishment No.	Cattle	Calves	Sheep	Goats	Swine	Horses	Mules
Armour & Co.	2C							
Do.	2H	(C)						
Do.	2W							
Do.	2AT							
Do.	2HT	(C)						
Do.	2SA							
Do.	2SD	(C)						
Do.	2SI							
Do.	2WN							
Do.	3P							
Swift & Co.	3G	(C)						
Do.	3H							
Do.	3L							
Do.	3N							
Do.	3R							
Do.	3S							
Do.	3W							
Do.	3Y							
Do.	3Z							
Do.	3AE							
Do.	3CC							
Do.	3DE							
D. E. Nebergal Meat Co.	3GI							
Swift & Co.	3GW							
Do.	3TA							
Do.	8							
Lykes Brothers, Inc., of Georgia	8B							
Lykes Brothers, Inc.	8C							
Pauly Packing Co., Inc.	10							
The Evans Packing Co.	11							
Hygrade Food Products Corp.	12A							
Do.	12P							
Do.	12T							
Do.	12FW							
Mickelberry's Food Products Co.	16							
John Morrell & Co.	17							
Do.	17A							
Do.	17D							
Do.	17E							
Do.	17U							
C. Finkbeiner, Inc.	18							
Wilson Certified Foods, Inc.	20A							
Wilson-Sinclair Co.	20H							
Wilson Certified Foods, Inc.	20I							
Wilson-Sinclair Co.	20L							
Wilson Certified Foods, Inc.	20N							
Do.	20Q							
Wilson Beef & Lamb Co.	20U							

ESTABLISHMENTS SLAUGHTERING HUMANELY—Continued

Name of establishment	Establishment No.	Cattle	Calves	Sheep	Goats	Swine	Horses	Mules
Wilson-Sinclair Co.	20Y							
Wilson Beef & Lamb Co.	20AI							
Do.	20HF							
Swift & Co.	23							
Brander Meat Co.	25							
Patrick Cudahy, Inc.	28							
Kreinberg & Krasny, Inc.	30							
Superior's Brand Meats, Inc.	31							
Roeglein Provision Co.	32							
Do.	32A							
Valleydale Packers, Inc.	34							
Kenton Packing Co.	36							
Pocomoke Provision Co.	39							
Sunnyland Packing Co.	43							
StarK Wetzel & Co., Inc.	44							
Do.	44A							
Linden Packing Co., Inc.	45							
Lidano Meat Packers	46							
Midwestern Beef, Inc.	53							
Isel and Isel	54							
Sunnyland Packing Co. of Alabama	59							
Do.	60A							
Glover Packing Co. of Amarillo	60							
Glover Packing Co.	60A							
Gordon Packing Co., Inc.	61							
Sandover Beef Packers of Nebraska	62							
Sanduski Dressed Beef Co.	63							
Saltirk Realty Co.	65							
The Quaker Oats Co.	667							
Meat Quality Laboratory	68							
Auburn University Meats Laboratory	71							
Brown, Thompson & Sons	73							
Armour & Co.	75							
The Eckert Packing Co.	79A							
Do.	79B							
The Cardaly Co.	81							
Biviana Foods, Inc.—Hill's Division	E83							
Edgar Packing Co.	84							
Kansas Beef Industries, Inc.	86							
Utica Veal Co., Inc.	88							
The E. Kahn's Sons Co.	89							
Laredo Packing Co.	91							
Sugardale Foods, Inc.	92							
Shonyo Packing, Inc.	93							
The Val Decker Packing Co.	95							
Central Packing Co., Inc.	96							
A. Koch's Sons	98							
Armour & Co.	100							
Liberty Packing Co.	101							
H. Graver Co.	103							
J. Lynn Cornwell, Inc.	107							
Contrais Packing Co., Inc.	110							
Wilson-Sinclair Co.	111							
Morris Beef Co.	112							
The Morris Packing Co.	113							
Farnland Industries, Inc.	114							
The Merchants Co.	116							
West Coast Meat Co., Inc.	117							
Marhofer Packing Co., Inc.	121							
City Dressed Beef	125							
John Morrell & Co.	126							
Cash Brothers Packing Co., Inc.	127							
John Roth & Son, Inc.	130							
Tobin Packing Co., Inc.	133							
Ferrara Meat Co., Inc.	134							
Nebraska Beef Packers, Inc.	135							
Kluener Packing Co.	142							
R. B. Rice Sausage Co., Inc.	144							
Silver Falls Packing Co., Inc.	153							
Dallas City Packing, Inc.	156							
Cornland Dressed Beef, Inc.	157							
Beefland International, Inc.	158							
Missouri Farmers Association Packing Division	159							
Carr Packing Co., Inc.	160							
Kansas Beef Industries, Inc.	164							

ESTABLISHMENTS SLAUGHTERING HUMANELY—Continued

Name of establishment	Establishment No.	Cattle	Calves	Sheep	Goats	Swine	Horses	Mules
Waldock Packing Co.	289							
Great Falls Meat Co.	301							
Commercial Packing Co., Inc.	302							
Union Packing Co.	303							
Do.	303A							
Star Packing Co.	308							
Kantman Meat Packers, Inc.	310							
Melton Provision Co.	311							
Rudy's Farm Co.	315							
Dutcher's of Manchester, Inc.	316A							
Essex Packing Co., Inc.	319							
Stadler Packing Co., Inc.	320							
Frederick Packing Co., Inc.	325							
Frederick Packing Co., Inc.	327							
C&M Meat Packing Corp.	329							
Royal Packing Co.	331A							
Shapiro Packing Co., Inc.	332							
Great Western Packing Co., Inc.	334							
Noble's Meat Co.	335							
Chino Valley Meat Packing Co., Inc.	336							
Green & Oliver Sausage Co.	338							
Midland Empire Sausage Co., Inc.	339							
Des Moines Packing Co.	340							
Peters Packing Co., Inc.	341							
Packet Packing Co.	343							
Gold-Pac Meat Co., Inc.	344							
Anza Packing Co.	345							
Union Packing Co.	351							
Fresno Meat Packing Co.	354							
Hermanto Packing Co., Inc.	355							
St. Paul Dressed Beef, Inc.	357							
Clougherty Packing Co.	360							
Meyer's Packing Co.	363							
James Allan & Sons.	365							
Wilson Certified Foods, Inc.	374							
Cross Brothers Meat Packers, Inc.	376							
Beverly Packing Co.	377							
Salinas Meat Co.	378							
Emge Packing Co., Inc.	380							
Smithfield Packing Co., Inc.	382							
Acme Markets, Inc.	384							
City Custom Packing Co., Inc.	387							
Dugdale Packing Co.	389							
Oldham's Farm Sausage Co., Inc.	395							
Robert L. Runtz, Inc.	396							
Boneless Meat Co., Inc.	397							
Dubuque Packing Co.	397							
Logan Packing Co.	398							
Watsonville Dressed Beef, Inc.	398							
Los Ebanos Abattoir Co.	400							
Oakridge Smokehouse	403							
Wynns County Sausage, Inc.	405							
Williams Packing Co.	406							
Equif Packing Co., Inc.	410							
Alpine Packing Co., Inc.	412							
The Lundy Packing Co.	413							
Do.	413A							
Fresno Morn Meats	414							
Minden Beef Co.	417							
S. Bonaccorso & Sons, Inc.	418							
Murray Packing Co., Inc.	421							
E. W. Knap, Inc. of Iowa	422							
The Collins Packing Co.	423							
Kenosha Packing Co., Inc.	425							
Fineberg Packing Co.	428							
Schneider Packing Co.	430							
Omaha Dressed Beef Co., Inc.	441							
Del Curto Meat Co.	445							
A. Diollo & Sons, Inc.	448							
Mankato Packing Co.	455							
Dewitt Packing Corp.	456							
Morris Rifkin & Sons, Inc.	460							
Pioneer Boneless Beef, Inc.	461							
Lancaster Packing Co.	462							
Becwar Packing Co.	462							
Corntucker Packing Co.	468							

ESTABLISHMENTS SLAUGHTERING HUMANELY—Continued

Name of establishment	Establishment No.	Cattle	Calves	Sheep	Goats	Swine	Horses	Mules
New York State College of Agriculture	155							
E. W. Kneip, Inc.	169							
De Kalb Packing Co.	170A							
Bub Davis Packing Co.	171							
Lee's Sausage Co., Inc.	173							
Miller Abattoir Co.	179							
American Meat Packing Corp.	180							
Montrose Beef Co.	181							
The Rath Packing Co.	186							
186F								
Kent Provision Co., Inc.	187							
Carl's Sausage Co.	188							
Cudahy Co.	191							
Krey Packing Co.	192							
Hynes Packing Co.	197							
United Fryer and Stillman, Inc.	198							
George A. Hormel & Co.	199A							
Do.	199B							
Do.	199H							
Do.	199I							
Do.	199N							
Caviness Packing Co., Inc.	200							
Cudahy Co.	202							
Platte Valley Packing Co.	203							
Emge Packing Co., Inc.	205							
Emge Meat Packing Co.	208A							
Riverside Abattoir, Inc.	210							
Pepco Packing Co.	212							
E. W. Kneip, Inc.	213							
Marshall Meat Products, Inc.	215							
Lincoln Meat Co., Inc.	217							
York Packing Co., Inc.	220							
ITT Gwaltney, Inc.	221A							
Armour & Co.	223							
De Jong Packing Co.	224							
Hygrade Food Products Corp.	224B							
Do.	224B							
Loeb & Gottfried, Inc.	232							
John Morrell & Co.	234							
Walt Schilling & Co., Inc.	235							
Animal Husbandry Department Texas Technological College.	236							
Raskin Packing Co.	237							
P. D. & J. Meats	240							
Greenwood Packing Plant.	242							
I. Klayman & Co.	243							
Iowa Beef Processors, Inc.	244							
Do.	245							
Do.	246A							
Do.	246B							
Do.	246C							
Do.	246D							
Do.	246E							
John Morrell & Co.	246							
Harget Realty Corp.	246							
Federal Packing Co., Inc.	246							
Fresno Morn Meats, Inc.	250							
Metro Meat Packing, Inc.	253							
Magic Valley Packing Co.	262							
Hypolains Dressed Beef, Inc.	263							
The Jones Kitchens, Inc.	266							
Pearin Meat Co., Inc.	267							
Golden Valley Packing Co.	271							
Tog Packing Co., Inc.	273							
Acme Markets, Inc.	279							
Momence Pork Packers Co.	282							
Parmett Packing Corp.	283							
Solano Meat Co.	285							
Western Packing Co.	288							
Arbogast and Bastian Co.	289							
The H. H. Meyer Packing Co.	290							
San Jose Meat Co.	291							
Armour & Co.	292							
Iowa Beef Processors, Inc.	292A							
Gus Huelsing & Son, Inc.	298							



Table listing establishments slaughtering humanely, including names, establishment numbers, and symbols for various livestock types (Cattle, Calves, Sheep, Goats, Swine, Horses, Mules).

Table listing establishments slaughtering humanely, including names, establishment numbers, and symbols for various livestock types (Cattle, Calves, Sheep, Goats, Swine, Horses, Mules).

NOTICES



NOTICES

Name of establishment	Establishment No.	Cattle	Calves	Sheep	Goats	Swine	Horses	Mules
Jack Polen Beef Co., Inc.	5548	⊙						
Bonne Terre Sausage Co.	5554	⊙	⊙					
O. K. Meat Packing Co., Inc.	6001	⊙	⊙					
William C. Farko & Sons Co.	6003	⊙	⊙					
Dixie Meat Co., Inc.	6011	⊙	⊙					
University of California	6012	⊙	⊙					
Johnson Meat Co.	6016	⊙	⊙					
Mount Vernon Meat Co., Inc.	6039	⊙	⊙					
Pasco Meat Packers, Inc.	6040	⊙	⊙					
Weber, Inc.	6041	⊙	⊙					
McRae Pack, Inc.	6042	⊙	⊙					
Florence Packing Co., Inc.	6043	⊙	⊙					
Davis Meat Co.	6044	⊙	⊙					
Avila Meat Co.	6046	⊙	⊙					
Schenck Packing Co.	6056	⊙	⊙					
Arizona Meat Packers	6062	⊙	⊙					
Tulare Meat Co.	6063	⊙	⊙					
Redwood Meat Co.	6066	⊙	⊙					
Klubnikin Packing Co.	6071	⊙	⊙					
Grandview Packing Co.	6083	⊙	⊙					
Arnpole Meat Co.	6084	⊙	⊙					
Kratzlag Meat Co.	6110	⊙	⊙					
Atwater Meat Co.	6113	⊙	⊙					
Mid-Cave Meat Packing Co.	6118	⊙	⊙					
Cedar Packing Co.	6151	⊙	⊙					
Cuyamaca Meat Co.	6151	⊙	⊙					
Circle Bar Meat Farm.	6151	⊙	⊙					
Green Hill, Inc.	6213	⊙	⊙					
George H. Meyer Sons, Inc.	6221	⊙	⊙					
Guard Hill Meats, Inc.	6526	⊙	⊙					
Gunnoe Sausage Co., Inc.	6541	⊙	⊙					
Odom Sausage Co., Inc.	6544	⊙	⊙					
C. Rice Packing Co., Inc.	6545	⊙	⊙					
Suffolk Packing Co.	6546	⊙	⊙					
Martin's A-battoir & Wholesale Meats	6547	⊙	⊙					
Penn Haven Meats, Inc.	6547	⊙	⊙					
Edwards Sausage Co., Inc.	6579	⊙	⊙					
Leiford's Livestock Farm Slaughter Plant.	6591A	⊙	⊙					
City Packing Co.	6594	⊙	⊙					
White Packing Co.	6595	⊙	⊙					
Primate Packing Co.	6758	⊙	⊙					
Star Meat Co.	6760	⊙	⊙					
Calthan & Company	6775	⊙	⊙					
Helm Slaughterhouse	6777	⊙	⊙					
Bob Evans Farms, Inc.	6785	⊙	⊙					
Bergman Meat Packing Co., Inc.	6788	⊙	⊙					
Bob Evans Farms, Inc.	6807	⊙	⊙					
Utica Packing Co.	6832	⊙	⊙					
Schwartzman Packing Co.	7003	⊙	⊙					
Deming Packing Co., Inc.	7005	⊙	⊙					
Jimmy Dean Meat Co.	7012	⊙	⊙					
Hatch Packing Co.	7021	⊙	⊙					
Joe's Packing Co.	7022	⊙	⊙					
Western Meat Packers, Inc.	7028	⊙	⊙					
Webb Packing Co.	7029	⊙	⊙					
Crow's Meat Co.	7048	⊙	⊙					
Chef Reddy Meats Co.	7049	⊙	⊙					
Brown's Meat Locker	7055	⊙	⊙					
Interstate Packing Co.	7056	⊙	⊙					
Brown Packing Co., Inc.	7054	⊙	⊙					
Community A-battoir, Inc.	7075	⊙	⊙					
Cessman A-battoir	7082	⊙	⊙					
Heard's Sausage Co.	7088	⊙	⊙					
E-Tex Packing Co.	7122	⊙	⊙					

Name of establishment	Establishment No.	Cattle	Calves	Sheep	Goats	Swine	Horses	Mules
Hancock County Foods, Inc.	7137	⊙	⊙					
Duffy Boneless Beef Co.	7306	⊙	⊙					
Meigs Packing Co., Inc.	7308	⊙	⊙					
Onizgar Sausage Co., Inc.	7401	⊙	⊙					
Henry W. Staple Co.	7402	⊙	⊙					
Carolina A-battoir, Inc.	7404	⊙	⊙					
Harrisonburg Wholesale Meat Co.	7420	⊙	⊙					
Oribis Sausage Co.	7424	⊙	⊙					
Contras Packing Co.	7438	⊙	⊙					
Blue Ridge Beef Plant, Inc.	7445	⊙	⊙					
William Sausage Co.	7455	⊙	⊙					
F. B. Purnell Sausage Co., Inc.	7464	⊙	⊙					
Diamond Meat Co., Inc.	7465	⊙	⊙					
Field Packing Co., Inc.	7467	⊙	⊙					
Brundige Sausage Co.	7475	⊙	⊙					
Danville Meat Products	7486	⊙	⊙					
T. M. Landis, Inc.	7517	⊙	⊙					
Gartner-Harf Co.	7576	⊙	⊙					
Dealaman Enterprises, Inc.	7582	⊙	⊙					
Mervin Packing Co.	7600	⊙	⊙					
Abercrombie Meat Processing Co.	7601	⊙	⊙					
Milner & Swanick	7602	⊙	⊙					
Missouri Valley Meat Co.	7604	⊙	⊙					
Schmalz Meats	7606	⊙	⊙					
Goldades Butcher Shop	7606	⊙	⊙					
Cedar Ridge Meat Service	7607	⊙	⊙					
Barnes County Lockers	7608	⊙	⊙					
Hope Locker Plant	7609	⊙	⊙					
Casselton Cold Storage	7612	⊙	⊙					
Great Bend Lockers	7612	⊙	⊙					
Fairmont Lockers	7615	⊙	⊙					
Skyberg's	7616	⊙	⊙					
Monteth Meat Service	7617	⊙	⊙					
Park River Locker Plant	7618	⊙	⊙					
Niagara Lockers	7619	⊙	⊙					
Langdon Lockers	7622	⊙	⊙					
Aledt's Locker Plant	7623	⊙	⊙					
Rocklake Locker Plant	7624	⊙	⊙					
Aneta Meats	7625	⊙	⊙					
City Meat Market	7629	⊙	⊙					
Gackle Packing Co.	7631	⊙	⊙					
Davidson's Processing Plant	7633	⊙	⊙					
Lundi Processing	7634	⊙	⊙					
Dakota Meats, Inc.	7636	⊙	⊙					
Bud's Food Market	7637	⊙	⊙					
Borth's Department Store	7639	⊙	⊙					
Myers Meat Processing	7641	⊙	⊙					
Hillside Meat Co.	7642	⊙	⊙					
Bean's Slaughter Plant	7643	⊙	⊙					
City Meat & Locker	7644	⊙	⊙					
Die-Kota Meat Products, Inc.	7645	⊙	⊙					
Welsch Jack & Jill	7646	⊙	⊙					
Bosch Meat Co.	7647	⊙	⊙					
Fred Born	7648	⊙	⊙					
Schafers Butcher Shop	7649	⊙	⊙					
Knutte's Meat Processing & Sales	7655	⊙	⊙					
Kenneth E. Baker	7845	⊙	⊙					

Done at Washington, D.C., on February 3, 1971.

KENNETH W. McENROC,  
Deputy Administrator,  
Meat and Poultry Program.

[FE Doc. 71-1692 Filed 2-18-71; 8:50 am]

Office of the Secretary  
JUDICIAL OFFICER  
Delegation of Authority

Pursuant to the provisions of the Act of April 4, 1940 (7 U.S.C. 450c-450g), and Reorganization Plan No. 2 of 1953, the Judicial Officer is authorized to perform any regulatory function as defined in the said Act, which the Secretary of Agriculture is or hereafter may be authorized or required by law to perform in acting as final deciding officer in adjudication proceedings subject to 5 U.S.C. 556 and 557, in rate proceedings under the Packers and Stockyards Act, and in reparation proceedings under statutes administered by the Department.

As used herein the term "Judicial Officer" shall mean any person or persons so designated by the Secretary of Agriculture.

This delegation shall not affect the authority of the Secretary, the Under Secretary, or any Assistant Secretary to perform any such function nor shall it limit the authority of the Judicial Officer to perform any other function which may be assigned by the Secretary to him.

The orders issued November 9, 1945 (10 F.R. 13769), and May 19, 1967 (32 F.R. 7468), delegating authorities to the Judicial Officer are hereby revoked.

Done at Washington, D.C., this 12th day of February 1971.

CLIFFORD M. HARDIN,  
Secretary of Agriculture.

[FR Doc.71-2324 Filed 2-18-71; 8:49 am]

MISSOURI

Designation of Areas for Emergency Loans

For the purpose of making emergency loans pursuant to section 321 of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1961) and section 232 of the Disaster Relief Act of 1970 (Public Law 91-606), it has been determined that in the following counties in the State of Missouri natural disasters have caused a general need for agricultural credit:

MISSOURI

Putnam. Randolph.

Emergency loans will not be made in the above-named counties under this designation after June 30, 1971, except subsequent loans to qualified borrowers who receive initial loans under this designation on or before that date.

Done at Washington, D.C., this 12th day of February 1971.

CLIFFORD M. HARDIN,  
Secretary of Agriculture.

[FR Doc.71-2325 Filed 2-18-71; 8:49 am]

NEW YORK

Designation of Areas for Emergency Loans

For the purpose of making emergency loans pursuant to section 321 of the Con-

solidated Farmers Home Administration Act of 1961 (7 U.S.C. 1961) and section 232 of the Disaster Relief Act of 1970 (Public Law 91-606), it has been determined that in the following counties in the State of New York natural disasters have caused a general need for agricultural credit:

NEW YORK

Cattaraugus. Franklin.

Emergency loans will not be made in the above-named counties under this designation after June 30, 1971, except subsequent loans to qualified borrowers who receive initial loans under this designation on or before that date.

Done at Washington, D.C., this 12th day of February 1971.

CLIFFORD M. HARDIN,  
Secretary of Agriculture.

[FR Doc.71-2326 Filed 2-18-71; 8:49 am]

NORTH DAKOTA

Designation of Area for Emergency Loans

For the purpose of making emergency loans pursuant to section 321 of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1961) and section 232 of the Disaster Relief Act of 1970 (Public Law 91-606), it has been determined that in the following county in the State of North Dakota natural disasters have caused a general need for agricultural credit:

NORTH DAKOTA

Stutsman.

Emergency loans will not be made in the above-named county under this designation after June 30, 1971, except subsequent loans to qualified borrowers who receive initial loans under this designation on or before that date.

Done at Washington, D.C., this 12th day of February 1971.

CLIFFORD M. HARDIN,  
Secretary of Agriculture.

[FR Doc.71-2327 Filed 2-18-71; 8:49 am]

DEPARTMENT OF HEALTH,  
EDUCATION, AND WELFARE

Food and Drug Administration

[Docket No. FDC-D-127; NDA Nos. 1, 4-336, 4-336V]

CHATHAM PHARMACEUTICALS, INC.

Combination Drugs Containing Oxalic Acid and Malonic Acid; Notice of Withdrawal of Approval of New-Drug Applications

Chatham Pharmaceuticals, Inc., Post Office Box 39, Deal, NJ 07723 (formerly 901 Broad Street, Newark, NJ 07102), holder of new-drug applications for Koagamin Veterinary Parenteral Hemostat (NADA 4-336V) and Koagamin

Parenteral Hemostat for human use (NDA 1 and NDA 4-336) was notified, by announcements in the FEDERAL REGISTER of February 1, 1969 (34 F.R. 1611), and of March 29, 1969 (34 F.R. 5960), that there is a lack of substantial evidence that these drugs are effective for their recommended use as a hemostatic agent.

The applicant, by letter of June 5, 1969, elected to avail itself of the opportunity for hearing on Koagamin Veterinary Parenteral Hemostat, notice of which was published in the FEDERAL REGISTER of May 10, 1969 (34 F.R. 7584). In the FEDERAL REGISTER of September 12, 1969 (34 F.R. 14339), said notice of opportunity for hearing was amended to include the new-drug applications for Koagamin Parenteral Hemostat for human use. By letter of October 1, 1969, Chatham Pharmaceuticals, Inc., elected to avail themselves of the opportunity for a joint hearing on these two drugs.

By letter of November 13, 1969, the Food and Drug Administration provided Chatham Pharmaceuticals, Inc., with a reprint of § 130.14(b) of the new-drug regulations (21 CFR 130.14(b)) published in the FEDERAL REGISTER on September 19, 1969 (34 F.R. 14596). The applicant was advised to include in his request for a hearing the reason the application should not be withdrawn together with a well-organized and full-factual analysis of the clinical and other investigational data supporting opposition to the grounds for the notice of opportunity for hearing and was informed he could voluntarily request withdrawal of approval and thereby waive opportunity for hearing. A response was never received by the Food and Drug Administration. An inspection conducted on October 10, 1969, revealed that the firm had ceased operations on October 3, 1969.

In that Chatham Pharmaceuticals, Inc., failed to respond to the Food and Drug Administration's notification of November 13, 1969, that their request for a hearing should be amended to demonstrate that there was a genuine and substantial issue of fact, the Commissioner of Food and Drugs concludes, on the basis of new information before him with respect to each of the said drugs evaluated together with information received and considered with the evidence available to him when each application was approved, that there is a lack of substantial evidence that each of the drugs will have the effect it purports or is represented to have under the conditions of use prescribed, recommended, or suggested in the labeling thereof.

Therefore, 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, 360(b)) and under authority delegated to the Commissioner (21 CFR 2.120), approval of new-drug applications for Koagamin Veterinary Parenteral Hemostat (NADA 4-336V) and Koagamin Parenteral Hemostat (NDA 1 and NDA

4-336) and all amendments and supplements thereto is withdrawn effective on the date of signature of this document.

Dated: February 5, 1971.

SAM D. FINE,  
Associate Commissioner  
for Compliance.

[FR Doc. 71-2276 Filed 2-18-71; 8:46 am]

[Docket No. FDC-D-179; NADA No. 35-129V]

### DIAMOND LABORATORIES

#### Talodex Injectable; Order Withdrawing Approval of New Animal Drug Application and Denying Request for Hearing

In the FEDERAL REGISTER of June 3, 1970 (35 F.R. 8609), the Commissioner of Food and Drugs published a notice extending an opportunity for a hearing to Diamond Laboratories, Post Office Box 863, Des Moines, IA 50304, and to any interested person who might be adversely affected, on his proposal 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 new animal drug application (NADA) No. 35-129V for Talodex Injectable (O,O-dimethyl O-[4-(methylthio)-m-tolyl] phosphorothioate; fenthion), a drug for injection subcutaneously in dogs against fleas, ticks, demodectic mange, ascarids (round worms), hookworms, and heartworm microfilaria, on the grounds that new information before him with respect to the drug, evaluated together with the evidence available to him when the application was approved, does not provide evidence that the drug will be safe and effective under the conditions of use upon the basis of which the application was approved.

Drug experience reports show that significant numbers of adverse reactions have occurred in dogs and there is a lack of substantial evidence that the drug will have the effectiveness 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 512 of the Act (21 U.S.C. 360b), the Commissioner gave the applicant and any interested party who would be adversely affected by the order 30 days within which to file a written appearance electing to avail themselves of the opportunity for a hearing. The notice provided that any person seeking a hearing must file a written appearance and give the reasons why approval of NADA 35-129V should not be withdrawn, together with a well-organized and full-factual analysis of the clinical and other investigational data available to support the claims of safety and effectiveness of the drug. On June 30, 1970, Diamond Laboratories filed its response, which included a written analysis of Talodex claims, reevaluation of the drug experience reports, clinical and investigational data, and reasons why Diamond was entitled to a hearing.

The Commissioner concludes that it clearly appears from the data in the application and from the reasons and factual analysis in the request for the hearing that there is no genuine and substantial issue of fact which precludes the withdrawal of approval of the application.

The Commissioner's evaluation, on the uncontested facts, is as follows:

A. *Composition of Talodex.* The active ingredient is the organic phosphate, fenthion (O,O-dimethyl O-[4-(methylthio)-m-tolyl] phosphorothioate) supplied to Diamond by Chemagro Corp., Kansas City, Mo. Talodex contains 100 milligrams of fenthion per cubic centimeter (mg./cc.).

B. *Labeling claim.* Diamond has marketed and labeled Talodex as an effective drug for fleas (4 mg./lb.); ticks (7 mg./lb.); demodectic mange (7 mg./lb.); ascarids i.e., roundworms (7 mg./lb.); hookworms (7 mg./lb.) and heartworm microfilaria (7 mg./lb.). In its request for a hearing, Diamond stated that Talodex's claimed effectiveness for hookworms would be eliminated.

A revised product label, box label, and package insert were submitted. The product label states that the product is for veterinary use and the claim for effectiveness in hookworms has been removed from the box label. There have been numerous labeling changes in the package insert, but only a few are significant. The package insert now states that sanitary measures aimed at reducing reinfestation from the housing environment should be practiced in flea and tick infestations, and states that examples of contraindicated cholinesterase-inhibitor chemicals are physostigmine, neostigmine, organic phosphates, and phenothiazine derivative tranquilizers. The hookworm claim has been changed but not completely eliminated since it now states:

*Hookworm.* Fenthion is not recommended for treatment of hookworm infections as more effective anthelmintics (e.g. Nematoc) are available. Fenthion is marginally effective against *Ancylostoma caninum* and *Uncinaria stenocephala* after a single subcutaneous injection of 70 mg. per 10-pound body weight. Repeated injections at 2 week intervals are more effective.

C. *A review of Diamond's submission—*  
I. *Introduction.* Diamond set forth the history and uses of Talodex including the fact that the Company filed a supplemental application on February 16, 1970, to reduce the concentration of fenthion, the active ingredient, from 100 mg. to 40 mg./cc. Referring to the toxicology of the organophosphate fenthion, the Company states that organophosphates are not to be administered too frequently, overdosed or used within a few days before or after other cholinesterase-inhibiting products such as some pesticides and drugs, and contends that the hookworm claim, which has been eliminated, raised the safety and efficacy questions.

In sum, Diamond contends that at the lower dosage and with the new warnings, the drug will be safe and effective for

the treatment of the conditions now included in the labeling.

II. *Elimination of hookworm claim.* While Diamond states that it will delete all references made in the labeling of Talodex for use in controlling hookworms, a review of the proposed package insert shows the hookworm claim is still present. The insert says "Fenthion is marginally effective against *Ancylostoma caninum* and *Uncinaria stenocephala* [hookworms] after a single subcutaneous injection of 70 mg. per 10 pound body weight. Repeated injections at 2 week intervals were more effective." Clearly this labeling represents that the product will be effective for hookworms. There can be no genuine issue when the package insert states an effectiveness for hookworm infestations which Diamond itself says it cannot prove. The Commissioner finds that Diamond has not removed its hookworm claim from the package insert.

III. *The safety of Talodex.* Diamond discusses this problem under the heading "A Reinvestigation Of The Adverse Drug Reaction Reports: \* \* \* Demonstrate The Product To Be Not Primarily Responsible In The Bulk Of The Cases Reporting Toxic Effect." Despite this title, the reinvestigation by Donald A. Fuller, DVM, who is employed by a wholly owned subsidiary of Diamond Labs., reinforces the Food and Drug Administration's conclusion that this product is not safe, since it lacks an adequate margin of safety. Of the reported toxicity in 94 dogs, 41 had illnesses which arose because of the additive effect of Talodex and other cholinesterase-inhibiting products such as organophosphate pesticides or drugs. Of these 41 dogs, 20 died from the combined effect of Talodex and other cholinesterase-inhibiting products. In its NADA, petitioner stated that its toxicity trials showed there was no additive effect in toxicity when other cholinesterase-inhibiting products were used concomitantly with Talodex. With the 41 toxicity reports in hand, Diamond says that Talodex and cholinesterase-inhibiting products do have an additive effect.

Diamond seeks to explain fourteen of the ninety-four reports on the ground that the dogs were improperly weighed or dosed. Seven of these dogs died. Diamond explains that the toxicity was due to the use of bathroom scales, weight estimations for the dogs and the use of syringes that were not finely calibrated. Nowhere in the original petition or the revised labeling is there any indication that very accurate weighing and finely calibrated syringes are necessary to avoid overdosage toxicity.

Diamond readily admits that Talodex was involved in the illness of 26 dogs, of which 15 died. The petitioner indicates that it believes that there may have been contributing factors. Such a statement must be dismissed as a mere guess, since the petitioner's own investigator could not find any valid contributing factor. The petitioner also states that it does not know what caused the other 14 toxicity cases, because it does not have sufficient

information on the animals either before or after the illness.

On page 15 of the petitioner's summary it argues that over 1 million doses have been sold, that it calculates about 70 percent of the Talodex sold has been used, and that each dose was used on a different dog. Based on these theoretical facts, it arrives at a mortality figure of 0.007 percent. This reasoning is fallacious and biased. There is no way of knowing to what degree adverse reactions were unreported, nor is there support for the claim that one dose equals one dog.

Forty-nine users of Talodex reported that they had treated 1,875 dogs. They reported 104 adverse reactions which included 50 deaths. Using these figures, the adverse reactions were 5.54 percent and mortality 2.67 percent. The 5.54 percent adverse reaction percentage compares favorably with the 5.6 percent found by Diamond in their clinical trials. The 2.67 percent mortality rate is significant. The lower clinical mortality figures obtained by Diamond during their clinical studies may have resulted because the practitioners involved may have more carefully selected the animals, accurately weighed the animals, measured the proper dosage, and more carefully watched the animals for toxic reactions since they knew they were using an experimental drug.

Diamond's attempt to explain away the adverse drug experience reports fails because the drug has no margin of safety. The use of this and other organophosphate compounds, such as pesticides, is very common. Almost every dog may be exposed to them. Diamond's attempt to explain a good portion of the adverse reactions as potentiation caused by cholinesterase-inhibiting products raises a serious question of toxicity, because the petitioner said it was not able to measure or prove potentiation in the simultaneous use of organophosphates and Talodex during clinical trials. In light of the general use of organophosphate flea collars and other organophosphate compounds, it would be prudent to increase the margin of safety above that required of the drug before allowing its use. This was not done with Talodex since the original clinical trials indicated that no potentiation occurred. Diamond's statement that some toxicity reactions resulted from inaccurate dosing, lack of finely calibrated syringes, and the failure to use medical or baby scales for weighing only reemphasizes the lack of an adequate margin of safety in Talodex. Because Talodex lacks an appropriate margin of safety, this drug is unsafe for use.

**IV. Additional clinical and investigational data submitted.** The new data presented by the petitioner consisted of protocols for experiments to be done in the future or efficacy studies to verify the heartworm microfilaria claim. None of the protocols can be considered because they have not been completed and all of the completed experiments (Exhibits 8, 11, 12, and 14) do not provide new evidence as to the safety of Talodex. There are also no experiments

on the efficacy of Talodex in endoparasitism. The exhibits that are completed studies, except Exhibit 14, lack sufficient detail to permit an in-depth evaluation of the toxicity. In Exhibit 12 where over 100 dogs were used, the report merely states that "there is little if any problem from toxicity" and goes on to say there is "no evidence of toxicity." The petitioner in its original submission indicated a 5 percent toxicity in clinical trials, and yet Exhibit 12 indicates no toxicity in 100 dogs. Exhibit 14 is the only one containing sufficient toxicity data on the dosage used, and it should be noted that the dosage was less than that recommended in the labeling so that such an experiment could not be viewed as supporting the petitioner's toxicity claims. The Commissioner finds that the exhibits containing supposedly new clinical and investigational data supplied no substantial new evidence to prove that Talodex is safe or effective.

**V. Field experience.** This material submitted by the petitioner consists in whole of testimonials from various users. Such material is not a well-controlled clinical study and cannot be used to raise a genuine and substantial issue of fact.

**VI. Elimination of hookworm claim and reduced concentration of fenthion per cc.** The hookworm claim has only been eliminated from the box label, but not from the package insert so the petitioner's statement is untrue. As for the reduction of the amount of fenthion per cc., this will not give a sufficient margin of safety. The lack of the margin of safety comes from the toxicity of the organophosphate (fenthion), not from the number of milligrams of active ingredient per cubic centimeter of drug.

**VII. Benefit risk ratio.** Talodex is a toxic drug with no proven margin of safety that is recommended for fleas, ticks, demodectic mange, ascarids (roundworms) and heartworm microfilaria. There are effective, safe products on the market for each and every one of the above named conditions. This is not a case where the product is the only available medication and must be used, even at great risk. This product is being marketed for conditions that are common and ordinarily occur in many dogs and for which the veterinarian has a number of products available. Under such a circumstance, there is no reason to have a product for which there is no adequate margin of safety.

**D. Findings.** The Commissioner, based on his review of the NADA, drug experience reports, and new information supplied by Diamond, finds that Diamond has failed to provide data and information that raises a genuine and substantial issue of fact which would entitle Diamond to a Hearing because the data and information show that Talodex lacks a margin of safety and there is no substantial evidence of efficacy to allow its continued NADA approval. Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 512 (e), 82 Stat. 345-47; 21 U.S.C. 360b(e)) and under authority delegated to the Commissioner (21 CFR 2.120), approval

of NADA 35-129V, including all amendments and supplements thereto, is withdrawn effective on the date of signature of this document.

Dated: February 4, 1971.

SAM D. FINE,  
Associate Commissioner,  
for Compliance.

[FR Doc.71-2277 Filed 2-18-71;8:48 am]

## DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT COMMUNITY DEVELOPMENT CORPORATION

### Appointment of Members of Board of Directors

Pursuant to section 729(b) of the Housing and Urban Development Act of 1970 (Public Law 91-609), there are hereby appointed as members of the Board of Directors of the Community Development Corporation, James M. Beggs, Under Secretary, Department of Transportation, and Floyd H. Hyde, Assistant Secretary for Model Cities, Department of Housing and Urban Development.

The Act provides that the Secretary of Housing and Urban Development shall be Chairman of the Board.

Dated: February 12, 1971.

GEORGE ROMNEY,  
Secretary of Housing  
and Urban Development.

[FR Doc.71-2307 Filed 2-18-71;8:48 am]

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[FRA-Petition-No. 18]

### ATCHISON, TOPEKA, AND SANTA FE RAILWAY CO.

#### Petition for Immediate Exemption From Requirements

Petition of the Atchison, Topeka and Santa Fe Railway Co. for immediate exemption from requirements of 49 CFR 232.12(3) for through train movements at Streator, Ill.

The hearing in this proceeding, now assigned Chicago, Ill., February 23, 1971, is hereby postponed to a date and place to be hereafter announced.

A further notice will be published as soon as the hearing is rescheduled.

Issued this 16th day of February 1971,  
in Washington, D.C.

ROBERT R. BOYD,  
Director, Office of Hearings and  
Proceedings and Hearing  
Examiner.

[FR Doc.71-2308 Filed 2-18-71;8:48 am]

[FRA-Petition-No. 22]

**RICHMOND, FREDERICKSBURG AND  
POTOMAC RAILROAD CO.****Petition for Relief From Requirements**

Petition of the Richmond, Fredericksburg and Potomac Railroad Co. for relief from the requirements of 49 CFR 232.12.

The hearing in this proceeding now assigned February 26, 1971, is hereby postponed to a date to be hereinafter fixed. This postponement is granted at the request of the Brotherhood of Locomotive Engineers, protestant. A further notice will be published as soon as the case is rescheduled for hearing.

Issued this 16th day of February 1971 in Washington, D.C.

ROBERT R. BOYD,  
Director, Office of Hearings &  
Proceedings and Hearing  
Examiner.

[FR Doc.71-2309 Filed 2-18-71;8:48 am]

**ATOMIC ENERGY COMMISSION**

[Docket No. 50-341]

**DETROIT EDISON CO.****Notice of Receipt of Application for  
Construction Permit and Operating  
License; Time for Submission of  
Views on Antitrust Matter**

The Detroit Edison Co., 2000 Second Avenue, Detroit, MI 48226, pursuant to the Atomic Energy Act of 1954, as amended, has filed an application, dated April 29, 1969, for a permit to construct and license to operate a boiling water nuclear power reactor, having a gross electrical output of approximately 1,157 megawatts derived from a thermal capacity of approximately 3,293 megawatts.

The proposed reactor, designated by the applicant as the Enrico Fermi Atomic Power Plant, Unit No. 2, is to be located at the applicant's 915-acre site on the western shore of Lake Erie in Frenchtown Township, Monroe County, Mich., about 30 miles southwest of downtown Detroit, Mich. It will be adjacent to the nuclear facility owned and operated by the Power Reactor Development Co. and designated as the Enrico Fermi Atomic Power Plant, Unit No. 1.

Any person who wishes to have his views on the antitrust aspects of the application presented to the Attorney General for consideration shall submit such views to the Commission within 60 days after February 19, 1971.

A copy of the application and the amendments thereto are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, DC, and the office of Delbert J. Hoffman, Supervisor, Frenchtown Township Hall, 2664 Vivian Road, Monroe, MI.

Dated at Bethesda, Md., this 11th day of February 1971.

For the Atomic Energy Commission.

PETER A. MORRIS,  
Director,

Division of Reactor Licensing.

[FR Doc.71-2205 Filed 2-18-71;8:45 am]

**CIVIL AERONAUTICS BOARD**

[Docket No. 19877]

**AIR AFRIQUE****Notice of Hearing**

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that a hearing in the above-entitled proceeding will be held on March 2, 1971, at 10 a.m., e.s.t., in Room 805, Universal Building, 1825 Connecticut Avenue NW., Washington, DC, before the undersigned examiner.

Dated at Washington, D.C., February 12, 1971.

[SEAL] WILLIAM H. DAPPER,  
Hearing Examiner.

[FR Doc.71-2310 Filed 2-18-71;8:48 am]

[Docket No. 23042]

**INEX ADRIA AIRWAYS****Notice of Hearing**

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that a hearing in the above-entitled proceeding will be held on March 1, 1971, at 10 a.m., e.s.t., in Room 805, Universal Building, 1825 Connecticut Avenue NW., Washington, DC, before the undersigned examiner.

Dated at Washington, D.C., February 16, 1971.

[SEAL] RICHARD M. HARTSOCK,  
Hearing Examiner.

[FR Doc.71-2311 Filed 2-18-71;8:48 am]

[Docket No. 21268; Order 71-2-53]

**DUNCAN AVIATION, INC.****Order To Show Cause**

Issued under delegated authority February 10, 1971.

A final service mail rate established by Order 69-10-17 for the transportation of mail by aircraft is currently in effect for Duncan Aviation, Inc. (Duncan),<sup>1</sup> an air taxi operator under 14 CFR Part 298.

On November 19, 1970, Duncan filed a petition requesting the Board to fix a new final service mail rate for its route in the above docket. On December 3, 1970, the Postmaster General filed a reply to Duncan's petition. The Postmaster General stated that it was in agreement with Duncan that the present rate is no longer fair and reasonable because of increased costs experienced by Duncan which were not known or reasonably foreseeable at the time the rates were set.

<sup>1</sup> In Order 69-10-17, the air taxi operator's name is shown as Duncan Aviation Co.

The Postmaster General, however, concludes that upon thorough analysis he can support an increased rate in the amount as shown in the following table:

Route	Cents per mile		
	Present rate	Duncan's proposal	Postmaster General's proposal
Kansas City, Mo., and Lincoln, Nebr., via Grand Island, Nebr.	49.5	61.6	54.96

Duncan has agreed that the rate proposed by the Postmaster General is the fair and reasonable rate of compensation for the above service.

The Board finds it is in the public interest to determine, adjust and establish the fair and reasonable rate of compensation to be paid by the Postmaster General for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith, between the aforesaid points. Upon consideration of the petitions and other matters officially noticed, it is proposed to issue an order<sup>2</sup> to include the following findings and conclusions:

On and after November 19, 1970, the fair and reasonable final service mail rate per great circle aircraft mile to be paid entirely by the Postmaster General to Duncan Aviation, Inc., pursuant to section 406 of the Act for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith, between Kansas City, Mo., and Lincoln, Nebr., via Grand Island, Nebr., shall be 54.96 cents.

Accordingly, pursuant to the Federal Aviation Act of 1958 and particularly sections 204(a) and 406 thereof, and the Board's Regulations 14 CFR Part 302, 14 CFR Part 298 and the authority duly delegated by the Board in its Organization Regulations 14 CFR 385.16(f),

It is ordered, That:

1. All interested persons and particularly Duncan Aviation, Inc., the Postmaster General, Frontier Airlines, Inc., and United Air Lines, Inc., are directed to show cause why the Board should not adopt the foregoing proposed findings and conclusions and fix, determine, and publish the final rate for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith, as the fair and reasonable rate of compensation to be paid to Duncan Aviation, Inc.;

2. Further procedures herein shall be in accordance with 14 CFR Part 302, as specified below; and

3. This order shall be served upon Duncan Aviation, Inc., the Postmaster General, Frontier Airlines, Inc., and United Air Lines, Inc.

<sup>2</sup> As this order to show cause is not a final action, it is not regarded as subject to the review provisions of 14 CFR Part 385. These provisions will be applicable to final action taken by the staff under authority delegated in § 385.16(g).

This order will be published in the FEDERAL REGISTER.

[SEAL]

HARRY J. ZINK,  
Secretary.

1. Further procedures related to the attached order shall be in accordance with 14 CFR Part 302, and notice of any objection to the rate or to the other findings and conclusions proposed therein, shall be filed within 10 days, and if notice is filed, written answer and supporting documents shall be filed within 30 days after service of this order;

2. If notice of objection is not filed within 10 days after service of this order, or if notice is filed and answer is not filed within 30 days after service of this order, all persons shall be deemed to have waived the right to a hearing and all other procedural steps short of a final decision by the Board, and the Board may enter an order incorporating the findings and conclusions proposed therein and fix and determine the final rate specified therein;

3. If answer is filed presenting issues for hearing, the issues involved in determining the fair and reasonable final rate shall be limited to those specifically raised by the answer, except insofar as other issues are raised in accordance with Rule 307 of the rules of practice (14 CFR 302.307).

[FR Doc. 71-2312 Filed 2-18-71; 8:48 am]

[Docket No. 22628; 1<sup>st</sup> Order 71-2-59]

### INTERNATIONAL AIR TRANSPORT ASSOCIATION

#### Order Regarding Fares To Apply Over and Within the Pacific

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 11th day of February 1971.

Agreements have 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 Traffic Conferences of the International Air Transport Association (IATA), and adopted at meetings in Honolulu in the fall of 1970. Insofar as they are of significance in air transportation as defined by the Act, the agreements, which have been assigned the above-designated CAB agreement numbers, comprise the overall North/Central and South Pacific fare structures for an intended effectiveness from February 1, 1971, through March 31, 1973.<sup>1</sup> The effect of the agreements is to close fares which have been open in these areas since April 1, 1969.

<sup>1</sup> R-6, R-7, R-12, R-13, R-17 through R-27, R-30 through R-32, R-34 through R-37, R-40 through R-44, R-46, R-47, R-49, R-50, R-52, R-55 through R-57, R-60, R-61, and R-63 through R-65.

<sup>2</sup> R-17 and R-26.

<sup>3</sup> Fares agreed upon for application within the areas comprised of Asia/Australasia/South Pacific Islands are marked for an Apr. 1, 1971, effectiveness. We would also note that the duration of the transpacific agreements could be limited to about a 1-year period in the event of failure to revalidate basic construction rules beyond Mar. 31, 1972.

The fares agreed to for travel between U.S. west coast points and Tokyo would eliminate the currently applicable 5-percent round-trip discount on normal fares. In addition to the elimination of this discount, economy-class fares were altered, apparently by the simple averaging of existing peak and basic season fares, to provide for application of one fare level throughout the year. The seasonal variation in fare levels would also be eliminated for virtually all promotional fare categories. For example, the existing peak period fares would be lowered and basic season fares increased for excursion and individual inclusive tour fare travel, resulting in savings of \$11 and \$41, respectively, to peak season passengers and an increase of \$16 for both categories of passengers traveling in the basic season. Present contract bulk inclusive tour (CBIT) fare levels were retained for use only by residents of Japan, and as an offset to the elimination of CBIT fares for U.S.-originating passengers, group inclusive tour (GIT) fare travel would be made more attractive by extending the number of days of travel validity, with a fare reduction of \$30 (from \$530 to \$500) for westbound-originating travel in the basic period in addition to an overall reduction for all GIT passengers. The individual inclusive tour fare validity would be reduced from 90 to 35 days and existing blackout periods eliminated. The affinity group fare for 70 or more passengers would be reduced by \$30.

On fares between the west coast of the United States and points beyond Tokyo, the 5-percent round-trip discounts on normal fares would also be eliminated. In addition, normal fares (first-class and economy) would be further increased, as would all promotional fares except the group inclusive tour fare; the CBIT fare would be canceled; the period of travel validity for group inclusive tour fares would be extended; and emigrant and student fares would be introduced. The greater the distance beyond Tokyo, the greater the percentage increase in fares. The table attached to this order illustrates the proposed fares versus those presently in effect.

As regards the South Pacific (West Coast-Sydney), the round-trip discounts would be eliminated, the 45-day individual inclusive tour fare would be canceled and replaced by a lower-priced 35-day inclusive tour fare with no blackout periods, and the blackout periods would be eliminated on the 14-28-day excursion fare.

Other resolutions permit lower-priced around-the-Pacific travel by enabling one-half of the North/Central Pacific individual inclusive tour (IIT) fare to be combined with one-half of the IIT fare over the South Pacific and with normal fares within TC3 to form a circle trip, and provide special fares for ships' crews.

In justification of the fare package,<sup>4</sup> the U.S. carriers serving the North and/

<sup>4</sup> Public comments were invited by Order 70-12-62. In general the comments received opposed the fare agreements insofar as they would increase fares and/or reduce maximum-stay requirements applicable to various promotional fares.

or Central Pacific routes refer to the need for additional revenues occasioned by increasing costs and declining yields, and allege that there is a need to bring through fares, on a per-mile basis, to points beyond Tokyo more into balance with the existing West Coast-Tokyo fares.

We will herein approve the agreements, including both those relating to North/Central Pacific routes and those applicable on the South Pacific, except for special fares for ships' crews and student fares where they would apply in air transportation as defined by the Act. These fares have previously been found to be unjustly discriminatory and their disapproval herein is consistent with past action by the Board.

As previously indicated, many existing promotional fares have been reduced, and the terms of their availability have been somewhat liberalized. Of particular note is the fact that the GIT fares, which have apparently emerged as the most saleable fare in this area, have been reduced in all markets. This, together with the availability of a new round-the-Pacific circle-trip individual inclusive tour fare, should enhance the promotional value of the fare package. While these changes may fall somewhat short of promoting full market development, we believe they represent an improvement which can be expected to have an overall generative effect, contribute to an improvement in load factor, and produce additional revenues for the carriers.

The restructuring of transpacific fares beyond Tokyo represents a desirable step toward establishing a more realistic relationship between these fares and fares to Tokyo, and a concomitant more realistic pro-ration of revenue between carriers where travel is to a point beyond Tokyo. The elimination of the round-trip discount will result in conformity with the fare structure now in effect in other geographic areas. While the Board has previously stated that it would accept such a move provided that appropriate reductions were made in the level of one-way fares, we have concluded to permit its elimination at this time without requiring an off-set of this sort in view of the recent decline in carrier earnings from transpacific services.

In view of the fact that the tariffs governing the agreements we are approving have been on file for at least 30 days, we will permit the agreements to be implemented on not less than 10 days' notice from the date of filing, such filing to be made subsequent to the date of this order, to provide the traveling public and travel agents reasonable notice of the fare changes and a period of time within which to accommodate to them.

The Board, acting pursuant to sections 102, 204(a), and 412 of the Act, makes the following findings:

1. The following resolutions, which are incorporated in the agreement indicated, are not adverse to the public interest or in violation of the Act:



Agreement CAB	IATA No.	Title	Application
R-35	076c	TC3 Affinity Group Travel (Revalidating and Amending)	3/1
R-36	076h	South Pacific Affinity, Own Use and Incentive Group Fares (Revall-3/1; North and Central Pacific Own Use and Affinity Group Fares (Revall-3/1; Providing this Amending)	3/1
R-37	076j	(a) the provision which at departure time would permit a lesser number of passengers than that prescribed by the resolution to travel shall not be limited to situations caused by circumstances beyond the control of the group or members of the group and the balance of the group may travel at no added cost; (b) in the event a passenger discontinues his journey en route for any reason, the amount of the fare paid may be applied as a credit toward the purchase of transportation at the applicable fare calculated from the original point of origin; (c) the amount of the forfeiture to be imposed in the event of cancellation by the group or members of the group prior to the departure time for any reason shall not exceed 25 percent of the fare paid and after departure the forfeitures shall not exceed 25 percent of the excess of the price of the group-fare ticket over the cost of normal-fare transportation from the point of origin to the point of cancellation; (e) full refund shall be made in the event of death or illness of the passenger or of a member of the passenger's immediate family prior to travel; (f) full refund of the group fares shall be made in the event of cancellation of travel arrangements by a carrier on the ground that the group or any member of the group is ineligible for the group fares.	3/1
R-44	080e	TC3 Inclusive Tour Fares (Revalidating and Amending)	3/1
R-46	080l	TC3 28-Day Inclusive Tour Fares, Japan/Okinawa to India/Pakistan/Ceylon/Afghanistan/Nepal (Revalidating and Amending)	3/1
R-50	084b	North and Central Pacific Group Inclusive Tour Fares (Revalidating and Amending)	3/1
R-52	084L	TC3 28- and 35-Day Group Inclusive Tour Fares (New) Provided that with respect to each of the above four resolutions: (a) the provision which at departure would permit a lesser number of passengers than that prescribed by the resolution to travel shall not be limited to situations caused by circumstances beyond the control of the passengers dropping out of the group and the balance of the group may travel at no added cost; (b) in the event a passenger discontinues his journey en route for any reason, the amount of the fare paid may be applied as a credit toward the purchase of transportation at the applicable fare calculated from the original point of origin; (c) full refund shall be made in the event of death or illness of the passenger or of a member of the passenger's immediate family prior to travel; (d) the amount of the forfeiture to be imposed in the event of cancellation by the group or member of the group at departure time for any reason shall not exceed 25 percent of the fare paid and after departure the forfeiture shall not exceed 25 percent of the excess of the price of the group-fare ticket over the cost of normal-fare transportation from point of origin to point of cancellation; Provided that special student fares shall not be applicable in air transportation.	3/1

3. The following resolutions, which are incorporated in the agreement indicated, are found to be adverse to the public interest or unjustly discriminatory and in violation of the Act insofar as air transportation is concerned:

Agreement CAB	IATA No.	Title	Application
22068			
R-40	077i	TC3 Individual Fares for Ships' Crews (New)	3/1
R-41	077L	JT 31 Individual Fares for Ships' Crews (New)	3/1

Agreement CAB	IATA No.	Title	Application
22068			
R-6	002	Standard Revalidation Resolution	3/1
R-7	002	Standard Revalidation Resolution	3/1
R-12	015a	South Pacific Proportional Fares-North America (New)	3/1
R-13	015b	North and Central Pacific Proportional Fares-North America (New)	3/1
R-17	050	First Class Conditions of Service (Revalidating and Amending)	3/1
R-18	053	TC3 First-Class Fares	3/1
R-19	056	North and Central Pacific First-Class Fares	3/1
R-20	056a	North and Central Pacific First-Class Fares	3/1
R-21	060	Economy-Class Conditions of Service (Revalidating and Amending)	3/1
R-22	060a	Mixed-Class Aircraft (Revalidating and Amending)	3/1
R-23	063	TC3 Economy-Class Fares	3/1
R-24	066	North and Central Pacific Economy-Class Fares	3/1
R-25	066a	North and Central Pacific Economy-Class Fares	3/1
R-26	070a	TC3 Excursion Fares (Revalidating and Amending)	3/1
R-27	070b	TC3 Excursion Fares (Revalidating and Amending)	3/1
R-30	070c	South Pacific 28-Day Excursion Fares (Revalidating and Amending)	3/1
R-31	070d	North and Central Pacific 21-Day Excursion Fares (New)	3/1
R-42	070d	North and Central Pacific Contract Bulk Inclusive Tour Fares (New) (N. & C. Pacific)	3/1
R-43	080d	South Pacific 23-Day Individual Inclusive Tour Fares (New)	3/1
R-47	080m	South Pacific 35-Day Individual Inclusive Tour Fares (Revalidating and Amending)	3/1
R-49	083c	North and Central Pacific 35-Day Individual Inclusive Tour Fares (Revalidating and Amending)	3/1
22068			
R-17	002	Student Fares (Revalidating and Amending)	3/1
22036			
R-55	005(b)	TC3 30-Day Excursion Fares for U.S. Military Personnel (New)	3/1
R-56	005l	TC3 "Stand-By" Fares for U.S. Military Personnel from Guam to Hong Kong and Bangkok (New)	3/1
R-60	150a	Fares for Round Trip (Revalidating)	3/1
R-61	151a	Circle-Trip Discount (Revalidating and Amending)	3/1
R-63	310	Free Baggage Allowance (Revalidating and Amending)	3/1
R-64	311	Baggage Excess Weight Charges (Revalidating and Amending)	3/1
22068			
R-26	311b	Charges for Snow Skiing Equipment (Revalidating and Amending)	3/1
22036			
R-65	314	Special Rates for Personal Effects (Revalidating and Amending)	3/1

2. The following resolutions, which are incorporated in the agreement indicated, are not adverse to the public interest or in violation of the Act provided that insofar as air transportation is concerned, approval shall be subject to the conditions specified with respect to each:

Agreement CAB	IATA No.	Title	Application
R-32	075a	TC3 Common Interest Group Fares (Amending)	3/1
R-34	075m	TC3 Common Interest Group Fares, Japan-Okinawa (New) Provided that with respect to each of the above two resolutions: (a) if at departure the number of passengers is less than that prescribed by the Resolution, the balance of the group may travel at no additional cost; (b) full refund shall be made in the event of death or illness of the passenger or of a member of the passenger's immediate family prior to travel; (c) the amount of the forfeiture to be imposed in the event of cancellation by the group or member of the group at departure time for any reason shall not exceed 25 percent of the fare paid and after the departure the forfeiture shall not exceed 25 percent of the excess of the price of the group-fare ticket over the cost of normal-fare transportation from point of origin to point of cancellation.	3/1

Accordingly, it is ordered, That:

1. Those portions of Agreements CAB 22036 and CAB 22068, described in finding paragraph 1, are approved;

2. Those portions of Agreement CAB 22036, described in finding paragraph 2, are approved subject to the conditions stated therein;

3. Those portions of Agreement CAB 22036, described in finding paragraph 3, are disapproved; and

4. Insofar as air transportation as defined by the Act is concerned, tariff filings shall be marked to become effective on not less than 10 days' notice from the date of filing.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.<sup>2</sup>

[SEAL]

HARRY J. ZINK,  
Secretary.

[FR Doc.71-2313 Filed 2-18-71;8:49 am]

## FEDERAL MARITIME COMMISSION

[No. 71-1]

### SEATRAN LINES, INC.

#### Publication of Discriminatory Rates; Rescheduling of Filing Dates

At the request of respondent Seatrain Lines, Inc., time within which their response must be filed to the Commission's show cause order in this proceeding will be further enlarged.

Accordingly, it is ordered,

(1) That requests for evidentiary hearing, affidavits of fact, and memoranda of law shall be filed by respondent on or before February 22, 1971.

(2) That replies thereto by Hearing Counsel and interveners, if any, shall be filed on or before March 8, 1971.

By the Commission.

[SEAL]

FRANCIS C. HURNEY,  
Secretary.

[FR Doc.71-2301 Filed 2-18-71;8:48 am]

## ATLANTIC & GULF/WEST COAST OF CENTRAL AMERICA & MEXICO CONFERENCE

### 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,

<sup>2</sup> Dissenting statement of members Minetti and Murphy filed as part of the original document.

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:

H. T. Schoonebeek, Vice Chairman, Atlantic & Gulf/West Coast of Central America & Mexico Conference, 11 Broadway, New York, NY 10004.

Agreement No. 8300-10, among the member lines of the Atlantic & Gulf/West Coast of Central America & Mexico Conference, modifies the conference self-policing provisions pursuant to General Order 7 (Revised) by canceling the existing Articles 13 through 18 and substituting therefore new Articles 13 through 16.

Dated: February 12, 1971.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,  
Secretary.

[FR Doc.71-2302 Filed 2-18-71;8:48 am]

## TRANS-PACIFIC AMERICAN FLAG BERTH OPERATORS

### 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, 1045 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:

A. R. Page, Secretary, Trans-Pacific American Flag Berth Operators, 7 Front Street, San Francisco, CA 94111.

Agreement No. 8493-6, among the member lines of the Trans-Pacific American Flag Berth Operators, modifies the conference self-policing provisions in paragraph 10 of the basic agreement pursuant to General Order 7 (Revised).

Dated: February 12, 1971.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,  
Secretary.

[FR Doc.71-2303 Filed 2-18-71;8:48 am]

## U.S. ATLANTIC & GULF-VENEZUELA AND NETHERLANDS ANTILLES CONFERENCE

### 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:

H. T. Schoonebeek, Vice Chairman, United States Atlantic & Gulf-Venezuela and Netherlands Antilles Conference, 11 Broadway, New York, NY 10004.

Agreement No. 6190-25, among the member lines of the United States Atlantic & Gulf-Venezuela and Netherlands

Antilles Conference, modifies the conference self-policing provisions pursuant to General Order 7 (Revised) by canceling the existing Articles 19 through 24 and substituting therefore Articles 19 through 22.

Dated: February 12, 1971.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,  
Secretary.

[FR Doc.71-2304 Filed 2-18-71;8:48 am]

### WEST COAST SOUTH AMERICA NORTHBOUND CONFERENCE

#### 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:

H. T. Schoonebeek, Vice Chairman, West Coast South America Northbound Conference, 11 Broadway, New York, NY 10004.

Agreement No. 7890-7, among the member lines of the West Coast South America Northbound Conference, modifies the conference self-policing provisions pursuant to General Order No. 7 (Revised) by canceling the existing Articles 12 through 17 and substituting therefor new Articles 12 through 15.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,  
Secretary.

[FR Doc.71-2305 Filed 2-18-71;8:48 am]

## FEDERAL POWER COMMISSION

[Docket No. CP71-198]

### ATLANTIC SEABOARD CORP.

#### Notice of Application

FEBRUARY 10, 1971.

Take notice that on February 4, 1971, Atlantic Seaboard Corp. (applicant), 1700 MacCorkle Avenue SE., Charleston, WV 25325, filed in Docket No. CP71-198 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain facilities and the exchange of natural gas with Washington Gas Light Co. (Washington), all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that Washington has entered into an agreement with Hampshire Gas Co. (Hampshire), operator of certain gas producing properties in Hampshire County, W. Va., wherein Hampshire agrees to provide natural gas storage service. Applicant proposes to construct a new delivery point near its Lost River Compressor Station in Hardy County, W. Va., for the delivery of volumes of gas to be injected into Hampshire's storage facility. The volumes of gas delivered to Hampshire will be included as part of Washington's present total daily entitlement. It is also stated that applicant and Washington have entered into an exchange agreement whereby Washington will deliver to applicant at a point near said Lost River Compressor Station during the months of October through April volumes of gas not to exceed 35,000 Mcf per day in exchange for equivalent volumes of gas delivered by applicant to Washington at points of delivery in Washington's market area near the District of Columbia.

Applicant states that to provide adequate capacity for this exchange, it will be necessary to construct and operate 3.3 miles of 36-inch pipeline looping its existing transmission facilities in Warren County, Va. The facilities proposed herein are estimated to cost \$971,000 which cost is to be financed through open account advances, promissory notes and the issuance of common stock to applicant's parent company, The Columbia Gas System, Inc.

Any person desiring to be heard or to make any protest with reference to said application should on or before March 8, 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. PLUMBS,  
Acting Secretary.

[FR Doc.71-2269 Filed 2-18-71;8:45 am]

[Docket No. RI71-488]

### MARATHON OIL COMPANY, ET AL.

#### Order Providing for Hearing on and Suspension of Proposed Change in Rate, and Allowing Rate Change To Become Effective Subject to Refund

FEBRUARY 10, 1971.

Respondent named herein has filed a proposed change in rate and charge of a currently effective rate schedule for the sale of natural gas under Commission jurisdiction, as set forth in Appendix A hereof.

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

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon a hearing regarding the lawfulness of the proposed change, and that the supplement herein be suspended and its use be deferred as ordered below.

The Commission orders:

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

(B) Pending hearing and decision thereon, the rate supplement herein is suspended and its use deferred until date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas Act: *Provided, however,* That the supplement to the rate schedule filed by respondent shall become effective subject to refund on the date and in the manner herein prescribed if within 20 days from the date of the issuance of this order

respondent shall execute and file under its above-designated docket number with the Secretary of the Commission its agreement and undertaking to comply with the refunding and reporting procedure required by the Natural Gas Act and section 154.102 of the regulations thereunder, accompanied by a certificate showing service of a copy thereof upon the purchaser under the rate schedule involved. Unless respondent is advised to the contrary within 15 days after the filing of its agreement and undertaking,

such agreement and undertaking shall be deemed to have been accepted.<sup>1</sup>

(C) Until otherwise ordered by the Commission, neither the suspended sup-

<sup>1</sup> If an acceptable general undertaking, as provided in Order No. 377, has previously been filed by a producer, then it will not be necessary for that producer to file an agreement and undertaking as provided herein. In such circumstances the producer's proposed increased rate will become effective as of the expiration of the suspension period without any further action by the producer.

plement, nor the rate schedule sought to be altered, shall be changed until disposition of this proceeding or expiration of the suspension period.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before March 31, 1971.

By the Commission.

[SEAL]

KENNETH F. PLUMB,  
Acting Secretary.

## APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf*		Rate in effect subject to refund in dockets Nos.
									Rate in effect	Proposed increased rate	
RI71-488	Marathon Oil Co. et al.	66	1-15	Marathon Oil Co. (Arkansas Louisiana Gas Co.), (Greenwood Area, Caddo Parish, Northern Louisiana).	\$38,010 6,708	1-11-71 1-11-71	2-11-71 2-11-71	2-12-71 2-12-71	** 13.55 *** 13.55	** 15.75 ** 15.75	

\*The pressure base is 15.025 p.s.i.a.

<sup>1</sup> To be substituted for notice of change submitted on Nov. 9, 1970, which proposed a renegotiated rate of 16.3 cents (subject to applicable quality adjustments) and was suspended in Docket No. RI71-488 until May 10, 1971.

<sup>2</sup> Includes 1-cent tax reimbursement and 0.5-cent gathering charge paid by buyer.

<sup>3</sup> High pressure gas.

<sup>4</sup> Low pressure gas.

<sup>5</sup> Buyer deducts 0.75-cent compression charge from rate shown.

<sup>6</sup> Buyer deducts 1.5 cents compression charge from rate shown (applicable to Wool A-1, Oakville A-1 and S. L. Harold 1-6 wells).

[FR Doc.71-2268 Filed 2-18-71;8:45 am]

[Docket No. RI71-691]

**PAN AMERICAN PETROLEUM CORP.**  
**Order Providing for Hearing on and Suspension of Proposed Change in Rate, and Allowing Rate Change To Become Effective Subject to Refund**

FEBRUARY 10, 1971.

Respondent named herein has filed a proposed change in rate and charge of a currently effective rate schedule for the sale of natural gas under Commission jurisdiction, as set forth in Appendix A hereof.

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

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon a hearing regarding the lawfulness of the proposed change, and that the supplement herein be suspended and its use be deferred as ordered below.

The Commission orders:

(A) Under the Natural Gas Act, particularly sections 4 and 15, the regula-

tions pertaining thereto (18 CFR Ch. I), and the Commission's rules of practice and procedure, a public hearing shall be held concerning the lawfulness of the proposed change.

(B) Pending hearing and decision thereon, the rate supplement herein is suspended and its use deferred until date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas Act: *Provided, however,* That the supplement to the rate schedule filed by respondent shall become effective subject to refund on the date and in the manner herein prescribed if within 20 days from the date of the issuance of this order respondent shall execute and file under its above-designated docket number with the Secretary of the Commission its agreement and undertaking to comply with the refunding and reporting procedure required by the Natural Gas Act and section 154.102 of the regulations thereunder, accompanied by a certificate showing service of a copy thereof upon the purchaser under the rate schedule involved. Unless respondent is advised to the contrary within 15 days after the filing of its agreement and undertaking, such agreement and

undertaking shall be deemed to have been accepted.<sup>1</sup>

(C) Until otherwise ordered by the Commission, neither the suspended supplement, nor the rate schedule sought to be altered, shall be changed until disposition of this proceeding or expiration of the suspension period.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before March 15, 1971.

By the Commission.

[SEAL]

KENNETH F. PLUMB,  
Acting Secretary.

<sup>1</sup> If an acceptable general undertaking, as provided in Order No. 377, has previously been filed by a producer, then it will not be necessary for that producer to file an agreement and undertaking as provided herein. In such circumstances the producer's proposed increased rate will become effective as of the expiration of the suspension period without any further action by the producer.

## APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf		Rate in effect subject to refund in dockets Nos.
									Rate in effect	Proposed increased rate	
R171-691	Pan American Petroleum Corp.	57	24	Phillips Petroleum Co. (Guymon Hugoton Field, Texas County, Okla., and Hugoton Field, Sherman and Hansford Counties, Tex. R.R. District No. 10).	\$49,597	1-11-71	1-11-71	1-12-71	12.6975	14.13.5	
					7,772	1-11-71	1-11-71	1-12-71	11.9802	12.7277	
					17,164	1-11-71	1-11-71	1-12-71	12.4972	13.25	

\*The pressure base is 14.65 p.s.i.a.

<sup>1</sup> Applicable to Texas production (Sweet gas rate.)

<sup>2</sup> Applicable to Texas production (Sour gas rate.)

<sup>3</sup> Applicable to Oklahoma production (Sweet gas rate-filing reflects there is no sour gas production in Oklahoma.)

<sup>4</sup> Includes tax reimbursement of 0.2358 cent, 0.2235 cent, and 0.015 cent.

<sup>5</sup> Not used.

<sup>6</sup> Subject to downward B.t.u. adjustment.

Pan American proposes three revenue-sharing increases for wellhead sales of gas to Phillips from the Hugoton Field in Texas and Oklahoma. Phillips gathers the gas and processes it in its Sherman Plant and resells the residue gas under its FPC Rate Schedule No. 4 to Michigan Wisconsin Pipe Line Co. Phillips claim that Pan American is not contractually entitled to the increased rates which it has filed here and urges rejection of the filings. Although the proposed rates do not exceed the applicable area ceiling rate prescribed in Opinion No. 586, in view of the contractual problem presented, we shall suspend Pan American's proposed rates for 1 day from the date of filing. Thereafter the proposed rates may be collected subject to refund upon compliance with the provisions of this order pending resolution of this controversy.

[FR Doc.71-2269 Filed 2-18-71;8:45 am]

[Docket No. RP71-86]

### KENTUCKY WEST VIRGINIA GAS CO.

#### Order Permitting Rate Increase Filing To Become Effective Without Suspension and Granting Petitions To Intervene

FEBRUARY 12, 1971.

Kentucky West Virginia Gas Co. (Kentucky West), on December 29, 1970, tendered for filing proposed changes in its FPC Gas Tariff, Original Volume No. 1 to become effective February 15, 1971. The proposed changes would increase rates and charges to its two jurisdictional companies, Equitable Gas Co. (Equitable), its parent company, and United Fuel Gas Co. (United Fuel), approximately \$1.8 million annually, based upon sales for the year ended August 31, 1970, as adjusted.

Kentucky West Virginia states that the principal reasons for the rate increase filing are: (1) The claimed need for an 8.5 percent rate of return; (2) the need for sufficient revenues to finance the continuing new investment in production facilities required to maintain the present level of gas deliveries; (3) its claimed need for an income tax allowance, whereas none has been claimed before, due to the amendments to the Internal Revenue Code with respect to statutory depletion; (4) increases in the cost of purchased gas reflecting the new rate levels in Appalachian Rate Order No.

411; and (5) increases in operating expense, depreciation, depletion and amortization expense.

Notice of the rate increase application was issued by the Commission December 30, 1970 (36 F.R. 126). No objections or protests to the rate filing have been received. The two jurisdictional customers, Equitable and United Fuel petitioned to intervene on January 14 and 15, 1971. Thereafter, as a result of a conference held on January 21, 1970, held with Equitable, United Fuel and the Commission Staff, Kentucky West on the same day filed a substitute tariff sheet which includes rates and charges reflecting a reduction in the proposed rate increase, in the approximate amount of \$203,349.<sup>1</sup> United Fuel by letter dated January 28, 1971, has informed the Commission that it has reviewed Kentucky West's substitute tariff sheet containing the reduced rates and charges and that it does not oppose their acceptance.

Analysis of the cost of service and revenue data submitted by Kentucky West indicates that the substitute tariff sheet which contains the increased rates and charges tendered for filing on January 21, 1971, have been supported and are appropriate.

The Commission orders:

(A) The increased rates and charges contained in Substitute 12th Revised Sheet No. 4, as filed by Kentucky West on January 21, 1971, are permitted to become effective on February 15, 1971.

(B) This order is without prejudice to any findings or orders which have been or may hereafter be made by this Commission in any proceeding now pending or hereafter instituted by or against Kentucky West or any other persons affected by the rates and charges hereby permitted to be effective.

(C) The petitioners hereinabove set forth are permitted to intervene in this proceeding subject to the rules and regulations of the Commission: *Provided, however,* That the participation of such interveners shall be limited to the mat-

<sup>1</sup> Substitute 12th Revised Sheet No. 4 contains Rate Schedule S-1 rates; Demand \$2.36 per Mcf of billing demand, and Commodity 26.34 cents per Mcf of gas delivered.

ters affecting asserted rights and interests as specifically set forth in their respective petitions to intervene: *And provided, further,* That the admission of said interveners shall not be construed as recognition by the Commission that they might be aggrieved because of any order or orders of the Commission entered in this proceeding.

By the Commission.

[SEAL] KENNETH F. PLUMB,  
Acting Secretary.

[FR Doc.71-2296 Filed 2-18-71;8:47 am]

[Docket No. E-7560]

### DELMARVA POWER & LIGHT CO.

#### Notice of Proposed Rate Changes

FEBRUARY 11, 1971.

Take notice that on January 22, 1971, Delmarva Power & Light Co., Delmarva Power & Light Company of Maryland, and Delmarva Power & Light Company of Virginia (collectively known as Delmarva System), tendered for filing a fuel adjustment clause proposing to change its existing electric tariffs and rate schedules; to amend the various tariff changes, rate schedule supplements, and proposed tariffs previously filed and suspended by Commission order of November 27, 1970; to supplement rate schedule FPC No. 35 applying to the city of Dover, Del.; and to supplement rate schedules FPC No. 29, FPC No. 8 and FPC No. 4, as they apply to various REA Cooperatives served by applicant. Applicant proposed that the fuel adjustment clause to become effective as of March 1, 1971, with respect to all presently effective rate schedules. The proposed changes in rates would increase charges for applicable sales by approximately \$497,000 during the remainder of 1971.

Delmarva System states that its presently effective fuel adjustment clause will not reimburse the company for increased cost of fuel used to generate electricity due to the substantial lag before increased fuel costs are reflected in its adjustment figure.

Copies of the filing have been served on customers and interested State regulatory agencies.

Any person desiring to be heard or to make any protest with reference to said application should on or before February 24, 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. 71-2298 Filed 2-18-71; 8:47 am]

[Docket No. E-7600]

### OHIO POWER CO.

#### Notice of Proposed Rate Increase

FEBRUARY 12, 1971.

Take notice that on January 27, 1971, Ohio Power Co. (Ohio) filed an amendment dated February 1, 1971, to the interconnection agreement dated April 26, 1955, between Ohio and Monongahela Power Co. (Monongahela).

The amendment provides for (1) an increase in the demand charge for short term power from \$0.30 per kilowatt per week to \$0.40 per kilowatt per week and (2) a change in the reduction of demand charges in the event that the supplying party requests a reduction of the amount of short-term power from 3.333 mills for each kilowatt-hour of reduction to one-sixth ( $\frac{1}{6}$ ) of the total weekly demand charge for each day any such reduction is in effect.

According to Ohio, the extent of use of short term power for the next 12 months is unknown at the present time as this will only be scheduled from time to time as load and capacity conditions on the systems dictate. Accordingly, it is not possible to estimate the transactions and revenues for such period.

Any person desiring to be heard or to make any protest with reference to said application should on or before March 1, 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 appli-

cation is on file with the Commission and available for public inspection.

KENNETH F. PLUMB,  
Acting Secretary.

[FR Doc. 71-2299 Filed 2-18-71; 8:47 am]

[Docket No. E-7413]

### UNION ELECTRIC CO.

#### Notice of Application

FEBRUARY 11, 1971.

Take notice that on January 29, 1971, Union Electric Co. (applicant) filed a supplemental application seeking authority pursuant to section 204 of the Federal Power Act to increase to \$150 million the amount of short term, unsecured promissory notes authorized to be issued under the Commission's order of June 21, 1969, and its supplemental order of February 9, 1970, in Docket No. E-7413, of which aggregate amount a maximum of \$75 million may be in the form of commercial paper, and to extend to not later than December 31, 1973, the final maturity date of said notes. In that order and supplemental order, the Commission authorized applicant to issue up to \$125 million short-term promissory notes, of which aggregate amount up to \$70 million could be in the form of commercial paper, with final maturities not later than December 31, 1971.

Applicant is incorporated under the laws of the State of Missouri with its principal business office at St. Louis, Mo., and authorized to do business in the States of Illinois and Iowa.

The interest rate applicable to the promissory notes will be, in the case of demand notes issued to commercial banks, the prime rate in effect during the period they are; in the case of notes issued to commercial paper dealers, the market rate (or discount rate) at the date of issuance for commercial paper of comparable quality and of the particular maturity sold to commercial paper dealers; and in the case of commercial paper placed directly with regular purchasers of such commercial paper for their own accounts, the market rate (or discount rate) at the date of issuance for commercial paper of comparable quality and of the particular maturity placed directly by the issuer thereof. The applicant contemplates the issuance of promissory notes, including the "roll-over" of commercial paper promissory notes, without further application of this Commission, at any time and from time to time, each of such notes to have a maturity date of not later than December 31, 1973.

The proceeds will be used to finance in part applicant's construction program to December 31, 1973. The increase in authorization to \$150 million and the extension of 2 years to December 31, 1973, will allow applicant more freedom in selecting the appropriate times under market conditions to fund its short-term debt.

Any person desiring to be heard or to make any protest with reference to the application should, on or before February 26, 1971, file with the Federal Power Commission, Washington, D.C. 20426, petitions or protests in accordance with 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. 71-2300 Filed 2-18-71; 8:47 am]

## FEDERAL RESERVE SYSTEM

### FIRST VIRGINIA BANKSHARES CORP.

#### Order Approving Acquisition of Bank Stock by Bank Holding Company

In the matter of the application of First Virginia Bankshares Corp., Arlington, Va., for approval of acquisition of 30 percent or more of the voting shares of First Bank & Trust Co., Colonial Heights, Va., a proposed new bank.

There has come before the Board of Governors, pursuant to section 3(a)(3) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)(3)), and § 222.3(a) of Federal Reserve Regulation Y (12 CFR 222.3(a)), the application of First Virginia Bankshares Corporation, Arlington, Va. (Applicant), a registered bank holding company, for the Board's prior approval of the acquisition of 90 percent or more of the voting shares of First Bank & Trust Company, Colonial Heights, Va., a proposed new bank.

As required by section 3(b) of the Act, the Board gave written notice of receipt of the application to the Commissioner of Banking for the State of Virginia and requested his views and recommendation. The Commissioner recommended approval of the application.

Notice of receipt of the application was published in the FEDERAL REGISTER on December 25, 1970 (35 F.R. 19645), providing an opportunity for interested persons to submit comments and views with respect to the proposal. A copy of the application was forwarded to the U.S. Department of Justice for its consideration. Time for filing comments and views has expired and all those received have been considered by the Board.

The Board has considered the application in the light of the factors set forth in section 3(c) of the Act, including the effect of the proposed acquisition on competition, the financial and managerial resources and future prospects of the

Applicant and the banks concerned, and the convenience and needs of the communities to be served. Upon such consideration, the Board finds that:

Applicant is the sixth largest banking organization, and the fourth largest bank holding company in Virginia, controlling 14 banks with \$446.5 million in deposits. This represents 6.1 percent of total banking deposits in the State of Virginia. (Banking data are as of June 30, 1970, adjusted to reflect holding company acquisitions and formations approved by the Board to date.) Since Bank is a proposed new bank; consummation of the proposal would not increase concentration in any market.

Bank primarily would serve the cities of Petersburg and Colonial Heights, and adjacent portions of Chesterfield County, and would be in competition with 16 offices of 11 banking institutions. The closest office of any of Applicant's subsidiaries, Richmond National Bank (deposits \$23 million), is located more than 20 miles from Bank. Consummation of the proposed transaction would neither eliminate existing competition, foreclose potential competition, nor have adverse effects on the viability or competitive effectiveness of any competing banks, but might stimulate competition in the Colonial Heights-Petersburg market.

Based upon the foregoing, the Board concludes that consummation of the proposed acquisition would not have an adverse effect on competition in any relevant area, and might have a pro-competitive effect in the Colonial Heights-Petersburg area. The banking factors, as applied to the facts of record, and considerations relating to the convenience and needs of the communities to be served are consistent with approval of the application. It is the Board's judgment that the proposed transaction would be in the public interest, and that the application should be approved.

It is hereby ordered, For the reasons set forth in the findings summarized above, that said application be and hereby is approved, provided that the action so approved shall not be consummated (a) before the 30th calendar day following the date of this order, or (b) later than 3 months after the date of this order; and that First Bank & Trust Co. shall be opened for business not later than 6 months after the date of this order. The latter time periods may be extended for good cause by the Board, or by the Federal Reserve Bank of Richmond pursuant to delegated authority.

By order of the Board of Governors,<sup>1</sup> February 11, 1971.

[SEAL] KENNETH A. KENYON,  
Deputy Secretary.

[FR Doc.71-2275 Filed 2-18-71;8:46 am]

<sup>1</sup> Voting for this action: Chairman Burns and Governors Robertson, Mitchell, Daane, Maisei, and Sherrill. Absent and not voting: Governor Brimmer.

## FIRST MASSACHUSETTS FINANCIAL CORP.

### Notice of Application for Approval of Acquisition of Shares of Bank

FEBRUARY 16, 1971.

Notice is hereby given that application has been made, pursuant to section 3(a) (1) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)(1)), by First Massachusetts Financial Corp., Westwood, Mass., for prior approval by the Board of Governors of action whereby applicant would become a bank holding company through the acquisition of 51 percent or more of the voting shares of Massachusetts Bank and Trust Co., Brockton, Mass.

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 ten (10) 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 Boston.

By order of the Board of Governors, February 16, 1971.

[SEAL] KENNETH A. KENYON,  
Deputy Secretary.

[FR Doc.71-2322 Filed 2-18-71;8:50 am]

## OFFICE OF EMERGENCY PREPAREDNESS WASHINGTON

### Notice of Major Disaster and Related Determinations

Pursuant to the authority vested in me by the President under Executive Order

11575 of December 31, 1970; and by virtue of the Act of December 31, 1970, entitled "Disaster Relief Act of 1970" (84 Stat. 1744); notice is hereby given that on February 9, 1971, the President declared a major disaster as follows:

I have determined that the damages in those areas of the State of Washington adversely affected by heavy rains, melting snows and flooding beginning on or about January 8, 1971, are of sufficient severity and magnitude to warrant a major disaster declaration under Public Law 91-606. I therefore declare that such a major disaster exists in the State of Washington. Areas eligible for Federal assistance will be determined by the Director of the Office of Emergency Preparedness.

Notice is hereby given that pursuant to the authority vested in me by the President under Executive Order 11575 to administer the Disaster Relief Act of 1970 (Public Law 91-606) I hereby appoint Mr. Creath A. Tooley, Regional Director, OEP Region 8, to act as the Federal Coordinating Officer to perform the duties specified by section 201 of that Act for this disaster.

I do hereby determine the following areas in the State of Washington to have been adversely affected by the catastrophe declared a major disaster by the President in his declaration of February 9, 1971:

The Counties of:

Columbia.	Skagit.
Garfield.	Whatcom.
Lewis.	Yakima.
Grays Harbor.	

Dated: February 12, 1971.

G. A. LINCOLN,  
Director,

Office of Emergency Preparedness.

[FR Doc.71-2293 Filed 2-18-71;8:47 am]

## INTERSTATE COMMERCE COMMISSION

[Notice 12]

### MOTOR CARRIER, BROKER, WATER CARRIER AND FREIGHT FORWARDER APPLICATIONS

FEBRUARY 12, 1971.

The following applications are governed by Special Rule 1100.247<sup>1</sup> of the Commission's general rules of practice (49 CFR, as amended), published in the FEDERAL REGISTER issue of April 20, 1966, effective May 20, 1966. These rules provide, among other things, that a protest to the granting of an application must be filed with the Commission within 30 days after date of notice of filing of the application is published in the FEDERAL REGISTER. Failure seasonably to file a protest will be construed as a waiver of opposition and participation in the proceeding.

<sup>1</sup> Copies of Special Rule 247 (as amended) can be obtained by writing to the Secretary, Interstate Commerce Commission, Washington, D.C. 20423.

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 issue of May 3, 1966. This assignment will be by Commission order which will be served on each party of record.

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

No. MC 200 (Sub-No. 245), filed January 22, 1971. Applicant: RISS INTERNATIONAL CORPORATION, 903 Grand Avenue, Kansas City, MO 64106. Applicant's representative: Roger J. Walsh (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts* (except hides and commodities in bulk, in tank vehicles), from Holton, Kans., to points in Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, West Virginia, North Carolina, South Carolina, Georgia,

Florida, Alabama, Mississippi, Tennessee, Kentucky, and Washington, D.C. 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.

No. MC 531 (Sub-No. 268) (Correction), filed November 25, 1970, published in the FEDERAL REGISTER issues of January 7, 1971, and January 28, 1971, and republished as corrected, this issue. Applicant: YOUNGER BROTHERS, INC., 4904 Griggs Road, Post Office Box 14048, Houston, TX 77021. Applicant's representative: Wray E. Hughes (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, in tank vehicles, from St. James and St. Charles Parishes, La.; except from (1) the plantsite of Monsanto Co. at or near Luling, La., in St. James Parish; (2) the plantsite of Union Carbide Corp. at or near Taft, La., in St. Charles Parish to points in Texas, California, Washington, and Oregon; (3) the plantsite of Hooker Chemical Co., at or near Taft, La., in St. Charles Parish to points in Texas; and (4) from points in St. James Parish within 15 miles of Geismar, La., to all points in the United States (except Alaska and Hawaii). NOTE: Applicant states that tacking is possible but indicates 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. The purpose of this republication is to redescribe the authority sought, a portion of which was inadvertently omitted in the previous publication. If a hearing is deemed necessary, applicant requests it be held at New Orleans, La.

No. MC 730 (Sub-No. 325), filed February 1, 1971. Applicant: PACIFIC INTERMOUNTAIN EXPRESS CO., a corporation, 1417 Clay Street, Post Office Box 958, Oakland, CA 94612. Applicant's representative: R. N. Cooledge (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, in tank vehicles, from Calvert City, Ky., to points in California. 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 San Francisco or Los Angeles, Calif.

No. MC 2392 (Sub-No. 82), filed January 27, 1971. Applicant: WHEELER TRANSPORT SERVICE, INC., Post Office Box 14238, West Omaha Station, Omaha, NE 68114. Applicant's representative: Keith D. Wheeler (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (a) *Furfural and furfural alcohol*, in bulk, in tank vehicles, from Omaha, Nebr.; to Tuscaloosa, Ala.; Denver, Colo.; Wallingford, Conn.; Marshallton and Wilmington, Del.; Brunswick and Car-

rollton, Ga.; Calumet City, Chicago, and Decatur, Ill.; Bethesda, Md.; Andover, Pittsfield, Wolburn, and Worcester, Mass.; Hattiesburg, Miss.; Carteret, Newark, Paulsboro, Westville, Whippany, and Woodbury, N.J.; Bainbridge, Niagara Falls, and Norwich, N.Y.; Charlotte and Hickory, N.C.; Akron, Ironton, McDermott, and Toledo, Ohio; Ponca City, Okla.; Erie, Mertztown, Muse, Pittsburgh, and Worcester, Pa.; Lawrenceburg, Tenn.; Alvin, Beaumont, Houston, and Port Arthur, Tex.; Marshfield, Wis.; (b) *furfural*, in bulk, in tank vehicles, from Omaha, Nebr., to Bensenville, and Georgetown, Ill.; Detroit and Ferndale, Mich.; Cleveland, Ohio; and Milwaukee, Wis.; and (c) *furfural alcohol*, in bulk, in tank vehicles, from Omaha, Nebr., to Sheboygan, 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., or Omaha, Nebr.

No. MC 2452 (Sub-No. 13), filed January 11, 1971. Applicant: HAJEK TRUCKING CO., INC., 7635 West Lawn-dale Avenue, Summit, IL 60502. Applicant's representative: Eugene L. Cohn, 1 North La Salle Street, Chicago, IL 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), between points in Cook County, Ill., on the one hand, and, on the other, points in Ohio located on and south of U.S. Highway 36 from the Indiana-Ohio State line to Piqua, and on and west of U.S. Highway 25 from Piqua to Cincinnati, Ohio. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Applicant further states the purpose of the instant application is for elimination of circuitry via the gateway points. No duplicating authority is sought. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 2473 (Sub-No. 15), filed January 22, 1971. Applicant: BILLINGS TRANSFER CORP., INC., Green Needles Road, Lexington, NC 27292. Applicant's representative: Charles Ephraim, 1250 Connecticut Avenue NW., Suite 600, Washington, DC 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Textiles and textile products* (except cotton products) from Lexington, N.C., and points within 40 miles of Lexington, to Washington, D.C., Baltimore, Md., Wilmington, Del., points in South Carolina and New Jersey, points in New York within 20 miles of New York, N.Y., including New York, N.Y., and points in that part of Pennsylvania on and south of a line beginning at the Pennsylvania-New Jersey State line and extending along U.S. Highway 22 via Easton, Allentown, Hamburg, and Strausstown, Pa.



to Harrisburg, Pa., and thence along the east bank of the Susquehanna River to the Maryland-Pennsylvania State line. **NOTE:** Applicant seeks herein the right to tack the authority sought to that presently held, particularly that portion of its present authority covering the transporting general commodities (with exceptions). Applicant further states it will surrender its existing authority covering the transportation of textiles and textile products (except cotton products) upon the grant of the authority here sought. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Charlotte, N.C.

No. MC 2653 (Sub-No. 26), filed February 1, 1971. Applicant: **MUNROE AND ARNOLD-MERRITT EXPRESS, INC.**, 183A Lafayette Street, Salem, MA 01970. Applicant's representatives: Francis E. Barrett and Francis P. Barrett, 60 Adams Street, Milton, MA 02187. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glass rods and tubing* from Newington and Portsmouth, N.H., to Danvers, Mass.; *rejected or returned shipments of glass rods and tubing, pallets and packing materials* used in the transportation of such products from Danvers, Mass., to Newington and Portsmouth, N.H. **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 Boston, Mass.

No. MC 2900 (Sub-No. 209), filed January 21, 1971. Applicant: **RYDER TRUCK LINES, INC.**, 2050 Kings Road, Jacksonville, FL 32203. Applicant's representative: John Carter (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Electrical transformers and parts* thereof, from Waukesha, Wis., to points in Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Virginia, and West Virginia. **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 Atlanta, Ga., or Washington, D.C.

No. MC 5101 (Sub-No. 7), filed January 26, 1971. Applicant: **SREIN FURNITURE CARRIERS, INC.**, 924 Bent Road, Cornwells Heights, PA 19020. Applicant's representative: Robert D. Stair, 71 Knox Boulevard, Mariton, NJ 08053. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Furniture crated and uncrated, furniture parts and materials* used in the manufacture thereof (except materials in bulk), between Laurel, Md., Cornwells Heights, and Fleetwood, Pa., and Elizabeth, N.J., on the one hand, and, on the other, points in the States of Delaware, Maryland, New Hampshire, New Jersey, New York, Pennsylvania, Vermont, Virginia, and the District of Columbia. **NOTE:** Applicant states that

the requested authority can be tacked with its existing authority at Philadelphia and Soudertown, Pa., Baltimore, Md., and Highstown, N.J., when necessary for stop-off purposes. Also, to serve West Virginia when necessary. If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa., or Washington, D.C.

No. MC 8989 (Sub-No. 214), filed January 25, 1971. Applicant: **HOWARD SOBER, INC.**, 2400 West St. Joseph Street, Lansing, MI 48904. Applicant's representative: Albert F. Beasley, 311 Investment Building, 1511 K Street NW., Washington, DC 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Self-propelled firefighting apparatus*, in initial driveway and initial truckaway service, from the plantsite of the American LaFrance Division of A.T.O., Inc. (Automatic Sprinkler Corp.), Elmira, N.Y., to points in the United States (excluding Alaska and Hawaii), and damaged or rejected shipments of the above specified commodity, from points in the United States (excluding Alaska and Hawaii), to the place of manufacture and assembly in Elmira, N.Y. **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 13087 (Sub-No. 33), filed January 11, 1971. Applicant: **STOCKBERGER TRANSFER & STORAGE, INC.**, 524 Second Street SW., Mason City, IA 50401. 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 (except hides and commodities in bulk), from the plantsite and storage facilities utilized by the Rath Packing Co. at Waterloo, Iowa, to points in 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 Des Moines, Iowa.

No. MC 14624 (Sub-No. 1), filed January 27, 1971. Applicant: **CECIL O'NAN**, doing business as **TRI-STATE EXPRESS**, Defoe, Ky. 40017. Applicant's representative: Fred F. Bradley, 213 St. Clair Street, Frankfort, KY 40601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, Commodities in bulk, and those requiring special equipment), between points in Gallatin, Carroll, Henry, and Oldham Counties and the off-route points of Verona, Milton, and Prospect, Ky. **NOTE:** Applicant states that the authority

sought herein can be tacked to present authority held in MC 14624. If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky.

No. MC 16672 (Sub-No. 14), filed January 29, 1971. Applicant: **McGUIRE LUMBER AND SUPPLY, INC.**, Wylliesburg, Va. Applicant's representative: Francis J. Ortman, 1700 Pennsylvania Avenue NW., Washington, DC 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wooden pallets and skids*, from Farmville, Va., to points in Maryland, New Jersey, New York, Pennsylvania, and the District of Columbia. **NOTE:** Applicant holds contract carrier authority under MC 119182 and subs thereunder, therefore 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 Richmond, Va., or Washington, D.C.

No. MC 20916 (Sub-No. 8), filed January 22, 1971. Applicant: **JOHN T. SISK**, Route 2, Box 182 B, Culpeper, VA 22701. Applicant's representative: Frank B. Hand, Jr., 740 15th Street NW., Washington, DC 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Wooden posts, pallets, chips, shavings, poles, and ties*; (2) *lumber*; (3) *mulch*; (4) *bark*; and (5) *sawdust*, from points in Orange, Culpeper, Fauquier, Madison, Stafford, and Rappahannock Counties, Va., to points in Delaware, Maryland, Pennsylvania, New Jersey, New York, West Virginia, and the District of Columbia. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. Applicant holds contract carrier authority under MC 134427 and subs, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 22229 (Sub-No. 67), filed January 18, 1971. Applicant: **TERMINAL TRANSPORT COMPANY, INC.**, 248 Chester Avenue SE., Atlanta, GA 30316. Applicant's representatives: Ralph B. Matthews, Post Office Box 1918, Atlanta, GA 30316, and T. R. Buck, Post Office Box 1160, Owensboro, KY 42301. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Memphis, Tenn., and Chicago, Ill.; from Memphis over Interstate Highway 55 to junction Interstate Highway 57 (near Sikeston, Mo.), thence over Interstate Highway 57 to Chicago, and return over the same route and utilizing such access roads as may be necessary, serving no intermediate points, as an alternate route for operating convenience only. **NOTE:** Common control may be involved. If a

hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 30837 (Sub-No. 420), filed January 25, 1971. Applicant: KENOSHA AUTO TRANSPORT CORPORATION, 4200 39th Avenue, Kenosha, WI 53140. Applicant's representative: Paul F. Sullivan, Washington Building, 15th and New York Avenue NW., Washington, DC 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Motor vehicles*, in initial movements, in truck-away and driveway 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 30844 (Sub-No. 342), filed January 15, 1971. Applicant: KROBLIN REFRIGERATED EXPRESS, INC., 2125 Commercial, Waterloo, IA 50704. Applicant's representative: Truman A. Stockton, Jr., The 1650 Grant Street Building, Denver, CO 80202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise as is dealt in by wholesale, retail, and chain grocery food business houses* and in connection therewith *materials, supplies, and products* used in or produced by the food processing industry, except commodities in bulk, from Springdale and Fayetteville, Ark., to points in Arizona, Colorado, Illinois, Kansas, Missouri, Nebraska, New Mexico, North Dakota, Oklahoma, South Dakota, Texas, Wisconsin, and Wyoming. 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 Chicago, Ill.

No. MC 32882 (Sub-No. 57), filed January 11, 1971. Applicant: MITCHELL BROS. TRUCK LINES, a corporation, 3841 North Columbia Boulevard, Portland, OR 97217. Applicant's representatives: Norman E. Sutherland, 1200 Jackson Tower, Portland, OR 97205, and Ellis F. Chartier, Post Office Box 17039, Portland OR 97217. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Plywood and composition board* from Los Angeles County, Calif., on the one hand, and, on the other, points in California, Colorado, Idaho, Montana, Nevada, Oregon, Utah, Washington, and Wyoming, and (2) *Plywood, composition board, molding, doors, wood cabinets, wood cabinet parts, and accessories* used in the installation thereof, from Los Angeles and Riverside Counties, Calif., on the one hand, and, on the other, points in California, Colorado, Idaho, Montana, Nevada, Oregon, Utah, Washington, and Wyoming. 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 Portland, Oreg., or San Francisco, Calif.

No. MC 51146 (Sub-No. 198), filed January 28, 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: *Paper and paper products, materials, and supplies* used in the manufacture and distribution of paper and paper products (except commodities in bulk), between Muncie, Ind., on the one hand, and, on the other, points in the United States (except Alaska and Hawaii). NOTE: Common control may be involved. 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. Applicant seeks no duplicating authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 51146 (Sub-No. 199), filed February 1, 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: *Paper and paper products*, (1) from Chicago and Elk Grove Village, Ill., to points in Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, Ohio, Tennessee, and Wisconsin; and (2) from Chicago Heights and Aurora, Ill., to points in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia. NOTE: Common control may be involved. Applicant states that the requested authority can be tacked with various subs of MC 51146 and will tack where feasible but 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. Applicant seeks no duplicating authority. If a hearing is deemed necessary, applicant requests it be held at Milwaukee, Wis.

No. MC 52704 (Sub-No. 82), filed February 1, 1971. Applicant: GLENN McCLENDON TRUCKING COMPANY, INC., Post Office Drawer H, Lafayette, AL 36862. Applicant's representative: Archie B. Culbreth, Suite 417, 1252 West Peachtree Street NW., Atlanta, GA 30309. Authority sought to operate as a

*common carrier*, by motor vehicle, over irregular routes, transporting: *Paper and paper products*, from the plantsite and warehouse facilities of Union Camp Corp. at or near Savannah, Ga., to points in Alabama, Arkansas, Kansas, Kentucky, Louisiana, Mississippi, Missouri, Oklahoma, Tennessee, 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 Atlanta, Ga., or Washington, D.C.

No. MC 52861 (Sub-No. 21) (Correction), filed December 17, 1970, published in the FEDERAL REGISTER issue of January 28, 1971, corrected and republished as corrected, this issue. Applicant: WILLS TRUCKING, INC., 2535 Center Street, Cleveland, OH 44113. Applicant's representative: Keith F. Henley, 88 East Broad Street, Columbus, OH 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coal*, between points in West Virginia on the one hand, and, on the other, points in Cuyahoga, Lake, and Ashtabula Counties, Ohio. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control and dual operations may be involved. The purpose of this republication is to show applicant's correct name as "Wills Trucking, Inc.", in lieu of Willis Trucking, Inc., which was shown erroneously in the previous publication. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 52861 (Sub-No. 23), filed January 13, 1971. Applicant: WILLS TRUCKING, INC., 2535 Center Street, Cleveland, OH 44113. Applicant's representative: David L. Pemberton, 88 East Broad Street, Columbus, OH 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lime*, in bulk, from Huron, Ohio, to points in Michigan. NOTE: Applicant states that the requested authority cannot be tacked with its requested authority. Applicant now holds contract authority under No. MC 127864, therefore dual operations may be involved. Common control may also be involved. If a hearing is deemed necessary, applicant requests it be held at Cleveland or Toledo, Ohio.

No. MC 52932 (Sub-No. 23), filed January 25, 1971. Applicant: NORTH PENN TRANSFER, INC., Box 230, Lansdale, PA 19446. 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: (1) *Tile*, from Lansdale, Pa., to points in Connecticut, Pennsylvania, Delaware, New York, Maryland, Virginia, New Jersey, and the District of Columbia; and (2) *articles* used in the manufacture of the commodities specified above, from the above-specified destination points, to Lansdale, Pa. NOTE: Applicant states it holds the above authority under its lead docket and its sub 12. The purpose of this

application is to eliminate certain restrictions in its sub 12. 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 request it be held at Washington, D.C., or Philadelphia, Pa.

No. MC 59292 (Sub-No. 27), filed January 13, 1971. Applicant: THE MARYLAND TRANSPORTATION COMPANY, a corporation, 1111 Frankfur Avenue, Baltimore, MD 21225. Applicant's representative: Spencer T. Money, 110 Park Lane Building, Washington, DC 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products and advertising matter* used in connection with such products, in cargo containers, which will have a subsequent movement by water, from borough of Rouseville, village of Reno, and Oil City, Venango County, Pa., to Baltimore, Md., and *damaged or rejected material*, on return. 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 Washington, D.C., or Baltimore, Md.

No. MC 59680 (Sub-No. 189), filed January 15, 1971. Applicant: STRICKLAND TRANSPORTATION CO., INC., 3011 Gulden Avenue, Post Office Box 5689, Dallas, TX 75222. Applicant's representative: Oscar P. Peck (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Alternate routes for operating convenience only: General commodities*, except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment;

(1) between Memphis, Tenn., and Greenville, Miss., in connection with carrier's presently authorized regular-route operations, serving no intermediate points: From Memphis over U.S. Highway 61 to Leland, Miss., thence over U.S. Highway 82 to Greenville, Miss., and return over the same route. Restriction: The route immediately above is restricted to the movement of traffic between Memphis, on the one hand, and, on the other, points in Arkansas and Louisiana. (2) Between Montrose, Ark., and Bastrop, La., in connection with carrier's presently authorized regular route operations, serving no intermediate points: From Montrose over U.S. Highway 165 to Bastrop, and return over the same route. (3) Between West Monroe, La., and Shreveport, La.: From West Monroe, La., over Interstate Highway 20 to Shreveport, and return over the same route. Restriction: The route immediately above is restricted against the handling of traffic having origin and destination in Louisiana. (4) Between Hope, Ark., and Shreveport, La., in connection with carrier's presently authorized regular-route operations, serving no intermediate points: From Hope, Ark., over Arkansas Highway 29

to the Arkansas-Louisiana State line, thence over Louisiana Highway 3 to Bossier City, La., thence over U.S. Highway 80 to Shreveport, La., and return over the same route;

(5) Between the site of the terminal of Strickland Transportation Co., Inc., in the village of Richfield, Ohio, and Detroit, Mich., in connection with carrier's presently authorized regular-route operations, serving no intermediate points: From Richfield over Interstate 271 to junction Interstate Highway 71, thence over Interstate Highway 71 to junction Ohio Highway 18, thence over Ohio Highway 18 to junction U.S. Highway 20, thence over U.S. Highway 20 to junction Interstate Highway 280 at or near Lemoyne, Ohio, thence over Interstate Highway 280 to junction Interstate Highway 75, thence over Interstate Highway 75 to Detroit, and return over the same route. (6) Between Little Rock, Ark., and Kinder, La., in connection with carrier's presently authorized regular route operations, serving no intermediate points: (a) from Little Rock over U.S. Highway 167 to Alexandria, La., thence over U.S. Highway 165 to Kinder, and return over the same route; (b) between Monroe, La., and junction U.S. Highways 165 and 167 at Alexandria, La., in connection with carrier's presently authorized regular-route operations, serving no intermediate points: From Monroe over U.S. Highway 165 to junction U.S. Highway 167, and return over the same route. Restriction: The routes immediately above are restricted against the transportation of traffic moving between points on carrier's routes, east of U.S. Highway 165, on the one hand, and, on the other, points in Arkansas and Memphis, Tenn., and points in the Memphis, Tenn., commercial zone. NOTE: If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex., or Washington, D.C.

No. MC 60157 (Sub-No. 14), filed January 11, 1971. Applicant: C. A. WHITE TRUCKING COMPANY, a corporation, 4641 Greenville Avenue, Dallas, TX 75202. Applicant's representative: James W. Hightower, 136 Wynnewood Professional Building, Dallas, TX 75224. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles* (except oilfield pipe as described in Mercer Ext.—Oil Field Commodities, 74 M.C.C. 459), from Lone Star, Tex., and points within 5 miles thereof, to points in the United States (except Alaska and Hawaii). NOTE: Applicant states joinder could be accomplished at Lone Star, Tex., with its existing Subs 6 and 12 to provide a through service to all states except Texas, Oklahoma, Louisiana, Kansas, Montana, Wyoming, Colorado, Illinois, New Mexico, North Dakota, and South Dakota. If a hearing is deemed necessary, applicant requests it be held at Fort Worth, Tex., or Dallas, Tex.

No. MC 61592 (Sub-No. 204), filed February 1, 1971. Applicant: JENKINS TRUCK LINE, INC., 3708 Elm Street,

Bettendorf, IA 52722. Applicant's representative: Donald W. Smith, 900 Circle Tower Building, Indianapolis, IN 46204. 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 packing-houses*, 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 West Fargo and Fargo, N. Dak., to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, 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 it be held at Minneapolis, Minn.

No. MC 61955 (Sub-No. 11), filed February 1, 1971. Applicant: CENTROPOLIS TRANSFER CO., INC., 6700 Wilson Avenue, Kansas City, MO 64125. 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: *Lime and limestone products*, between Springfield, Mo., on the one hand, and points in the States of Kansas, Oklahoma, and Arkansas, on the other. 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.

No. MC 65941 (Sub-No. 33), filed January 27, 1971. Applicant: TOWER LINES, INC., Post Office Box 6010, Wheeling, WV 26003. Applicant's representative: Paul M. Daniell, 1600 First Federal Building, Atlanta, GA 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles* (except those which because of size or weight require the use of special equipment), from the plant-site of Wheeling-Pittsburgh Steel Corp. at or near Warren, Steubenville, Yorkville, Mingo Junction, and Martins Ferry, Ohio; Benwood, Wheeling, Beech Bottom, and Follansbee, W. Va.; and Allentown, Pa., to points in Florida and those points in Georgia south of a line beginning at Augusta, Ga., and extending along U.S. Highway 1 to Louisville, thence along Georgia Highway 24 to junction of Georgia Highway 22 and thence along Georgia Highway 22 through Macon to Columbus, Ga. 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. Applicant also states that no duplicating authority is being sought. If a hearing is deemed necessary, applicant requests it be held at Tampa, or Miami, Fla.

No. MC 68078 (Sub-No. 34), filed February 1, 1971. Applicant: CENTRAL MOTOR EXPRESS, INC., 2909 South Hickory Street, Chattanooga, TN 37407. Applicant's representative: Blaine Buchanan, 1024 James Building, Chattanooga, TN 37402. 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, between Sheffield, Ala., and Memphis, Tenn., from Sheffield, Ala., over U.S. Highway 72 to Memphis, Tenn., and return over the same route serving no intermediate points. NOTE: If a hearing is deemed necessary, applicant requests it be held at Florence or Birmingham, Ala.

No. MC 71902 (Sub-No. 74), filed January 22, 1971. Applicant: UNITED TRANSPORTS, INC., Post Office Box 18547, 4900 North Santa Fe, Oklahoma City, OK 73118. Applicant's representative: Warren A. Goff, 2111 Sterick Building, Memphis, TN 38103. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foreign made motor vehicles* (except trailers and farm tractors) in secondary movements by the truck-away method, (1) from Houston, Tex., to points in Iowa, Nebraska, and South Dakota, restricted to traffic having a prior movement by water; (2) from Kansas City, Mo., to points in Iowa, Missouri (except Kansas City, Joplin, and St. Louis), Nebraska, and South Dakota, restricted to traffic having a prior movement by rail or motor carrier. 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 Kansas City, Mo., or Houston, Tex.

No. MC 73688 (Sub-No. 45), filed January 11, 1971. Applicant: SOUTHERN TRUCKING CORPORATION, 1500 Orenda Avenue, Post Office Box 7182, Memphis, TN 38107. Applicant's representative: Charles H. Hudson, Jr., 833 Stahlman Building, Nashville, TN 37201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, except those of unusual value, classes A and B explosives, household goods as defined by the Commission and commodities in bulk, between Fort Smith, Ark., and points in Arkansas, Oklahoma, Missouri, Kansas, 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 Fort Smith, Ark.; Little Rock, Ark.; Kansas City, Mo.; or St. Louis, Mo.

No. MC 79999 (Sub-No. 10), filed January 18, 1971. Applicant: E. JACK WAL-

TON TRUCKING COMPANY, a corporation, 13020 Sarah Lane, Post Office Box 9776. Applicant's representative: Joe G. Fender, 802 Houston First Savings Building, Houston, TX 77002. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles* (except oilfield pipe as described in Mercer Extension Oil Field Commodities, 74 M.C.C. 459, from Lone Star, Tex., and points within 5 miles thereof, 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 Dallas or Houston, Tex.

No. MC 95473 (Sub-No. 16), filed February 1, 1971. Applicant: H. A. DAUB, INC., Reinerton, Pa. 17980. Applicant's representative: Christian V. Graf, 407 North Front Street, Harrisburg, PA 17101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coal*, from points in Wisconsin Township (Dauphin County), Pa., to Bronx, N.Y. 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 Harrisburg, Pa., or Washington, D.C.

No. MC 100449 (Sub-No. 19), filed January 22, 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 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), and *equipment, materials, and supplies* used in the conduct of meat packing businesses, between the plant-site and facilities of Illini-Beef Packers, Inc., at or near Joslin, Ill., on the one hand, and, on the other, points in Iowa, Kansas, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, and Texas. 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 Chicago, Ill.

No. MC 103993 (Sub-No. 607), filed January 25, 1971. Applicant: MORGAN DRIVE-AWAY, INC., 2800 West Lexington Avenue, Elkhart, IN 46514. Applicant's representatives: Paul D. Borghe- sani, and Ralph H. Miller (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Trailers*, designed to be drawn by passenger automobiles in initial movements, from points in Clarendon, Charleston, Marlboro, and Fairfield

Counties, S.C., to points in the United States (except Alaska and Hawaii), and (2) *buildings and sections of buildings*, from points in Charleston, Marlboro, and Fairfield Counties, S.C. 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 Columbia, S.C.

No. MC 103993 (Sub-No. 608), filed January 25, 1971. Applicant: MORGAN DRIVE-AWAY, INC., 2800 West Lexington Avenue, Elkhart, IN 46514. Applicant's representatives: Paul D. Borghe- sani, and Ralph H. Miller (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Buildings and sections of buildings*, from points in Wood County, Ohio, 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 Toledo, Ohio.

No. MC 104004 (Sub-No. 182), filed December 7, 1970. Applicant: ASSOCIATED TRANSPORT, INC., 380 Madison Avenue, New York, NY 10017. Applicant's representative: William O. Turney, 2001 Massachusetts Avenue NW., Washington, DC 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, livestock, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), between Lewistown, Pa., and the junction of U.S. Highway 22 and U.S. Highway 119 over U.S. Highway 22, serving no intermediate points and serving Lewistown for purposes of joinder only in connection with applicant's regular route authority. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Harrisburg, Pa.

No. MC 105809 (Sub-No. 14), filed January 18, 1971. Applicant: ROBERT E. MACK, SOPHIE R. MACK, ESTELLE M. FUNK, CAROL BROWN AND THERESA R. MOLLOY, a partnership, doing business as MACK TRANSPORTATION COMPANY, 4330 Torresdale Avenue, Philadelphia, PA 19124. Applicant's representative: John W. Frame, Box 626, 2207 Old Gettysburg Road, Camp Hill, PA 17011. Authority sought to operate as *contract carrier*, by motor vehicle, over irregular routes, transporting: *Commodities* dealt in by hardware stores, from points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Rhode Island, South Carolina, Vermont, Virginia, West Virginia, and the District of Columbia, to the warehouse of Cotter & Co. at Philadelphia, Pa., under contract with Cotter & Co. NOTE: Dual operations may be

involved. If a hearing is deemed necessary applicant requests it be held at Harrisburg or Philadelphia, Pa.

No. MC 105881 (Sub-No. 44), filed January 27, 1971. Applicant: M. R. & R. TRUCKING COMPANY, a corporation, Post Office Box 997, Crestview, FL 32536. Applicant's representative: W. Guy McKenzie, Jr., Post Office Box 1200, Tallahassee, FL 32302. 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 and those requiring special equipment); (1) between Jacksonville, Fla., and Americus, Ga., from Jacksonville over U.S. Highway 1 to Alma, Ga., thence over Georgia Highway 32 to junction Interstate Highway 75, thence over Interstate Highway 75 to Cordele, Ga., thence over U.S. Highway 280 to Americus, and return over the same route, serving all intermediate points except with closed doors as to points intermediate to the junction of Georgia Highway 32 and Interstate Highway 75 and the Crisp-Sumter County line; (2) between Waycross and Atlanta, Ga., from Waycross over U.S. Highway 82 to junction Interstate Highway 75 thence over Interstate Highway 75 and 475 to Atlanta, and return over the same route, serving intermediate points between Waycross and the Berrien-Tift County line and with closed doors as to points intermediate to the Berrien-Tift County line and Atlanta, Ga.; (3) between Americus and Atlanta, Ga., over U.S. Highway 19, serving all intermediate points except with closed doors to points intermediate to Ellaville and Atlanta, Ga.; (4) between Waycross and Douglas, Ga., from Waycross over U.S. Highway 82 to junction Georgia Highway 158, thence over Georgia Highway 158 to Douglas, and return over the same route, serving all intermediate points; (5) between Waycross and Fitzgerald, Ga., from Waycross over U.S. Highway 84 to junction Georgia Highway 37, thence over Georgia Highway 37 to Ray City, Ga., thence over U.S. Highway 129 to Fitzgerald, and return over the same route, serving all intermediate points. Serving all points in Atkinson, Bacon, Ben Hill, Berrien, Clinch, Coffee, Irwin, Lanier, Pierce, Schley, Sumter, and Ware Counties, Ga., as off-route points in connection with carrier's regular routes operations. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Fitzgerald, Ga.

No. MC 106022 (Sub-No. 9), filed January 11, 1971. Applicant: V. B. MORGAN CO., a corporation, 6106 Paramount Boulevard, Long Beach, CA 90805. Applicant's representative: Phil Jacobson, 510 West Sixth Street, Suite 723, Los Angeles, CA 90014. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bentonite*, in special dump transfer units, between New Discovery Mine, Beatty, Nev.; Blanco Mine, Coaldale Junction,

Nev.; Vanderbilt Mine (20 miles east of Las Vegas), Lovelock, Nev.; on the one hand, and, on the other, Dunn Siding at Rail Mill, located 21 miles from Baker, Calif. NOTE: Applicant states that the requested authority cannot be tacked to its existing authority. If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif., or Las Vegas, Nev.

No. MC 106398 (Sub-No. 523), filed January 18, 1971. Applicant: NATIONAL TRAILER CONVOY, INC., 1925 National Plaza, Tulsa, OK 74151. Applicant's representatives: Irvin Tull (same address as applicant), and Leonard A. Jaskiewicz, 1730 M Street NW., Washington, DC 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers* designed to be drawn by passenger automobiles, in initial movements, from Marlboro County, S.C., to points in North Carolina, Georgia, Alabama, and Virginia. 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 Columbia, S.C.

No. MC 106398 (Sub-No. 524), filed January 29, 1971. Applicant: NATIONAL TRAILER CONVOY, INC., 1925 National Plaza, Tulsa, OK 74151. Applicant's representatives: Irvin Tull (same address as applicant), and Leonard A. Jaskiewicz, 1730 M Street NW., Suite 501, Washington, DC 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers* designed to be drawn by passenger automobiles, in initial movements, from Clarendon County, S.C., to points in the United States (except Alaska and Hawaii). 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 Columbia, S.C.

No. MC 106398 (Sub-No. 525), filed January 29, 1971. Applicant: NATIONAL TRAILER CONVOY, INC., 1925 National Plaza, Tulsa, OK. Applicant's representatives: Irvin Tull (same address as applicant), and Leonard A. Jaskiewicz, 1730 M Street NW., Suite 501, Washington, DC 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers* designed to be drawn by passenger automobiles, in initial movements, from Tippah County, Mass., to points in the United States (except Alaska and Hawaii). NOTE: Common control and dual operations may be involved. 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 Memphis, Tenn.

No. MC 107002 (Sub-No. 398), filed February 1, 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 fertilizer solutions*, in bulk, in tank vehicles, from Pine Bluff, Ark., to points in Louisiana, Mississippi, Missouri, Oklahoma, Tennessee, and Texas. NOTE: Applicant states that although tacking is not contemplated, the authority sought could be combined with other authorities to perform a through service to points in Alabama, Florida and Georgia. If a hearing is deemed necessary, applicant requests it be held at Memphis, Tenn., or Little Rock, Ark.

No. MC 107295 (Sub-No. 482), filed January 28, 1971. Applicant: PRE-FAB TRANSIT CO., 100 South Main Street, Farmer City, IL 61842. Applicant's representatives: Dale L. Cox and Mack Stephenson (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Wallboard, hardboard, plywood, fiberboard, composition board, wall paneling, adhesive, moldings, and accessories* used in the installation thereof, from points in Washington County, Ky., to points in the United States (except Alaska and Hawaii), and (2) *materials* used in the manufacture and distribution of wallboard, hardboard, plywood, fiberboard, composition board, wall paneling, adhesive, moldings, and accessories used in the installation thereof, from points in the United States (except Alaska and Hawaii) to points in Washington 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 Louisville, Ky.

No. MC 107295 (Sub-No. 475) (Amendment) filed December 11, 1970, published in the FEDERAL REGISTER issue of December 30, 1970, and republished as amended this issue. 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). NOTE: The purpose of this partial republication is to reflect the origin as Wilmington, Ohio, in lieu of New Wilmington as was previously shown. The rest of the application remains the same.

No. MC 107403 (Sub-No. 804), filed January 13, 1971. Applicant: MATELACK, INC., 10 West Baltimore Avenue, Lansdowne, PA 19050. Applicant's representatives: John E. Nelson (same address as applicant), and Harry C. Ames, Jr., 666 11th Street NW., Washington, DC 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Silica gel catalyst*, in bulk, in tank vehicles, from Cincinnati, Ohio, to points in California and Washington. NOTE: Common control may be involved. 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 107478 (Sub-No. 13), filed January 27, 1971. Applicant: OLD DOMINION FREIGHT LINE, a corporation, Box 1189, High Point, NC 27261. Applicant's representative: Francis W. McInerney, 1000 16th Street NW., Washington, DC 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Packaged fresh milk, heavy cream, half and half, ice cream, yogurt, chocolate milk, 2 percent milk, skim milk, buttermilk, homogenized milk, cottage cheese, flavored, sour cream, onion cream dip, eggnog, fruit drink*, between High Point, N.C., and points in Virginia. NOTE: Applicant states that the authority sought herein will be tacked with that held under MC 107478 and subs thereunder. If a hearing is deemed necessary, applicant requests it be held at High Point, N.C., or Washington, D.C.

No. MC 107496 (Sub-No. 799), filed February 1, 1971. Applicant: RUAN TRANSPORT CORPORATION, Third at Keosauqua Way, Post Office Box 855, Des Moines, IA 50304. Applicant's representative: H. L. Fabritz (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Synthetic resins*, in bulk, from Minneapolis, Minn., to Moorhead, Minn.; (2) *nitric acid*, in bulk, from Pine Bend, Minn., to points in Wisconsin and Michigan; (3) *Liquid feed*, in bulk, from Muscatine to points in Illinois, Indiana, Minnesota, Missouri, and Wisconsin; (4) *Hydrofluosilicic acid*, from Fulton, Ill., to points in Milwaukee, Wis., and Omaha, Nebr.; and (5) *Caustic soda*, in bulk, from St. Paul, Minn., to points in Wyoming. NOTE: Common control and dual operations may be involved. 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 Des Moines, Iowa, or Chicago, Ill.

No. MC 107496 (Sub-No. 800), filed January 25, 1971. Applicant: RUAN TRANSPORT CORPORATION, Third at Keosauqua Way, Des Moines, IA 50309. Applicant's representative: H. L. Fabritz (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Silica gel clay catalyst*, from points in Wyoming to points in

Colorado, Kansas, Nebraska, Missouri, Illinois, Minnesota, North Dakota, South Dakota, Utah, Idaho, Washington, Oregon, Oklahoma, Texas, California, Arizona, New Mexico, and Wisconsin. 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 Denver, Colo.

No. MC 107515 (Sub-No. 732), filed January 28, 1971. Applicant: REFRIGERATED TRANSPORT CO., INC., Post Office Box 308, Forest Park, GA 30050. Applicant's representatives: B. L. Gundlach (same address as applicant), and Paul M. Daniell, 1600 First Federal Building, Atlanta, GA 30050. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts*, from Bonne Terre, Mo., to points in Alabama, Florida, Georgia, North Carolina, South Carolina, Kentucky, 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 St. Louis, Mo., or Chicago, Ill.

No. MC 107515 (Sub-No. 733), filed January 29, 1971. Applicant: REFRIGERATED TRANSPORT CO., INC., Post Office Box 308, Forest Park, GA 30050. Applicant's representatives: B. L. Gundlach, Post Office Box 308, Forest Park, GA, and Paul M. Daniell, 1600 First Federal Building, Atlanta, GA 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid paint, varnish, and resin*, in containers, in vehicles equipped with mechanical refrigeration, from the plantsite of Cook Paint and Varnish Co., located in North Kansas City, Mo., to points in Florida. NOTE: Applicant states no tacking or joinder is intended, however Sub 561 would allow service to Orlando and Miami, Fla. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo., or St. Louis, Mo.

No. MC 107993 (Sub-No. 17), filed February 1, 1971. Applicant: J. J. WILLIS TRUCKING COMPANY, a corporation, Post Office Box 2112, Odessa, TX 79760. Applicant's representative: James W. Hightower, 136 Wynnewood Professional Building, Dallas, TX 75224. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles* (except oilfield pipe as described in Mercer Ext.—Oil Field Commodities, 74 M.C.C. 459), from Lone Star, Tex., and points within 5 miles thereof to points in the United States (except Alaska and Hawaii). NOTE: Applicant states it would join its Sub 10, 11, and 12 authority to

transport size and weight commodities and earth drilling pipe at Lone Star, Tex., where feasible to perform a through service. If a hearing is deemed necessary, applicant requests it be held at Fort Worth, Tex., or Dallas, Tex.

No. MC 109006 (Sub-No. 3), filed January 29, 1971. Applicant: C. L. BIGHAM, G. W. BIGHAM, L. C. BIGHAM, AND MELVIN BIGHAM, a partnership, doing business as W. K. BIGHAM & SONS, Route 2, Box 166, Lubbock, TX 79408. Applicant's representative: James M. Gerdeman, 2321 50th Street, Lubbock, TX 79412. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Buildings*, other than those knocked down or in sections, excluding Mercer commodities described in 74 M.C.C. 459, between points in Colorado, Kansas, New Mexico, Oklahoma, Utah, Texas, Arizona, Arkansas, Louisiana, and in Nebraska south of the north right-of-way line of Interstate Highway 80, including Omaha. 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 Lubbock or Amarillo, Tex.

No. MC 109397 (Sub-No. 249), filed February 1, 1971. Applicant: TRISTATE MOTOR TRANSIT CO., a corporation, Post Office Box 113, Joplin, MO 64801. Applicant's representatives: A. N. Jacobs (same address as applicant), and Wilburn L. Williamson, 600 Leininger Building, Oklahoma City, OK 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Compressors and compressor parts and accessories; pulp and paper mill machinery, plastic injection molding machinery, paper mill cylinder molds, and parts and accessories* for the aforementioned commodities, from Nashua, N.H., to points in the United States (except Hawaii). 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., or Boston, Mass.

No. MC 110080 (Sub-No. 5), filed January 15, 1971. Applicant: ROGER C. LENZ AND KEITH E. LENZ, a partnership, doing business as LENZ BROTHERS, Lansing IA 52151. Applicant's representative: A. R. Fowler, 2288 University Avenue, St. Paul, MN 55114. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages and related advertising material*, from Milwaukee, Wis., to points in Rochester, Minn., under contract with Rollie's Distributing Co. NOTE: If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 111862 (Sub-No. 22), filed January 21, 1971. Applicant: HENNES TRUCKING CO., a corporation, 338 South 17th Street, Milwaukee, WI 53233.

Applicant's representative: Jack B. Josselson, 700 Atlas Bank Building, Cincinnati, OH 45202. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Cement and mortar*, from the plant-site of P P G Industries, Inc., at or near Newton Township, Muskingum County, Ohio, to points in Kentucky, under contract with P P G Industries, Inc. NOTE: Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 111956 (Sub-No. 25), filed January 18, 1971. Applicant: SUWAK TRUCKING COMPANY, a corporation, 1105 Fayette Street, Washington, PA 15301. Applicant's representative: Henry M. Wick, Jr., 2310 Grant Building, Pittsburgh, PA 15219. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), between Bedford, Pa., and points within 50 miles thereof, on the one hand, and, on the other, points in Allegheny, Fayette, Greene, Washington, and Westmoreland Counties, Pa. NOTE: Applicant proposes to tack the authority sought with existing authorities. Applicant further states the purpose of instant application is to seek removal of the gateways and permit service via the most direct routes. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Pittsburgh, Pa.

No. MC 112304 (Sub-No. 42) (Amendment), filed December 28, 1970, published in the FEDERAL REGISTER issue of January 28, 1971, and republished as amended, this issue. Applicant: ACE DORAN HAULING & RIGGING CO., a corporation, 1601 Blue Rock Street, Cincinnati, OH 45223. Applicant's representative: A. Charles Tell, 100 East Broad Street, Columbus, OH 43215. NOTE: The purpose of this partial republication is to reflect that application now seeks authority to operate "between" the plantsite of the Chrysler Corp., at Bowling Green, Ky., on the one hand, and, on the other, points in the United States (except Alaska and Hawaii), restricted to traffic originating at or destined to the named plantsite. As previously published, applicant sought authority "from" the said plantsite. The rest of the application remains the same.

No. MC 112617 (Sub-No. 289), filed January 27, 1971. Applicant: LIQUID TRANSPORTERS, INC., Post Office Box 21395, Louisville, KY 40221. Applicant's representatives: Charles R. Dunford (same address as applicant), or Leonard A. Jaskiewicz, 1730 M Street NW., No. 501, Washington, DC 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, from points in Davless County, Ky., to points in Alabama, Arkansas, Georgia, Illinois

(except the St. Louis, Ill., commercial zone), Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri (except the St. Louis, Mo., commercial zone), North Carolina, Ohio, Oklahoma, South Carolina, Tennessee (except Kingsport and Elizabethton), Texas (except dry chemicals to Chambers, Montgomery, Harris, Fort Bend, Galveston, Liberty, and Brazoria Counties), West Virginia (except points in Brooke, Hampshire, Hancock, Kanawha, Marion, Marshall, Monongalia, Pleasants, and Wetzel Counties), Wisconsin, and Luke, Md., and points within 5 miles thereof. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Applicant seeks no duplicating authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 112801 (Sub-No. 116), filed January 13, 1971. Applicant: TRANSPORT SERVICE CO., 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: *Corn products and blends thereof, and vegetable oils*, in bulk, from Muscatine, Iowa, to points in the United States (excluding Hawaii and Alaska). NOTE: Applicant states tacking is not intended, but there is a possibility of tacking. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 112801 (Sub-No. 117), filed January 11, 1971. Applicant: TRANSPORT SERVICE CO., 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: *Chemicals*, in bulk, from Lemont, Ill., to points in Alabama, Indiana, Iowa, Kentucky, Michigan, Missouri, Minnesota, Ohio, and Wisconsin. NOTE: Applicant states tacking is not requested, but there is a possibility of tacking with present authority. 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 112822 (Sub-No. 183), filed January 29, 1971. 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: (1) *Forest products, lumber, composition board, plywood, flooring, millwork, molding, doors, wood cabinets, wood cabinet parts; and accessories used in the installation thereof*, from points in California to points in the States of Arizona, Arkansas, Colorado, Idaho, Illinois, Iowa, Kansas, Louisiana, Missouri, Montana, Nebraska, Nevada, New

Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Tennessee, Texas, Utah, Washington, and Wyoming, and (2) *forest products, lumber, composition board, plywood and millwork*, from points in Arizona and New Mexico to points in the State of California. NOTE: Common control may be involved. 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 Los Angeles, Calif., or Phoenix, Ariz.

No. MC 113158 (Sub-No. 17), filed January 18, 1971. Applicant: TODD TRANSPORT COMPANY, INC., Secretary, Md. 21664. Applicant's representative: V. Baker Smith, 2107 The Fidelity Building, Philadelphia, PA 19109. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Empty containers* for agricultural commodities, from Salisbury, Md., to points in Kent County, Del. 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 113362 (Sub-No. 201), filed January 22, 1971. Applicant: ELLSWORTH FREIGHT LINES, INC., 3100 East Broadway, Eagle Grove, IA 50533. Applicant's representative: James Ellsworth, 4500 North State Line Road, Texarkana, AR 75501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products and meat byproducts 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 M.C.C. 209 and 766 (except hides and commodities in bulk in tank vehicles), from the plantsite of and storage facilities utilized by Aristo Kansas Meat Packers at or near Holton, Kans., to points in Illinois, Pennsylvania, West Virginia, Virginia, Maryland, Delaware, New Jersey, New York, Connecticut, Massachusetts, Rhode Island, Vermont, New Hampshire, Ohio, Maine, and the District of Columbia, restricted to traffic which originates at the named plantsite and storage facilities and destined to the above named States. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Kans.

No. MC 113362 (Sub-No. 202), filed January 22, 1971. Applicant: ELLSWORTH FREIGHT LINES, INC., 3100 East Broadway, Eagle Grove, IA 50533. Applicant's representative: Milton D. Adams, 1105 1/2 Eighth Avenue NE., Post Office Box 562, Austin, MN 55912. 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 the plantsite and storage facilities of Dubuque Packing Co., located at Dubuque, Iowa, to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia, restricted to traffic which originates at the named plantsite and storage facilities, and destined to the above-named States. **NOTE:** If a hearing is deemed necessary, applicant does not specify a location.

No. MC 113362 (Sub-No. 203), filed February 1, 1971. Applicant: ELLSWORTH FREIGHT LINES, INC., 310 East Broadway, Eagle Grove, IA 50533. Applicant's representative: James R. Ellsworth, 4500 North State Line Road, Texarkana, AR 75501. 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* as described in section A and C of appendix I to the report in *Description in Motor Carrier Certificates*, 61 M.C. 209 and 766 (except in hides and commodities in bulk), from the plantsite and storage facilities of Wilson Beef and Lamb Co., at or near Hereford, Tex., to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, 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 it be held at Amarillo or Lubbock, Tex.

No. MC 113427 (Sub-No. 5), filed January 26, 1971. Applicant: HARRY GIBSON, R.F.D. No. 1, Wellsville, KS 66092. Applicant's representative: John L. Richeson, First National Bank Building, Ottawa, KS 66067. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Ice cream mix and ice milk mix, and return empty containers*, (1) from Sedalia, Mo., to points in Johnson, Wyandotte, and Leavenworth Counties, Kans., and (2) between points in Jackson County, Mo., and Johnson, Wyandotte, and Leavenworth Counties, Kans., under contract with Beatrice Foods Co. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 114194 (Sub-No. 158) (Amendment), filed November 27, 1970, published in *FEDERAL REGISTER* issue of December 24, 1970, and republished as amended this issue. Applicant: KREIDER TRUCK SERVICE, INC., 8003 Collinsville Road, East St. Louis, IL 62201. Applicant's representative: Gene Kreider, 67 Carnation, Collinsville, IL 62234.

Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Grain products and blends*, in bulk, from Keokuk, Iowa, to points in the United States (except Alaska and Hawaii), and (2) *corn products and blends*, in bulk, from Muscatine, Clinton, and Cedar Rapids, Iowa, to points in the United States (except Alaska and Hawaii). **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 republication is to broaden the scope of authority sought. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo., or Cedar Rapids, Iowa.

No. MC 114457 (Sub-No. 102), filed January 22, 1971. Applicant: DART TRANSIT COMPANY, a corporation, 780 North Prior Avenue, St. Paul, MN 55104. Applicant's representative: William H. Towle, 127 North Dearborn Street, Chicago, IL 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from Deerfield and Chicago, Ill., to points in South Dakota, North Dakota, Minnesota, and that portion of Wisconsin west of U.S. Highway 41. Restriction: The service authorized above is restricted to the transportation of traffic originating at the plant and warehouse facilities of the Kitchens of Sara Lee, Inc., at the named origins. **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 114632 (Sub-No. 36), filed January 21, 1971. Applicant: APPLE LINES, INC., Post Office Box 670, Madison, SD 57042. Applicant's representative: Grant J. Merritt, 1000 First National Bank Building, Minneapolis, MN 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (except commodities in bulk), from the plantsite and/or storage facilities utilized by Ocean Spray Cranberries, Inc., at or near Kenosha, Wis., to points in Iowa, Missouri, Kansas, Nebraska, Minnesota, North Dakota, South Dakota, and Oklahoma. **NOTE:** Applicant holds contract carrier authority in No. MC 129706, therefore 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 Chicago, Ill., or Milwaukee, Wis.

No. MC 115215 (Sub-No. 17), filed January 22, 1971. Applicant: NEW TRUCK LINES, INC., 500 West Hampton Springs Avenue, Perry, FL 32347. Applicant's representative: Sol H. Proctor,

2501 Gulf Life Tower, Jacksonville, FL 32207. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, from points in Leon and Taylor Counties, Fla., to points in Florida, Georgia, Alabama, Mississippi, North Carolina, and South Carolina. **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 or Tallahassee, Fla.

No. MC 115322 (Sub-No. 83), filed January 22, 1971. Applicant: REDWING REFRIGERATED, INC., Post Office Box 1698, 2939 Orlando Drive, Sanford, FL 32771. Applicant's representatives: J. V. McCoy, Post Office Box 426, Tampa, FL 33601, and David C. Venable, 15th and New York Avenue NW., Washington, DC 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen bakery products*, from the plantsite and storage facilities of Thomas Frozen Foods, Inc., located at (1) Totowa, N.J., to points in Maryland, Delaware, Virginia, North Carolina, South Carolina, Georgia, and Florida; and (2) Secaucus, N.J., to points in Maryland and Delaware. Restriction: Points in Maryland and Delaware, restricted to partial unloading of shipments destined to points beyond Maryland and Delaware. **NOTE:** Applicant states authority sought may be tacked; however, no tacking is presently intended. No duplicate authority is being sought. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or New York, N.Y.

No. MC 115331 (Sub-No. 298), filed January 27, 1971. Applicant: TRUCK TRANSPORT, INCORPORATED, 1931 North Geyer Road, St. Louis, MO 63131. Applicant's representative: J. R. Ferris, 230 St. Clair Avenue, East St. Louis, IL 62201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, from points in Hot Spring County, Ark., to points in Louisiana, Mississippi, Missouri, Oklahoma, Tennessee, Texas, and Wisconsin. **NOTE:** Applicant states that there are tacking possibilities, but at this time, it has no 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. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo., or Little Rock, Ark.

No. MC 115331 (Sub-No. 299), filed January 27, 1971. Applicant: TRUCK TRANSPORT INCORPORATED, 1931 North Geyer Road, St. Louis, MO 63131. Applicant's representative: J. R. Ferris, 320 St. Clair Avenue, East St. Louis, IL 62201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Corn products and blends*, in bulk, from Keokuk, Iowa to points in the United States



(except Alaska and 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 St. Louis, Mo., or Washington, D.C.

No. MC 115331 (Sub-No. 300), filed January 27, 1971. Applicant: TRUCK TRANSPORT INCORPORATED, 1931 North Geyer Road, St. Louis, MO 63131. Applicant's representative: J. R. Ferris, 320 St. Clair Avenue, East St. Louis, IL 62201. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Chemicals and starch*, in containers; (a) from Oglesby, Ill., to points in Arkansas, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Missouri, Minnesota, Nebraska, Ohio, Oklahoma, Tennessee, West Virginia, and Wisconsin; (b) from Utica, Ill., to points in Arkansas, Illinois, Kansas, Kentucky, Michigan, Nebraska, Ohio, Oklahoma, Tennessee, and West Virginia; and (2) *lime, limestone and limestone products*, from Hannibal, Mo., and Marblehead and Quincy, Ill., to points in Colorado, Kansas, Montana, Nebraska, North Dakota, South Dakota, Texas, and Wyoming. 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 St. Louis, Mo., or Washington, D.C.

No. MC 115331 (Sub-No. 301), filed January 27, 1971. Applicant: TRUCK TRANSPORT INCORPORATED, 1931 North Geyer Road, St. Louis, MO 63131. Applicant's representative: J. R. Ferris, 320 St. Clair Avenue, East St. Louis, IL 62201. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Used wooden pallets*, from points in North Dakota, South Dakota, Nebraska, Kansas, Missouri, Minnesota, Wisconsin, Illinois, Michigan, Indiana, Kentucky, Ohio, and West Virginia to the plantsite of Chevron Chemical Company, Fort Madison, Iowa; (2) *liquid feed and feed supplements* in bulk, from Havana, Ill., to points in Arkansas, Illinois, Indiana, Iowa, Kentucky, Michigan, Missouri, Ohio, and Wisconsin; and (3) *dry feed grade urea*, from the storage facilities utilized by Occidental Chemical Co. at or near Pekin, Ill., to points in Illinois, Indiana, Iowa, Kentucky, Minnesota, Missouri, 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 St. Louis, Mo., or Washington, D.C.

No. MC 115840 (Sub-No. 63), filed January 25, 1971. Applicant: COLONIAL FAST FREIGHT LINES, INC., 1215 West Bankhead Highway, Post Office Box 10327, Birmingham, AL 35202. Applicant's representatives: C. E. Wesley (same address as applicant), 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: (1) *Hydraulic dumping equipment, dump bodies, refuse containers and related parts* used when moving in connection therewith from points in Payne County, Okla., to points in Alabama, Georgia, Florida, Louisiana, Tennessee, North Carolina, South Carolina, Kentucky, Virginia; and (2) *materials, equipment, and supplies* used in the manufacture of hydraulic dumping equipment, dump bodies and refuse containers, from points in the destination States named in (1) above, to points in Payne County, Okla. 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 Oklahoma City or Tulsa, Okla.

No. MC 115841 (Sub-No. 397), filed January 28, 1971. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., 1215 West Bankhead Highway, Post Office Box 10327, Birmingham, AL 35202. Applicant's representative: C. E. Wesley (same address as applicant), 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: *Foodstuffs* (except in bulk) and in vehicles equipped with mechanical refrigeration, (1) from Derry Township, Dauphin County, Pa., to points in Kentucky, Tennessee, Alabama, Mississippi, Louisiana, Arkansas, Oklahoma, Texas, and Georgia; and (2) from Lebanon, Pa., to points in Kentucky, Tennessee, Georgia, Alabama, Mississippi, Louisiana, Oklahoma, and Texas. NOTE: Applicant intends to tack the requested authority with its Sub 260 over Birmingham, Ala., to points in California. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Birmingham, Ala.

No. MC 116073 (Sub-No. 155), filed January 22, 1971. Applicant: BARRETT MOBILE HOME TRANSPORT, INC., 1825 Main Avenue, Post Office Box 919, Moorhead, MN 56560. Applicant's representative: Robert G. Tassar, 1819 Fourth Avenue South, Kegel Plaza, Moorhead, MN 56560. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Trailers* designed to be drawn by passenger automobiles, in initial movements, from points in Holmes County, Ohio, 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 Columbus, Ohio.

No. MC 117147 (Sub-No. 3), filed January 15, 1971. Applicant: STARR'S TRANSPORTATION, INC., Upper Main Street, North Troy, Vt. 05859. Applicant's representative: Mary E. Kelley, 11 Riverside Avenue, Medford, MA 02155. Authority sought to operate as a contract carrier, by motor vehicle, over irregular

routes, transporting: *Veneer and core stock*, (1) from the port of entry on the international boundary line between the United States and Canada located at or near North Troy, Vt., to Hancock, Vt.; and (2) from Presque Isle, Maine; New Freedom, Pa.; and Providence, R.I., to Hancock, Vt., under contract with Weyerhaeuser Co. of Chicago, Ill. NOTE: If a hearing is deemed necessary, applicant requests it be held at Boston, Mass.

No. MC 117344 (Sub-No. 212), filed January 27, 1971. Applicant: THE MAXWELL CO., a corporation, 10380 Evendale Drive, Post Office Box 15010, Cincinnati, OH 45215. Applicant's representatives: James R. Stiverson and E. H. van Deusen, 50 West Broad Street, Columbus, OH 43215. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, from points in Daviess County, Ky., to points in Alabama, Arkansas, Georgia, Illinois (except the St. Louis, Ill., commercial zone), Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri (except the St. Louis, Mo., commercial zone), North Carolina, Ohio, Oklahoma, South Carolina, Tennessee (except Kingsport and Elizabethton), Texas, West Virginia (except points in Brooke, Hampshire, Hancock, Kanawha, Marion, Marshall, Monongalia, Pleasants, and Wetzel Counties), and Wisconsin, and Luke, Md., and points within 5 miles thereof. NOTE: Applicant states that the requested authority can be tacked with its existing authority, however, it has no present intention of tacking. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 117589 (Sub-No. 17), filed January 22, 1971. Applicant: PROVISIONERS FROZEN EXPRESS, INC., 2535 Airport Way South, Seattle, WA 98139. Applicant's representative: George R. Labissoniere, 1424 Washington Building, Seattle, WA 98101. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, when moving in vehicles equipped with mechanical refrigeration, between points in Oregon, Washington, and Idaho on the one hand, and, on the other, points in Utah, Idaho, and Colorado. NOTE: Applicant states it would surrender its Sub 15, if the instant application is granted. 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 Seattle, Wash.

No. MC 117686 (Sub-No. 120), filed January 29, 1971. Applicant: HIRSCHBACH MOTOR LINES, INC., 3324 U.S. Highway 75 North, Post Office Box 417, Sioux City, IA 51102. Applicant's representative: A. J. Swanson (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, dairy products and articles distributed by meat packinghouses*, as described in sections A, B, 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 storage facilities of Cudahy Co., at or near Wichita, Kans., to points in Alabama, Louisiana, Mississippi, Tennessee, and Texas. Restriction: Restricted to the transportation of shipments originating at the above-named origin points and destined to the above-named destination 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 Omaha, Nebr., or Kansas City, Mo.

No. MC 117815 (Sub-No. 170), filed January 11, 1971. Applicant: PULLEY FREIGHT LINES, INC., 405 Southeast 20th Street, Des Moines, IA 50317. 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: *Such commodities* as are manufactured, sold or distributed by persons engaged in the manufacturing, processing, and milling of grain products, from Hillsdale, Mich., to points in Iowa, Kansas, Minnesota, Missouri, Nebraska, Wisconsin, and points in the Davenport, Iowa, Rock Island and Moline, Ill., commercial zone. NOTE: Applicant states that the requested authority can be tacked with its existing authority but indicated 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 Chicago, Ill., or Detroit, Mich.

No. MC 119619 (Sub-No. 42), filed February 1, 1971. Applicant: DISTRIBUTORS SERVICE CO., a corporation, 200 West 43d Street, Chicago, IL 60609. Applicant's representative: Arthur J. Piken, 160-16 Jamaica Avenue, Jamaica, NY 11432. 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 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 plantsites and storage facilities of Dubuque Packing Co., at or near Dubuque, Iowa, to points in the States of Illinois, Indiana, Ohio, Michigan, Pennsylvania, New York, Maine, New Hampshire, Rhode Island, Vermont, Massachusetts, Connecticut, New Jersey, Delaware, Maryland, 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 it be held at Chicago, Ill.

No. MC 119669 (Sub-No. 17), filed January 13, 1971. Applicant: TEMPCO TRANSPORTATION, INC., 546 South 31A, Columbus, IN 47201. Applicant's representative: William J. Boyd, 29 South La Salle Street, Chicago, IL 60603. 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*, as described in appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 and *equipment, materials, and supplies* used in the conduct of meatpacking businesses, between the plantsite and warehouse facilities of Illini Beef Packers, Inc., at or near Joslin, Ill., on the one hand, and, on the other, points in Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, Missouri, North Carolina, South Carolina, Tennessee, Connecticut, Delaware, New Hampshire, Maine, Maryland, Massachusetts, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, 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 it be held at Chicago, Ill.

No. MC 119759 (Sub-No. 2), filed February 1, 1971. Applicant: O. L. HARE, doing business as GREEN COUNTY FAST FREIGHT, Monroe, WI 53566. Applicant's representative: Edward Solie, Executive Building, Suite 100, 4513 Vernon Boulevard, Madison, WI 53705. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, except in bulk, from Champaign, Ill., to points in the St. Louis, Mo. commercial zone, as defined by the Commission, and those in Missouri located on and east of U.S. Highway 67, restricted to traffic originating at the plantsites and facilities of Kraftco Corp. at Champaign, Ill., and destined to the specified points and territories in Missouri. 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 Madison, Wis.

No. MC 119774 (Sub-No. 21), filed February 1, 1971. Applicant: MARY ELLEN STIDHAM, N. M. STIDHAM, A. E. MANKINS (INEZ MANKINS, Executrix), AND JAMES E. MANKINS, SR., a partnership, doing business as EAGLE TRUCKING COMPANY, Post Office Box 471, Kilgore, TX 75662. Applicant's representative: James W. Hightower, 136 Wynnewood Professional Building, Dallas, TX 75224. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Modular wooden buildings, sections of modular buildings, component parts, fixtures, and accessories* from New Iberia, La., to points in Arkansas, Louisiana, Mississippi, and Texas; and (2) *material, equipment, and supplies* used in the manufacture of mod-

ular buildings from points in Arkansas, Louisiana, Mississippi, and Texas to New Iberia, La. NOTE: Applicant states that the requested authority cannot be tacked to its existing authority. If a hearing is deemed necessary, applicant requests it be held at New Orleans or Baton Rouge, La.

No. MC 119777 (Sub-No. 201), filed January 21, 1971. Applicant: LIGON SPECIALIZED HAULER, INC., Post Office Drawer L, Madisonville, KY 42431. Applicant's representative: Fred F. Bradley, 213 St. Clair Street, Frankfort, KY 40601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Beams, joists, trusses, and accessories and components, including shear panels, prenotched plate, blocking, nails, bridging, and hangers*, from Trus Joist Central at or near Delaware, Ohio, to points in Texas, Oklahoma, Nebraska, Kansas, North Dakota, South Dakota, and all States east thereof. 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 Columbus, Ohio, Louisville, Ky., Nashville, Tenn., or Frankfort, Ky.

No. MC 119789 (Sub-No. 58), filed January 22, 1971. Applicant: CARAVAN REFRIGERATED CARGO, INC., Post Office Box 6188, Dallas, TX 75222. Applicant's representative: James T. Moore (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Textiles, textile products, and floor coverings*, from points in Alabama to points in Texas, New Mexico, Arizona, and California. 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 Birmingham, Ala., Dallas, Tex., or Washington, D.C.

No. MC 119897 (Sub-No. 11), filed February 1, 1971. Applicant: A-1 TRANSPORTATION COMPANY, a corporation, 8826 Mississippi Street, Houston, TX 77029. Applicant's representative: J. G. Dail, Jr., 1111 E Street NW, Washington, DC 20004. 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 and equipment and parts; environmental control and protective systems equipment and parts; and 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 Arkansas, Colorado, Illinois, Indiana, Kansas, Kentucky, Louisiana, Missouri, Montana, Nebraska, 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 and District of Columbia). NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. It further states no duplicate authority is being sought. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Oklahoma City or Tulsa, Okla., or Houston or Dallas, Tex.

No. MC 119934 (Sub-No. 169), filed January 22, 1971. Applicant: ECOFF TRUCKING, INC., 625 East Broadway, Fortville, IN 46040. Applicant's representative: Robert C. Smith, 711 Chamber of Commerce Building, Indianapolis, IN 46204. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Commodities*, in bulk, from Aurora, Ind., to points in Indiana, Kentucky, and Ohio. NOTE: Applicant holds contract carrier authority under MC 128161, therefore dual operations and common control may be involved. 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 Indianapolis, Ind., or Washington, D.C.

No. MC 119934 (Sub-No. 170), filed February 1, 1971. Applicant: ECOFF TRUCKING, INC., 625 East Broadway, Fortville, IN 46040. Applicant's representative: Robert C. Smith, 711 Chamber of Commerce Building, Indianapolis, IN 46204. 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 holds contract carrier authority under permit No. MC 128161, therefore dual operations and 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 Indianapolis, Ind.

No. MC 120737 (Sub-No. 16), filed January 18, 1971. Applicant: STAR DELIVERY & TRANSFER, INC., Rural Route No. 5, Post Office Box 39, Canton, IL 61520. Applicant's representative: Chester J. Claudon, 121 West Elm Street, Canton, IL 61520. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Tractors* (except truck tractors) and (2) *attachments for, and equipment designed for use with the articles described in (1) above, and parts for (1) and (2) above, when moving in mixed loads with the articles described in (1) and (2) above, from Eau Claire, Wis., to points in Illinois, Wisconsin, Indiana, Michigan, Ohio, Kentucky, Tennessee, Pennsylvania, Alabama, Mississippi, North Carolina, South*

*Carolina, Georgia, Virginia, West Virginia, and Florida, restricted to traffic originating at Eau Claire, Wis.* NOTE: Applicant states that it could tack, but the primary purpose of this application is to serve the shipper. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 123048 (Sub-No. 185), filed January 25, 1971. Applicant: DIAMOND TRANSPORTATION SYSTEM, INC., 1919 Hamilton Avenue, Racine, WI 53401. Applicant's representatives: Paul C. Gartzke, 121 West Doty Street, Madison, WI 53703, and Paul L. Martinson (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) (a) *Agricultural implements, trenchers, excavating, grading and loading equipment*, (b) *Attachments for (a) above*, (c) *Parts for (a) and (b) above*, from New Holstein, Wis., to points in the United States (except Alaska and Hawaii), (2) (a) *Agricultural implements and post-hole diggers*, (b) *Attachments for (a) above*, (c) *Parts for (a) and (b) above*, from Bartlesville, Okla., to United States-Canadian border crossings and (3) (a) *Tractors, lawn and garden equipment and snow throwers*, (b) *Attachments for (a) above*, (c) *Parts for (a) and (b) above*, from Port Washington, Wis., to United States-Canadian border crossings. 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 Chicago, Ill., or Washington, D.C.

No. MC 123075 (Sub-No. 21), filed January 12, 1971. Applicant: SHUPE & YOST, INC., North U.S. 85 Bypass, Greeley, Colo. 80631. Applicant's representative: Stuart L. Poelman, Seventh Floor Continental Bank Building, Salt Lake City, Utah 84101. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Salt and salt products and animal and poultry feed mixtures* when moving in mixed loads with salt and salt products, from the plantsite of Utah Salt, Inc., at Silsbee, Utah, to points in Colorado, Wyoming, and Kansas and to points in South Dakota and Nebraska located west of U.S. Highway 83, under a continuing contract with Utah Salt, Inc., of Salt Lake City, Utah. NOTE: If a hearing is deemed necessary, applicant requests it be held at Salt Lake City, Utah.

No. MC 123634 (Sub-No. 8), filed January 21, 1971. Applicant: K. N. DISTRIBUTORS, INC., 360 Park Avenue South, New York, NY 10010. Applicant's representative: Arthur J. Piken, 160-16

Jamaica Avenue, Jamaica, NY 11432. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *General department store merchandise*, between the warehouse, storage facilities, and store facilities of S. Klein Department Stores, Inc., its subsidiaries and concessionaires, located at the stores and warehouse in New York, Yonkers, East Farmingdale, Commack, West Hempstead, Hicksville, New Hyde Park, Valley Stream, N.Y.; Newark, Woodbridge, Wayne Township, and Cherry Hill, N.J.; Philadelphia, Pa., Greenbelt, Md.; Boston, Mass.; and Alexandria, Va. Restriction: The operations requested herein are limited to a transportation service to be performed under a continuing contract, or contracts, with S. Klein Department Stores, Inc., of New York, N.Y., its subsidiaries, affiliates, and those concessionaires operating under contract with them and their stores. NOTE: Upon the instant application, it is intended to add the new location of York, Pa. The balance of the points are granted under permit No. 123634 (Sub-No. 7), and applicant consents to the revocation of the existing authority under Docket No. MC 123634 (Sub-No. 7) upon a grant of authority as requested herein. Applicant does not seek duplicating authority. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 123670 (Sub-No. 11), filed January 25, 1971. Applicant: CROWEL TRUCKING, INC., 4671 North Van Dyke, Almont, MI 48003. Applicant's representative: Eugene C. Ewald, Suite 1700, 1 Woodward Avenue, Detroit, MI. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: (a) *Unfrozen pickled vegetables*, in containers, from Imlay City, Memphis, and Bridgeport, Mich., to points in New Jersey and Delaware, (b) *Empty containers* from points in Indiana, Illinois, and Pennsylvania to Imlay City, Memphis, and Bridgeport, Mich., and (c) *Capping machines and parts and supplies* from Chicago, Ill., to Imlay City, Bridgeport, and Memphis, Mich. Restriction: The above operations would be limited to a transportation service to be performed, under a continuing contract or contracts, with Vlastic Food Products Co. NOTE: If a hearing is deemed necessary, applicant requests it be held at Detroit or Lansing, Mich.

No. MC 123681 (Sub-No. 20), filed January 27, 1971. Applicant: WIDING TRANSPORTATION, INC., Post Office Box 03159, Portland, OR 97203. Applicant's representative: Earle V. White, 2400 Southwest Fourth Avenue, Portland, OR 97203. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Benzaldehyde*, in bulk, between Kalama, Wash., on the one hand, and, on the other, points in Alabama, Michigan, New Jersey, and Ohio. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. No

duplicate authority is being sought. If a hearing is deemed necessary, applicant requests it be held at Portland, Oreg.

No. MC 123993 (Sub-No. 17), filed February 1, 1971. Applicant: FOGLEMAN TRUCK LINE, INC., Post Office Box 1504, Crowley, LA 70526. Applicant's representative: Austin L. Hatchell, 1102 Perry-Brooks Building, Austin, TX 78701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sugar*, in containers, from the plantsite of Southdown Lands, Inc., in Houma, La., to points in Alabama and Mississippi. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Applicant holds contract carrier authority under MC 41116, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Baton Rouge or New Orleans, La., or Washington, D.C.

No. MC 124154 (Sub-No. 43), filed January 13, 1971. Applicant: WINGATE TRUCKING COMPANY, INC., Post Office Box 645, Albany, GA 31702. Applicant's representative: W. Guy McKenzie, Jr., Post Office Box 1200, Tallahassee, FL 32302. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer and fertilizer materials*, in bulk, in tank vehicles, from Albany, Ga., to points in Alabama and Florida. 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 124160 (Sub-No. 4), filed January 21, 1971. Applicant: SAVAGE BROTHERS INCORPORATED, 602 East Main Street, American Fork, UT 84003. Applicant's representative: Lon Rodney Kump, 720 Newhouse Building, Salt Lake City, UT 84003. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bulk cement*, between points in Utah, Idaho, Nevada, and Wyoming. 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 Salt Lake City, Utah.

No. MC 124211 (Sub-No. 170), filed January 21, 1971. Applicant: HILT 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: (A) *Beverages*, carbonated and noncarbonated; *beverage concentrates*, *beverage flavoring compounds*, and *beverage preparations*; (1) from Lenexa, Kans., to points in Arkansas, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Minnesota, Missouri, Nebraska, North Dakota, Ohio, Oklahoma, South Dakota, Tennessee, Texas, and Wisconsin; and (2) from Granite City, Ill., to points in Arkansas, Colorado, Florida, Georgia, Illinois, Indiana, Iowa, Kansas,

Kentucky, Louisiana, Maryland, Michigan, Minnesota, Missouri, Nebraska, New Jersey, New York, North Dakota, Ohio, Oklahoma, Pennsylvania, South Dakota, Tennessee, Texas, and Wisconsin; and (B) *advertising matter*, *bottles*, *containers*, and *articles* dealt in and used by beverage manufacturers and distributors, from destinations named in (A) above to Lenexa, Kans., Granite City, Ill., and Omaha, Nebr. Restriction: The authority sought herein, to the extent it duplicates authority now held by carrier, shall not be construed as conferring more than one operating right severable by sale or otherwise. NOTE: Applicant states that the requested authority can be tacked with MC 124211 and various subs 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. Applicant seeks no duplicating authority. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 124669 (Sub-No. 28), filed December 21, 1970. Applicant: TRANSPORT, INC., OF SOUTH DAKOTA, 1012 West 41st Street, Sioux Falls, SD 57105. Applicant's representative: Ronald B. Pitsenbarger, Post Office Box 396, Moorhead, MN 56560. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, from Pipestone, Minn., to points in Iowa, North Dakota, and South Dakota. 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 Minneapolis, Minn.

No. MC 124692 (Sub-No. 76), filed February 3, 1971. Applicant: SAMMONS TRUCKING, a corporation, Post Office Box 1447, Missoula, MT 59801. Applicant's representative: Richard Bebel, 2814 North Cleveland Avenue, St. Paul, MN 55113. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel articles*, between Salt Lake City, Utah, on the one hand, and, on the other, the Henderson Mine and Mill Site-American Metals Climax Inc. (A.M.E.X.), near Parshall, Colo., and the east and west portals of the Straight Creek Tunnel in 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 Salt Lake City, Utah, or Denver, Colo.

No. MC 125650 (Sub-No. 7), filed January 21, 1971. Applicant: MOUNTAIN PACIFIC TRUCKING CORPORATION, 910 Dickens Street, Missoula, MT 59801. Applicant's representative: Joseph O. Earp, 607 Third Avenue, Seattle, WA 98014. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1)

*Frozen foods, canned goods, and poultry and meat* from points in Idaho and Ontario, Oreg., to points in Montana; and (2) *canned goods* from Salt Lake City, Roy, and Clearfield, Utah, to points in Montana. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Applicant seeks no duplicating authority. If a hearing is deemed necessary, applicant requests it be held at Missoula or Billings, Mont.

No. MC 125674 (Sub-No. 7), filed January 29, 1971. Applicant: THE SENTINEL STAR EXPRESS COMPANY, a corporation, doing business as JACK RABBIT EXPRESS, 64 East Concord Street, Orlando, FL 32801. Applicant's representative: James E. Wharton, 506 First National Bank Building, Post Office Box 231, Orlando, FL 32802. 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), restricted to shipments not exceeding 1,000 pounds from one consignor to one consignee on any one day consisting of items not exceeding 125 pounds per item; (1) between Vero Beach and Miami, Fla., over U.S. Highway 1, serving all intermediate points; and (2) between Belle Glade and Miami, Fla., from Belle Glade over Florida Highway 80 to South Bay, Fla., thence over U.S. Highway 27 to Miami, and return over the same route, serving all intermediate points. NOTE: Applicant seeks authority to serve all other points in Dade, Broward, Palm Beach, Martin, and St. Lucie Counties, Fla., as off-route points in connection with the above routes in (1) and (2). Applicant also seeks authority over the following routes for operating convenience only: (a) Between Yeehaw Junction and Miami, Fla., over Florida Sunshine State Parkway and over all roads of ingress and egress to applicant's proposed service routes, as an alternate route, serving no intermediate points; and (b) between Vero Beach and Miami, Fla., over Interstate Highway 95 and over all roads of ingress and egress to applicant's proposed service routes, as an alternate route, serving no intermediate points. NOTE: If a hearing is deemed necessary, applicant requests it be held at Orlando or Miami, Fla.

No. MC 126844 (Sub-No. 10), filed January 27, 1971. Applicant: R. D. S. TRUCKING CO., INC., 583 North Main Road, Vineland, NJ 08360. Applicant's representative: Jacob P. Billig, 1108 16th Street NW., Washington, DC 20036. 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* (except hides and commodities in bulk) as described in sections A and C of I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from the plantsite and warehouse facilities

utilized by Wilson Sinclair Co., at or near Monmouth, Ill., to points in Connecticut, Delaware, Maryland, Massachusetts, New Jersey, New York, Pennsylvania, Rhode Island, and the District of Columbia. Restricted to the transportation of traffic originating at the above-named origin and destined to the above-named destinations. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 126881 (Sub-No. 11), filed February 1, 1971. Applicant: RICHARD B. RUDY, INC., 203 Linden Avenue, Frederick, MD 21701. Applicant's representative: Charles E. Creager, Suite 523, 816 Easley Street, Silver Spring, MD 20910. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Materials, equipment, and supplies*, used or useful in the preparation, manufacture, sale, and distribution of food, foodstuffs, dessert, and dairy products, from points in Delaware, New Jersey, New York, Ohio, Pennsylvania, Virginia, West Virginia, and the District of Columbia to Laurel and Frederick, Md., under contract with Capitol Milk Producers Cooperative, Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 127042 (Sub-No. 73), filed January 18, 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 above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products and meat byproducts, dairy products, and articles distributed by meat packinghouses*, as described in sections A, B, and C of appendix 1 to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk); from Omaha, Nebr., and Cherokee, Iowa, to points in Arizona, California, Nevada, Utah, Oregon, and Washington. NOTE: Applicant states that it could tack with its present authority at Cherokee, Iowa, and Omaha, Nebr., to serve the same destination territory involved herein. If a hearing is deemed necessary, applicant requests it be held at Sioux City, Iowa, or Omaha, Nebr.

No. MC 128224 (Sub-No. 1), filed January 29, 1971. Applicant: GEORGE F. JOHNSON, Rural Delivery No. 1, New Stanton, PA. Applicant's representative: John A. Vuono, 2310 Grant Building, Pittsburgh, PA 15219. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Semifinished steel* used in the manufacture of steel molds for the casting of plastics, and, materials, equipment, supplies, and parts used in the production, manufacture, or distribution of the above-named commodities, between Youngwood (Westmoreland County), Pa., and points in California. Restriction: The operations are limited to a transportation service to be performed, under a continuing contract or contracts,

with Corporation, of Detroit, Mich. If a hearing is deemed necessary, applicant requests it be held at Pittsburgh, Pa.

No. MC 128273 (Sub-No. 86), filed January 13, 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 and paper products*, produced or distributed by manufacturers or converters of paper and paper products, and *equipment, materials, and supplies* used in the manufacture and distribution of paper products (except commodities in bulk, and commodities which, because of size or weight, require the use of special equipment), between points in Menominee, Mich.; Green Bay, Neenah, Menasha, and Ashland, Wis.; and Marathon County, Wis., on the one hand, and, on the other, points in Washington, Oregon, California, Nevada, Idaho, Montana, Wyoming, Colorado, Utah, Arizona, and 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 Washington, D.C.

No. MC 128381 (Sub-No. 5) (Amendment), filed January 18, 1971, published in the FEDERAL REGISTER issue of February 11, 1971, and republished as amended this issue. Applicant: BLUE EAGLE TRUCK LINES, INC., Post Office Box 446, Highland Park, IL 60035. Applicant's representative: Stephen L. Jennings, 111 West Jackson Boulevard, Suite 2100, Chicago, IL 60604. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Rugs, carpets, and carpeting*, between Chicago, Ill., on the one hand, and, on the other, Dalton, Cartersville, Calhoun, Rome, and Eaton, Ga., restricted to a transportation service to be performed under a continuing contract, or contracts, with A. S. Cohen, Inc., Chicago, Ill., and Value Rug Mart, Norridge, Ill. NOTE: The purpose of this republication is to add Rome and Eaton, Ga., to the destination. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 128497 (Sub-No. 7), filed February 1, 1971. Applicant: JACK LINK TRUCK LINE, INC., Post Office Box 127, Dyersville, IA 52040. Applicant's representative: Jack H. Blanshan, 29 South La Salle Street, Chicago, IL 60603. 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*, as described in appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 and *equipment, materials, and supplies* used in the conduct of meat packing businesses, between the plantsite and warehouse facilities of Illini Beef Packers, Inc., at or near Joslin, Ill., on the one hand, and on the other, points in Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, North Dakota,

South Dakota, Kansas, and Wisconsin. NOTE: Applicant holds contract carrier authority in MC 124807, therefore 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 Chicago, Ill.

No. MC 129537 (Sub-No. 8), filed January 29, 1971. Applicant: REEVES TRANSPORTATION COMPANY, a corporation, 5144 West Idlewild Avenue, Tampa, FL 33614. Applicant's representative: John C. Vogt, Jr., 707 Florida Avenue, Post Office Box 21, Tampa, FL 33601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Carpets, rugs, and related articles* used in the manufacture, distribution, and installation thereof, (1) between and to all points in Hamilton County, Tenn., and points in Georgia, North Carolina, and South Carolina on the one hand, and, on the other, points in Shelby County, Tenn., and points in Florida, Louisiana, Arkansas, Missouri, Iowa, Minnesota, North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Texas, New Mexico, Colorado, Wyoming, Montana, Idaho, Utah, Arizona, California, Nevada, Oregon, Washington, and all points south of U.S. Highway 80 in the States of Mississippi and Alabama, and (2) between and to all points in Georgia on the one hand, and, on the other, points in North Carolina and South Carolina. NOTE: Applicant states that due to the nature of its existing authority which states its origin territory by counties in the State of Georgia, and a portion of its destination territories by counties within the State of Florida, applicant, by its present application seeks to accomplish two things: (1) Expand its existing origin and destination territories; and (2) simplify its existing authority by changing from county-defined territories to State-defined territories. Therefore, if the application is granted in its present form there would actually be no tacking involved since application covers not only the new territories sought by applicant, but existing territories as well. However, in the event the application is amended or modified, applicant does intend to tack any authorities granted with its existing authority at Calhoun, Ga., to provide through-service throughout its entire system. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga., or Dallas, Tex.

No. MC 129624 (Sub-No. 2), filed January 29, 1971. Applicant: ROUTE MESSENGERS OF PENNSYLVANIA, INC., 4007 Ludlow Street, Philadelphia, PA 19104. 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) *Audit and accounting media, and business papers, reports, and records*, between the facilities of Automatic Data Processing of Pennsylvania, Inc., and Eastern Data Processing Co. in Philadelphia, Pa., on the one hand, and,

on the other, points in New Castle County, Del., and Mercer, Burlington, Camden, Clouester, Salem, Atlantic, Cumberland, and Cape May Counties, N.J., subject to the restriction that no service shall be rendered in the transportation of any package or article weighing more than 25 pounds. 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.

No. MC 129951 (Sub-No. 1), filed January 27, 1971. Applicant: HARLEY I. KEETER, JR., 6379 Valmont Drive, Boulder, CO. 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 and commodities in bulk), between Boulder and Central City, Colo., from Boulder over Colorado Highway 119 to junction Colorado Highway 160; thence over Colorado Highway 160 to junction Colorado Highway 279; thence over Colorado Highway 279 to Central City, and return over the same route, serving the intermediate and off-route points of Nederland, Ward, Tongsten, Black Hawk, Rollinsville, and Caribou, Colo. NOTE: Applicant holds a pending contract carrier application under MC 134581, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 133436 (Sub-No. 5) (Correction), filed January 4, 1971, published in the FEDERAL REGISTER issue of February 4, 1971, and republished as corrected, this issue. Applicant: DUDDEN ELEVATOR, INC., 121 East Second Street, Post Office Box 60, Ogallala, NE 69153. Applicant's representative: Richard A. Dudden, Post Office Box 60, Ogallala, NE 69153. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Canned goods and frozen foodstuffs*, except meat products, and return with *such commodities* as are used in the manufacture, production, and distribution of canned goods and frozen foodstuffs, from Delta, Colo., to points in the United States (except Hawaii), restricted to the account of Skyland Food Corp. NOTE: The purpose of this republication is to show that *contract carrier* authority is sought, inadvertently shown as *common carrier* authority in the previous publication, and to correct the commodity description. If a hearing is deemed necessary, applicant requests it be held at Lincoln, Nebr., or Denver, Colo.

No. MC 133437 (Sub-No. 2) (Amendment), filed January 25, 1971, published in the FEDERAL REGISTER issue of February 11, 1971, and republished as amended, this issue. Applicant: DAVIS CARTAGE CO., a corporation, 1957 Findley, Saginaw, MI 48601. Applicant's representa-

ive: William B. Elmer, 22644 Gratiot, East Detroit, MI 48201. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Molasses*, in bulk, in tank vehicles, from Bay City, Caro, Carrolton, Crosswell, and Sebawaing, Mich., to storage facilities of Industrial Molasses Corp. at Presque Isle site, Port District, Toledo, Ohio, under a continuing contract or contracts with Industrial Molasses Corp. NOTE: The purpose of this republication is to redescribe the scope of the authority sought. If a hearing is deemed necessary, applicant requests it be held at Lansing or Detroit, Mich.

No. MC 133755 (Sub-No. 9), filed January 17, 1971. Applicant: MILLIS BROS. TRANSFER, INC., Post Office Box 112, Black River Falls, WI 54615. Applicant's representative: Eric F. Stutz, 104 Main Street, Black River Falls, WI 54615. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*; (1) From Milwaukee, Wis., to Minneapolis, Minn., and *empty cooperage*, on return; and (2) from St. Paul, Minn., to Wausau, Wis., and *empty cooperage*, on return, under contract with Beer Distributors, Inc., and Pohle Sales, Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Madison or Eau Claire, Wis.

No. MC 134247 (Sub-No. 4), filed January 11, 1971. Applicant: CHARLES SEVERANCE, doing business as SEVERANCE TRUCK LINES, Post Office Box 903, State Road No. 100, Lake City, FL 32055. Applicant's representative: Alva Duncan, 111 East Madison Street, Lake City, FL 32055. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wood chips*, from points in Dixie County, Fla., and points in Levy County, Fla., to Clyattville, Ga. 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 or Tallahassee, Fla.

No. MC 134323 (Sub-No. 12) (Correction), filed January 20, 1971, published in the FEDERAL REGISTER, issue of February 11, 1971, and republished as corrected this issue. Applicant: JAY LINES, INC., 6210 River Road, Post Office Box 1644, Amarillo, TX 79109. Applicant's representative: Duane Acklie, 521 South 14th Street, Post Office Box 806, Lincoln, NE 68501. NOTE: The purpose of this republication is to show the correct docket number as shown above, in lieu of No. MC 134232 (Sub-No. 12), which was in error. The rest of the notice remains as previously published.

No. MC 134718 (Sub-No. 2), filed January 28, 1971. Applicant: EDWARD P. HOWELL, INC., Rural Delivery No. 6, Box 17, Elkton, MD 21921. Applicant's representative: William P. Jackson, Jr., 919 18th Street NW., Washington, DC 20006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Materials,*

*equipment, and supplies* used in the manufacture of pyrotechnics or munitions (except classes A and B explosives, commodities in bulk, and commodities requiring special equipment), between the plantsite of Ordnance Products, Inc., in Cecil County, Md., and the plantsite of Martin Electronics, Inc., in Taylor County, Fla., on the one hand, and, on the other, points in Ohio, Delaware, Pennsylvania, Maryland, New Jersey, New York, Connecticut, Rhode Island, Massachusetts, Vermont, New Hampshire, Maine, and Virginia, under contract with Ordnance Products, Inc., and Martin Electronics, Inc. NOTE: Applicant states that no duplicating authority is being sought. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 135122 (Sub-No. 1), filed January 18, 1971. Applicant: CARL C. BEESLEY, doing business as INDUSTRIAL INVESTMENT & CONSTRUCTION CO., 4220 North 38th Avenue, Post Office Box 14044, Phoenix, AZ 85019. Applicant's representative: A. Michael Bernstein, 1347 United Bank Building, 3550 North Central Avenue, Phoenix, AZ 85012. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Equipment, materials, supplies, and commodities* used by telephone companies in or incidental to the construction, servicing, and operation of a telephone system, and on return, *used, damaged, or defective telephone equipment, materials, and supplies and bookkeeping records and coin*, from Phoenix, Ariz., to points in New Mexico and points in El Paso County, Tex., under contract with the Mountain States Telephone & Telegraph Co. only. If a hearing is deemed necessary, applicant requests it be held at Phoenix, Ariz., or Albuquerque, N. Mex.

No. MC 135167, filed January 7, 1971. Applicant: THEODORE L. CHAPPELLE, doing business as HAZEL DELL TOWING, 300 Northeast 78th Street, Vancouver, WA 98665. Applicant's representative: Robert R. Hollis, 1121 Commonwealth Building, Portland, OR 97204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New and used automobiles and trucks*, between points in Clark County, Wash., on the one hand, and, on the other, points in Washington and Multnomah Counties, Ore. NOTE: If a hearing is deemed necessary, applicant requests it be held at Portland, Ore.

No. MC 135182 (Sub-No. 1), filed January 26, 1971. Applicant: TRANS-WAYS CO., a corporation, Moscow, Pa. 18444. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, NJ 07306. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Materials, supplies, and products* used in or produced by the food processing industry, for the account of Welch Foods, Inc., between Erie and North East, Pa.; Westfield, Dunkirk, Buffalo, and Newark, N.Y.

on the one hand, and, on the other, points in New Jersey, New York, and Pennsylvania. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or New York, N.Y.

No. MC 135243 (Sub-No. 1), filed January 28, 1971. Applicant: WISPAK TRANSPORT, INC., 4700 North 132d Street, Butler, WI 53007. Applicant's representative: Harry J. Weisfeldt, Suite 5058, Plankinton Building, 161 West Wisconsin Avenue, Milwaukee, WI 53203. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts* as described in section A of appendix I, 61 M.C.C. 209 and 766, from the plantsites, storage and freezer facilities of Wisconsin Packing Co., Inc., in Milwaukee, and Butler, Wis., to points in Delaware, District of Columbia, Illinois, Indiana, Iowa, Kansas, Kentucky, Maryland, Massachusetts, Michigan, Minnesota, Nebraska, New Jersey, New York, Ohio, Pennsylvania, Tennessee, and Virginia; and (2) *meat hooks, pallets, and racks*, from points in Indiana, Iowa, Kansas, Minnesota, Pennsylvania, and Tennessee, to the plantsites of Wisconsin Packing Co., Inc., and its storage and freezer facilities, on return, under a continuing contract with Wisconsin Packing Co., Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Milwaukee, Wis.

No. MC 135245 (Sub-No. 1), filed January 21, 1971. Applicant: BURGER'S EXPRESS, INC., doing business as BOULDER VALLEY TRANSFER, INC., 5541 Central Street, Boulder, CO 80302. Applicant's representative: John P. Thompson, 450 Capitol Life Building, Denver, CO 80203. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Cosmetics, toilet preparations, toilet articles and premiums*, and (2) *Equipment and supplies* used in connection with the commodities described in Item 1, from Boulder, Colo., to points in Boulder, Gilpin, Larimer, and Weld Counties, Colo., all under a continuing contract with Avon Products, Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Denver, Colo., or Kansas City, Mo.

No. MC 135257 (Sub-No. 1), filed January 21, 1971. Applicant: THE BIG E CORP., 505 North Myrtle Avenue, Jacksonville, FL 32203. Applicant's representative: Martin Sack, Jr., 1754 Gulf Life Tower, Jacksonville, FL 32207. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, between the plantsites and warehouses of Jones-Chambliss Co. and Henry's Hickory House at Jacksonville, Fla., on the one hand, and, on the other, points in the United States (except Alaska and Hawaii) under contract with Jones-Chambliss Co. and Henry's Hickory House. NOTE: Applicant holds common carrier authority under MC 117673, therefore

dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Jacksonville, Fla.

No. MC 135269, filed January 4, 1971. Applicant: A. J. C. TRANSPORTATION CORPORATION, 959 Massachusetts Avenue, Roxbury, MA 02118. Applicant's representative: Bert Collins, 140 Cedar Street, New York, N.Y. 10006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Meats and meat products*, in mechanically refrigerated equipment, from Tampa and Miami, Fla., Baltimore, Md., Wilmington, Del., Philadelphia, Pa., Boston, Mass., and the New York, N.Y., commercial zone, to points in Maine, Vermont, New Hampshire, Massachusetts, Connecticut, Rhode Island, New York, Pennsylvania, New Jersey, Delaware, Maryland, Florida, and the District of Columbia, under contract with A. J. Cunningham Packing Corp. NOTE: If a hearing is deemed necessary, applicant requests it be held at Boston, Mass.

No. MC 135271, filed January 18, 1971. Applicant: STRASSY'S SERVICE SYSTEM, INC., 229 East River Street, Mokenca, IL 60954. Applicant's representative: Albert A. Andrin, 29 South La Salle Street, Chicago, IL 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts*, as described in section A of appendix 1 to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Mokenca, Ill., to New York, N.Y.; North Bergen and Jersey City, N.J.; Philadelphia, Pa.; Boston, Westwood, and Lawrence, Mass.; Baltimore, Md.; Salem, Cleveland, and Canton, Ohio; Indianapolis, Ind.; and Detroit, Mich. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 135274, filed January 25, 1971. Applicant: BRITTON & SOUTHERN, INC., 514 Highway 43, South, Tuscumbia, AL 35674. Applicant's representative: Robert E. Tate, Post Office Box 517, Evergreen, AL 36401. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Rubber and rubber products and plastic and plastic products and accessories*, from the plantsite of Robbins Tire & Rubber Co., Inc., located at or near Muscle Shoals, Ala., to points in the United States (except Alaska and Hawaii); and (2) *materials, equipment, and supplies* used in the production of the above-named commodities, from points in the United States (except Alaska and Hawaii) to the plantsite of Robbins Tire & Rubber Co., Inc., located at or near Muscle Shoals, Ala.; Restriction: The operations authorized herein to be limited to a transportation service to be performed, under a continuing contract or contracts, with the Textile Rubber Co., Inc., and the Robbins Tire & Rubber Co., Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Birmingham or Montgomery, Ala.

No. MC 135275, filed January 22, 1971. Applicant: S. JOSEPH JULIANO, doing business as JULIANS ENTERPRISES, Route 9, South Amboy, NJ 08879. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, NJ 07306. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Scrap iron, steel, lead, copper, aluminum and zinc, and reels*, in dump trailers, from Tottenville, Staten Island, N.Y., to points in Edison, Carteret, and Kearny, N.J., Pittsburgh, Pa., and Atlanta, Ga.; (2) *reprocessed and returned scrap iron, steel, lead, copper, aluminum and zinc, and reels*, in dump trailers, from Edison, Carteret, Kearny, N.J., Pittsburgh, Pa., and Atlanta, Ga., to points in Tottenville, and Staten Island, N.Y., under continuing contract with Keystone Metal Co. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Washington, D.C.

No. MC 135279, filed January 26, 1971. Applicant: JAMES R. WIGAL, 5304 Second Avenue, Vienna, WV 26101. Applicant's representative: Robert E. Keltner, 317 Market Street, Parkersburg, WV 26101. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Silica sand*, from Zanesville, Ohio, to the site of Demuth Glass Co., Vienna, W. Va., under contract with Demuth Glass Co. NOTE: If a hearing is deemed necessary, applicant requests it be held at the Federal Building, Parkersburg, W. Va., Wheeling or Charleston, W. Va.

No. MC 135284, filed January 29, 1971. Applicant: FLEETWOOD TRANSPORTATION CORP., 6585 Kinne Road, Dewitt, NY 13214. Applicant's representative: J. A. Kundtz, 1100 National City 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, retail, and chain grocery and food business houses, and, in connection therewith, *equipment, materials, and supplies* used in the conduct of such business, between Fleetwood, Berks County, Pa., on the one hand, and, on the other, points in Pennsylvania, New York, New Jersey, Maryland, Delaware, and the District of Columbia, under continuing contract or contracts with Agfoods, Inc. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 135285, filed January 25, 1971. Applicant: JACKSON RAPID DELIVERY SERVICE, INC., Post Office Box 482, Jackson, MS 39205. Applicant's representative: Dale Woodall, 900 Memphis Bank Building, Memphis, TN 38103. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except commodities in bulk, classes A and B explosives, and commodities requiring special equipment), having a prior or subsequent movement by air, between Jackson, Miss., on the one hand, and, on the other, points in Mississippi

bounded by a line commencing at the Arkansas-Mississippi State line at Greenville, Miss., extending along U.S. Highway 82 to its junction with U.S. Alternate Highway 45, thence along U.S. Alternate Highway 45 to its junction with U.S. Highway 45, thence along U.S. Highway 45 to its junction with U.S. Highway 84 at Waynesboro, Miss., thence along U.S. Highway 84 to its junction with U.S. Highway 11 at Laurel, Miss., thence along U.S. Highway 11 to its junction with U.S. Highway 98 at Hattiesburg, Miss., thence along U.S. Highway 98 to the Louisiana-Mississippi State Line at Natchez, Miss., including points on the highways named herein. NOTE: If a hearing is deemed necessary, applicant requests it be held at Jackson, Miss.

No. MC 135286, filed February 1, 1971. Applicant: JOE N. MOSELEY, BILLIE R. MOSELEY, and VIRGIE D. MANKIN, a partnership doing business as M & M TRANSPORT, Highway 50 West, Post Office Box 175, Jefferson City, MO 65101. Applicant's representative: Herman W. Huber, 101 East High Street, Jefferson City, MO 65101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bark, barrel staves, heading, logs, lumber, saw dust, and wood chips*, from points in Missouri to points in the States of Arkansas, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Nebraska, Ohio, Oklahoma, and Tennessee. NOTE: If a hearing is deemed necessary, applicant requests it be held at Jefferson City or St. Louis, Mo.

#### MOTOR CARRIER OF PASSENGERS

No. MC 134929 (Sub-No. 2) (Correction), filed December 22, 1970, published FEDERAL REGISTER issue of January 28, 1971, corrected and republished as corrected, this issue. Applicant: EYRE'S BUS SERVICE, INC., Union Chapel Road, Woodbine, MD 21797. Applicant's representative: Bruce E. Mitchell, Suite 301, Tavern Square, 421 King Street, Alexandria, VA 22314. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in the same vehicle with passengers, between Columbia, Md., and Washington, D.C., under contract with The Columbia Park and Recreation Association, Inc. NOTE: Dual operations may be involved. The purpose of this republication is to show the proposed operation as that of a contract carrier, in lieu of common carrier. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 135268, filed January 18, 1971. Applicant: TRI-CITIES LIMO SERVICE, INC., 567 Main Street, Passaic, NJ. Applicant's representative: Sidney J. Leshin, 501 Madison, New York, NY 10022. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage* in vehicles having a seating capacity of no more than 11

passengers excluding the driver, between points in the counties of Bergen, Passaic, Hudson, Essex, Union, and Morris, N.J., on the one hand, and, on the other, the city of New York, within the State of New York. NOTE: If a hearing is deemed necessary, applicant requests it be held at Newark, N.J.

No. MC 135288, filed January 26, 1971. Applicant: MCGILL'S TAXI & BUS LINES, INC., doing business as ASHEBORO COACH CO., 151 Sunset Avenue, Asheboro, NC 27203. Applicant's representative: Clarence McGill (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in round trip charter service, beginning and ending at points in Randolph, Chatham, Stanley, Robeson, Moore, Lee, Anson, Richmond, Scotland, and Montgomery Counties, N.C., and extending to points in Florida, Georgia, South Carolina, Virginia, District of Columbia, Maryland, Pennsylvania, New Jersey, New York, and Tennessee. NOTE: If a hearing is deemed necessary, applicant requests it be held at Asheboro, N.C., or other cities in North Carolina.

#### APPLICATIONS FOR BROKERAGE LICENSES

No. MC 130137, filed January 15, 1971. Applicant: JUNE GREPPS AND JENNY VONTZ, a partnership, doing business as SILHOUETTE TOURS, 1585 Blue Orchard Drive, Cincinnati, OH 45230. For a license (BMC 5) to engage in operations as a *broker* at Cincinnati, Ohio, in arranging for the transportation by motor vehicle, in interstate or foreign commerce, of *passengers and their baggage*, both as individuals and in groups, in special and charter operations, beginning and ending at Cincinnati, Ohio and extending to points in Ohio, Kentucky, and Indiana.

No. MC 130138, filed January 20, 1971. Applicant: CHI-AM TOURS, INC., 9 Elizabeth Street, New York, NY 10013. Applicant's representative: Samuel B. Zinder, Station Plaza East, Great Neck, NY 11021. For a license (BMC 5) to engage in operations as a *broker* at New York, N.Y., in arranging for the transportation by motor vehicle, in interstate or foreign commerce, of *passengers and their baggage* in sightseeing and pleasure tours, in special and charter operations, beginning and ending at New York, N.Y., and extending to points in the United States (including transportation of passengers arranged for by applicant who have prior, subsequent, or intervening movement by some mode of transportation other than motor carrier from New York, N.Y.), restricted against student tours extending to points west of the Mississippi river.

#### APPLICATION OF WATER CARRIER

No. W-1256 (RAMBLER, INC., Common Carrier Application), filed February 5, 1971. Applicant: RAMBLER, INC., 708 Westerfield Road, Davenport, IA. Applicant's representative: Frederick P. Patton, First National Bank Building, Rock

Island, IL 61201. By application filed February 5, 1971, applicant requests authority to operate as a *common carrier*, by water, in the transportation of *passengers* on the Mississippi River in Iowa and Illinois (1) regular service out of and returning to Davenport, Iowa; and (2) on charter trips out of and returning to Keokuk, Burlington, Muscatine, Fairport, Montpelier, Buffalo, Davenport, LeClaire, Princeton, Camanche, and Clinton, Iowa; and Opquawka, Keithsburg, New Boston, Andalusia, Rock Island, Moline, Albany, and Fulton, Ill.

By the Commission.

[SEAL]

ROBERT L. OSWALD,  
Secretary.

[FR Doc. 71-2236 Filed 2-18-71; 8:45 am]

[No. 35360]

#### ARKANSAS INTRASTATE FREIGHT RATES AND CHARGES, 1970

At a session of the Interstate Commerce Commission, Division 2, held at its office in Washington, D.C., on the 8th day of February 1971.

Upon petition filed December 28, 1970, Ashley, Drew & Northern Railway Co., Chicago, Rock Island and Pacific Railroad Co., The Kansas City Southern Railway Co., Louisiana & Arkansas Railway Co., The Louisiana and North West Railroad Co., Missouri Pacific Railroad Co., The Prescott and Northwestern Railroad Co., Reader Railroad, St. Louis-San Francisco Railway Co., St. Louis Southwestern Railway Co., and Warren & Saline River Railroad Co., carriers by railroad within the State of Arkansas, aver that the Arkansas Commerce Commission has denied and that this Commission in No. 35018, Arkansas Intrastate Freight Rates and Charges (not printed), decided November 14, 1969, has not accorded increases in intrastate rates and charges on soybeans corresponding to increases maintained by the petitioners on interstate commerce as authorized by this Commission in Ex Parte No. 256, Increased Freight Rates, 1967, 329 I.C.C. 854 and 332 I.C.C. 280, and that the Arkansas Commerce Commission has not permitted increases in line-haul intrastate rates on rough rice and rice hulls, soybeans, soybean meal, flaxing stone, pulpwood, and wood chips corresponding to the final increase (as distinguished from the interim increase) maintained by the petitioners on interstate commerce as authorized by this Commission in Ex Parte No. 259, Increased Freight Rates, 1968, 332 I.C.C. 714;

It appearing, that petitioners allege that the increases applicable on interstate commerce were permitted because of revenue needs, are reasonable, and result in rates which are just and reasonable; that interstate and intrastate commerce is commingled and handled in the same trains; that the revenue needs exist to as great an extent with respect to intrastate as interstate traffic; that conditions surrounding Arkansas intrastate movements are no more favorable



than conditions incident to the handling of interstate movements to, from, or through Arkansas; that the rates and charges imposed by the Arkansas Commerce Commission, to the extent they fail to include increases sought herein, in addition to and applied prior to subsequent increases, on intrastate commerce within the State of Arkansas are, and for the future will be unreasonably low, and fail to produce a fair share of the revenues required by the petitioners to meet operating and maintenance costs, resulting in substantial revenue losses to the petitioners, in undue and unreasonable advantage to shippers and receivers of commodities in Arkansas intrastate commerce, in undue and unreasonable prejudice to shippers of interstate traffic to, from, and through Arkansas and in undue, unreasonable, and unjust discrimination against, and an undue burden upon, interstate commerce; thus, petitioners request an investigation, under sections 13 and 15a(2) of the Interstate Commerce Act, of the Arkansas intrastate rates on traffic as more fully described hereinabove and an order removing the alleged unlawfulness;

And it further appearing, that there have been brought in issue by the said petition matters sufficient to require an investigation of certain intrastate rates and charges made or imposed by the State of Arkansas;

Wherefore, and good cause appearing;

It is ordered, That the petition be, and it is hereby, granted, and that an investigation be, and it is hereby, instituted under sections 13 and 15a(2) of the act to determine whether the said rates and charges of carriers by railroad, or any of them, operating in the State of Arkansas, for the intrastate transportation of rough rice and rice hulls, soybeans, soybean meal, fluxing stone, pulpwood, and wood chips made or imposed by the State of Arkansas, cause or will cause, by reason of the failure of such rates and charges to include increases corresponding to those permitted by this Commission on interstate shipments of soybeans in Ex Parte No. 256, Increased Freight Rates, 1967, supra, and on interstate shipments of all the named commodities in Ex Parte No. 259, Increased Freight Rates, 1968, supra, in addition to and applied prior to subsequently authorized general revenue increases, cause any undue or unreasonable advantage, preference, or prejudice as between persons or locations in intrastate commerce, on the one hand, and interstate or foreign commerce, on the other hand, and any undue, unreasonable, or unjust discrimination against or undue burden on interstate or foreign commerce; and to determine what rates and charges, if any, or what maximum, or minimum, or maximum and minimum rates and charges shall be prescribed to remove the unlawful advantage, preference, prejudice, discrimination, or undue burden, if any, that may be found to exist.

It is further ordered, That all carriers by railroad operating within the State of Arkansas, subject to the jurisdiction of this Commission be, and they are hereby,

made respondents to this proceeding; that a copy of this order be served upon each of said respondents, and that the State of Arkansas be notified of the proceeding by sending a copy of this order by certified mail to the Governor of the State of Arkansas, Little Rock, Ark., and a copy to the Arkansas Commerce Commission, Little Rock, Ark.

It is further ordered, That all persons who wish actively to participate in this proceeding and to file and to receive copies of pleadings shall make known that fact by notifying this Commission in writing on or before March 26, 1971. Although individual participation is not precluded, to conserve time and to avoid unnecessary expense, persons having common interests shall endeavor to consolidate their presentation to the greatest extent possible. The Commission desires participation only of those who intend to take an active part in the proceeding.

It is further ordered, That as soon as practicable after the date for indicating a desire to participate in the proceeding has passed, the Commission's Office of Proceedings will serve a list of the names and addresses of all persons upon whom service of all pleadings must be made.

It is further ordered, That notice of this proceeding be given to the public by depositing a copy of this order in the office of the Secretary of the Commission at Washington, D.C., and by filing a copy with the Director, Office of the Federal Register, Washington, D.C., for publication in the FEDERAL REGISTER. It is not contemplated that there will be any further general public notification published in the FEDERAL REGISTER of the succeeding handling of this proceeding. Subsequent notices and orders entered herein will be served solely on the persons responding to this order and on the present parties.

And it is further ordered, That this proceeding be assigned for hearing as may hereinafter be designated.

By the Commission, Division 2.

[SEAL] ROBERT L. OSWALD,  
Secretary.

[FR Doc. 71-2315 Filed 2-18-71; 8:49 am]

[No. 35354]

### VIRGINIA INTRASTATE RAIL FREIGHT RATES AND CHARGES, 1970

At a session of the Interstate Commerce Commission, Division 2, held at its office in Washington, D.C., on the 5th day of February 1971.

Upon petition filed November 27, 1970, the Carolina and Northwestern Railway Co., Carolina, Clinchfield and Ohio Railway, Interstate Railroad Co., Louisville and Nashville Railway Co., Norfolk Southern Railway Co., Penn Central Co., Richmond, Fredericksburg and Potomac Railroad Co., Seaboard Coast Line Railroad Co., Southern Railway Co., Virginia Blue Ridge Railway, and their short-line connections, carriers by railroad operating within the State of Virginia, aver

that the State Corporation Commission of Virginia has not permitted increases in intrastate rates and charges corresponding to increases maintained by the carriers on interstate commerce subject to a refund provision if lesser increases are finally permitted, as authorized by this Commission in Ex Parte No. 265, Increased Freight Rates, 1970, and Ex Parte No. 267, Increased Freight Rates, 1971 (final reports pending); and

It appearing, that petitioners allege that the interstate rates and charges, as increased, are just and reasonable; that the conditions incident to the intrastate transportation of rail traffic in Virginia are not more favorable than those incident to interstate transportation of the same commodities from, to, or through Virginia; that an increase in the intrastate rates and charges, as sought in the petition, will not result in unreasonable rates and charges, or in rates and charges that are unreasonable in relation to interstate rates and charges, or in rates and charges that exceed maximum reasonable rates and charges; and that the present Virginia intrastate rates and charges are abnormally low and that the traffic moving thereunder fails to produce its fair share of earnings sufficient to enable the petitioners to provide adequate and efficient transportation service consistent with the Interstate Commerce Act and the National Transportation Policy;

It is further appearing, that it is alleged that consequently an undue burden is cast on interstate commerce, that undue, unreasonable, and unjust discrimination against interstate commerce exists, and that intrastate shippers are accorded undue and unreasonable advantage and preference, and interstate shippers of the same commodities are subjected to unreasonable prejudice and disadvantage;

It further appearing, that the petitioners request that the matter be set for early hearing and that an examiner's report and recommended order be omitted;

And it further appearing, that there have been brought in issue by the carriers' petition matters sufficient to require an investigation into the lawfulness of intrastate rates and charges made or imposed by the State of Virginia, which investigation, according to the proviso in section 13(4) of the act, the Commission must institute whether or not the issues were theretofore considered by the State agency or authority, and that the Commission must give special expedition to the decision, including early hearing, therein;

Wherefore, and good cause appearing therefor:

It is ordered, That the petition for an investigation be, and it is hereby, granted, and that an investigation be, and it is hereby, instituted under section 13 of the Interstate Commerce Act to determine whether the intrastate rates and charges of carriers by railroad, or any of them, operating in the State of Virginia, for the intrastate transportation

of property made or imposed by authority of the State of Virginia cause or will cause, by reason of the failure of such rates and charges to include increases corresponding to those permitted by this Commission for interstate transportation in Ex Parte No. 265, Increased Freight Rates, 1970, and Ex Parte No. 267, Increased Freight Rates, 1971, any undue or unreasonable advantage, preference, or prejudice, as between persons or locations in intrastate commerce, on the one hand, and interstate or foreign commerce, on the other, or any undue, unreasonable, or unjust discrimination against or undue burden on, interstate or foreign commerce; and to determine what rates and charges, if any, or what maximum, or minimum, or maximum and minimum rates and charges should be prescribed to remove the unlawful advantage, preference, discrimination, or undue burden, if any, that may be found to exist.

*It is further ordered.* That all carriers by railroad operating within the State of Virginia, subject to the jurisdiction of this Commission, be, and they are hereby, made respondents to this proceeding.

*It is further ordered.* That all persons who wish actively to participate in this proceeding and to file and to receive copies of pleadings shall make known that fact by notifying this Commission in writing on or before March 25, 1971. Although individual participation is not precluded, to conserve time and to avoid unnecessary expense, persons having common interests shall endeavor to consolidate their presentation to the greatest extent possible. The Commission desires participation only of those who intend to take an active part in the proceeding.

*It is further ordered.* That as soon as practicable after the date for indicating a desire to participate in the proceeding has passed, the Commission's Office of Proceedings will serve a list of the names and addresses of all persons upon whom service of all pleadings must be made.

*It is further ordered.* That a copy of this order be served upon each of the said petitioners; and that the State of Virginia be notified of the proceeding by sending copies of this order and said petition by certified mail to the Governor of Virginia, Richmond, Va., and to the State Corporation Commission of Virginia at Richmond.

*It is further ordered.* That notice of this proceeding be given to the public by depositing a copy of this order in the office of the Secretary of the Commission at Washington, D.C., and by filing a copy with the Director, Office of the Federal Register, Washington, D.C., for publication in the FEDERAL REGISTER. It is not contemplated that there will be any further general public notification published in the FEDERAL REGISTER of the succeeding handling of this proceeding. Subsequent notices and orders entered herein will be served solely on the persons responding to this order and on the present parties.

*And it is further ordered.* That this proceeding be assigned for hearing as may hereinafter be designated, and that

the request for elimination of a report and recommended order be denied as premature, without prejudice to the renewal of the request at a later date.

By the Commission, Division 2.

[SEAL] ROBERT L. OSWALD,  
Secretary.

[FR Doc. 71-2314 Filed 2-18-71; 8:49 am]

[Notice 246]

### MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

FEBRUARY 12, 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 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 2653 (Sub-No. 27 TA), filed February 9, 1971. Applicant: MUNROE AND ARNOLD-MERRITT EXPRESS, INC., 183A Lafayette Street, Salem, MA 01970. Applicant's representative: Francis E. Barrett, 60 Adams Street, Milton, MA 02187. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Glass rods and tubing*, from Portsmouth and Newington, N.H., to Danvers, Mass., *rejected and returned shipments of glass rods and tubing, pallets and packing materials* used in the transportation of such products, from Danvers, MA, to Portsmouth and Newington, N.H., for 180 days. Supporting shipper: GTE Sylvania Inc., 100 Endicott Street, Danvers, MA 01923. Send protests to: Max Gorenstein, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 2211-B, John F. Kennedy Federal Building Government Center, Boston, MA 02203.

No. MC 30837 (Sub-No. 422 TA), filed February 8, 1971. Applicant: KENOSHA AUTO TRANSPORT CORPORATION, Mailing: Post Office Box 160, 53141, 4200 39th Avenue, Kenosha, WI 53140. Applicant's representative: Albert P. Barber (same address as above). Authority sought to operate as a common carrier,

by motor vehicle, over irregular routes, transporting: *Parts*, used in the assembly of automobiles and trucks, from Twinsburg, Ohio, to the international boundary line between the United States and Mexico at Laredo, Tex., for 180 days. Supporting shipper: Chrysler Corp., Post Office Box 1976, Detroit, MI 48231 (D. C. Rae, Manager—Claims and Tariffs). Send protests to: District Supervisor Lyle D. Helfer, Interstate Commerce Commission, Bureau of Operations, 135 West Wells Street, Room 807, Milwaukee, WI 53203.

No. MC 85465 (Sub-No. 33 TA), filed February 8, 1971. Applicant: WEST NEBRASKA EXPRESS, INC., 709 Mill Drive, Mail: Post Office Drawer 350, Scottsbluff, NE 69361. Applicant's representative: W. A. Bottom (same address as above). Authority sought to operate as a common carrier, by motor vehicle over irregular routes, transporting: *Meats, meat products and meat byproducts* as described in section A of appendix 1 to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk in tank vehicles), from the plantsite of Swift & Co. at Gering, Nebr., to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, and the District of Columbia, for 180 days. Supporting shipper: Swift Fresh Meats Co., Division of Swift & Co., 115 West Jackson Boulevard, Chicago, IL 60604. Send protests to: District Supervisor Max H. Johnston, Interstate Commerce Commission, Bureau of Operations, 320 Federal Building and U.S. Courthouse, Lincoln, NE 68508.

No. MC 107496 (Sub-No. 302 TA), filed February 8, 1971. Applicant: RUAN TRANSPORT CORPORATION, Third and Keosauqua Way, Post Office 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: *Hydrofluosilicic acid*, in bulk, in tank vehicles, from Fulton, Ill., to Milwaukee, Wis., for 150 days. Supporting shipper: Agrico Chemical Co., Division of Continental Oil Co., Post Office Box 346, Memphis, TN 38101. Send protests to: Ellis L. Annett, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 677 Federal Building, Des Moines, IA 50309.

No. MC 108119 (Sub-No. 26 TA) (Correction), filed December 31, 1970, published FEDERAL REGISTER issue January 13, 1971, and republished in part as corrected this issue. Applicant: E. L. MURPHY TRUCKING COMPANY, 3303 Sibley Memorial Highway, Post Office Box 3010, St. Paul, MN 55111. Applicant's representative: Andrew R. Clark, 1000 First National Bank Building, Minneapolis, MN 55402. Note: The purpose of this partial republication is to add the State of Virginia to the destination States, which was inadvertently omitted in the previous publication, the rest of the application remains the same.

No. MC 115331 (Sub-No. 302 TA), filed February 9, 1971. Applicant: TRUCK TRANSPORT, INCORPORATED, 1931 North Geyer Road, St. Louis, MO 63131. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Nitro-carbo-nitrate*, other than in bulk, from Monsanto Co., at or near Bonne Terre, Mo., to points in Gallatin, Jackson, Madison, Perry, Peoria, Randolph, Saline, and St. Clair Counties, Ill.; Rogers and Craig Counties, Okla.; and Hopkins, Ohio; Muhlenberg and Daviess Counties, Ky.; for 180 days. Supporting shipper: Monsanto Co., 800 North Lindbergh Boulevard, St. Louis, MO 63166. Send protests to: District Supervisor J. P. Werthmann, Interstate Commerce Commission, Bureau of Operations, Room 1465, 210 North 12th Street, St. Louis, MO 63101.

No. MC 116254 (Sub-No. 122 TA), filed February 8, 1971. Applicant: CHEM-HAULERS, INC., Post Office Box 245, 1510 Martin Avenue, Sheffield, AL 35660. Applicant's representative: Douglas Logie (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sulphuric acid*, in bulk, in tank vehicles, from Hamilton, Miss., to Birmingham, Ala., and Powder Springs, Ga., for 180 days. Supporting shipper: Kerr-McGee Corp., Kerr-McGee Building, Oklahoma City, OK 73102. Send protests to: Clifford W. White, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 814-2121 Building, Birmingham, AL 35203.

No. MC 119988 (Sub-No. 37 TA), filed February 8, 1971. Applicant: GREAT WESTERN TRUCKING CO., INC., Post Office Box 1384, 811½ North Timberland Drive, Lufkin, TX 75901. Applicant's representative: Bennie W. Haskins (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic cups*, from Carthage, Tex. to points in Florida, Fort Wayne, Ind., Sparks, Nev., Louisville, Ky., Milwaukee, Wis., Columbia, Md., points in Alabama, Nebraska, Iowa, Minnesota, and Oklahoma, for 150 days. Note: Applicant does not intend to tack with existing authority. Supporting shipper: Carthage Cup Co., Inc. (W. H. House, President), Post Office Box 668, Carthage, TX 75633. Send protests to: District Supervisor John C. Redus, Interstate Commerce Commission, Bureau of Operations, Post Office Box 61212, Houston, TX 77061.

No. MC 123778 (Sub-No. 18 TA), filed February 8, 1971. Applicant: JOSEPH BAIO, doing business as NEWSPAPER DELIVERY SERVICE, 75 Cutters Lane, Woodbridge, NJ 07095. 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: *Magazines*, from Newark Airport, Newark, N.J., Laguardia and John F.

Kennedy Airports, New York, N.Y., to points in Connecticut and New Jersey, and points in that part of New York on, east, and south of a line beginning at the New Jersey-New York State line, and extending along New York Highway 17 to junction New York State thruway, thence along the New York State thruway to Albany, N.Y., and thence along U.S. Highway 20 to the New York-Massachusetts State line and points in Pennsylvania on and east of U.S. Highway 15, Wilmington, Del., Baltimore, Md., and Washington, D.C., for the account of U.S. News & World Report, Inc., for 180 days. Supporting shipper: U.S. News & World Report, Inc., 350 Dennison Avenue, Dayton, OH 45401. Send protests to: District Supervisor Robert S. H. Vance, Bureau of Operations, Interstate Commerce Commission, 970 Broad Street, Newark, NJ 07102.

No. MC 128866 (Sub-No. 18 TA), filed February 9, 1971. Applicant: B & B TRUCKING, INC., Post Office Box 128, 9 Brade Lane, Cherry Hill, NJ 08034. Applicant's representative: Daniel L. O'Connor, Federal Bar Building, Washington, DC 20006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Aluminum food containers*, from the plantsites of Penny Plate, Inc., at Cherry Hill, N.J., and Searcy, Ark., to the plantsites of Wintergarden Freezer Co., Bells, Tenn., and Banquet Division of F. M. Stamper, Inc., Wells, Minn., for 150 days. Supporting shipper: Penny Plate, Inc., Kresson Road and New Jersey Turnpike, Cherry Hill, NJ 08034. Send protests to: Raymond T. Jones, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 428 East State Street, Room 204, Trenton, NJ 08608.

No. MC 133485 (Sub-No. 5 TA), filed February 8, 1971. Applicant: INTERNATIONAL DETECTIVE SERVICE, INC., 1828 Westminster Street, Providence, RI 02909. Applicant's representative: Morris J. Levin, 839 17th Street NW., Washington, DC 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bullion and precious metals*, in armored motor vehicles escorted by armed guards, between points in Rhode Island, Massachusetts, Connecticut, New York, and New Jersey, for 180 days. Supporting shippers: Edward B. McAlpine, Refiners and Fabricators of Precious Metals, 85 Ellenfield Street at Virginia Avenue, Providence, RI 02905; Rhode Island Hospital Trust National Bank, 15 Westminster Street, Providence, RI 02903; Leytess Metal & Chemical Corp., 500 Fifth Avenue, New York, NY 10036. Send protests to: Gerald H. Curry, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 187 Westminster Street, Providence, RI 02903.

No. MC 134163 (Sub-No. 2 TA), filed February 9, 1971. Applicant: JOSEPH RICHARDSON, Post Office Box 146, 908 DeKalb Street, Bridgeport, PA 19405. Applicant's representative: E. Stephen

Heisley, 666 11th Street SW., Washington, DC 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Mushrooms, mushroom salad, seafood cocktail sauce*, from Kennett Square, Pa., to points in New Jersey, New York, Connecticut, Rhode Island, Massachusetts, Vermont, New Hampshire, and Maine, for 180 days. Supporting shipper: Kennett Canning Co., Post Office Box K, Kennett Square, PA 19348. Send protests to: Ross A. Davis, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 1518 Walnut Street, Room 1600, Philadelphia, PA 19102.

No. MC 134528 (Sub-No. 2 TA), filed February 9, 1971. Applicant: C. M. PARKER and JAMES PARKER, doing business as PARKER BROTHERS, Route 2, Effingham, SC 29541. Applicant's representative: Tom Smith, Pamlico, S.C. 29583. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer*, in bags, from Acme, N.C., to points in Florence, Marion, Darlington, Georgetown, and Horry Counties, S.C., for 180 days. Supporting shipper: Kaiser Agricultural Chemicals, Post Office Box 246, Savannah, GA 31402. Send protests to: E. E. Strotheid, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 300 Columbia Building, 1200 Main Street, Columbia, SC 29201.

No. MC 134970 (Sub-No. 1 TA), filed February 9, 1971. Applicant: UNZICKER TRUCKING, INC., Post Office Box 114, El Paso, IL 61738. Applicant's representative: Robert T. Lawley, 300 Reich Building, Springfield, IL 62701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Agricultural chemicals*, other than in bulk, from the plant-site and warehouse facility of Monsanto Co. near Muscatine, Iowa, to points in Illinois, Iowa, Indiana, Michigan, Minnesota, Missouri, Nebraska, and points in Wisconsin on and south of a line traversing the State from La Crosse to Sheboygan over Interstate Highway 90 from La Crosse to Mauston, Wis., thence over Wisconsin Highway 82 to its junction with U.S. Highway 51, thence over Wisconsin Highway 23 to Sheboygan, for 180 days. Supporting shipper: Monsanto Co., 800 North Lindbergh Boulevard, St. Louis, MO 63166. Send protests to: Raymond E. Mauk, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Everett McKinley Dirksen Building, 219 South Dearborn Street, Room 1086, Chicago, IL 60604.

No. MC 135307 TA, filed February 8, 1971. Applicant: TROPICAL DISTRIBUTION INTERNATIONAL, INC., 1201 Northeast 45th Street, Oakland Park, FL 33308. Applicant's representative: Alan J. Goldberg, 2881 East Commercial Boulevard, Fort Lauderdale, FL 33308. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *motor vehicle parts, components, accessories, and advertising material* for General Motors

Corp. to, from and between points in Dade, Broward, and Palm Beach Counties, Fla., concerning traffic having a prior or subsequent movement in interstate commerce. Return movement shall be over same irregular routes, for 180 days. Supporting shipper: General Motors Parts Division, General Motors Corp., 6060 West Bristol Road, Flint, MI 48554. Send protests to: District Supervisor Joseph T. Teichert, Interstate Commerce Commission, Bureau of Operations, 5720 Southwest 17th Street, Room 105, Miami, FL 3155.

By the Commission.

[SEAL] ROBERT L. OSWALD,  
Secretary.

[FR Doc. 71-2316 Filed 2-18-71; 8:49 am]

[Notice 248]

### MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

FEBRUARY 16, 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 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 19105 (Sub-No. 30 TA), filed February 10, 1971. Applicant: FORBES TRANSFER COMPANY, INC., Office: South Goldsboro Street Extension, Mailing: Post Office Box 3544, Wilson, NC 27893. Applicant's representative: Morton E. Kiel, 140 Cedar Street, New York, NY 10006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas*, from Baltimore, Md., to Fayetteville, Goldsboro, Raleigh, Wilson, Hickory, Asheville, Morganton, Charlotte, and Winston-Salem, N.C.; Columbia and Greenville, S.C.; Salem, Va.; Charleston, W. Va.; and Johnson City, Tenn.; for 180 days. Supporting shipper: Standard Fruit & Steamship Co., 425 Broadhollow Road, Melville, N.Y. 11746. Send protests to: Archie W. Andrews, District Supervisor, Bureau of Operations, Interstate

Commerce Commission, Post Office Box 26896, Raleigh, NC 27611.

No. MC 47904 (Sub-No. 4 TA), filed February 10, 1971. Applicant: INTERCITY TRANSPORTATION COMPANY, 600 Turnpike Street, South Easton, MA 02375. Applicant's representative: Frank J. Weiner, 6 Beacon Street, Boston, MA 02108. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Insulating materials, except in bulk*, from Edison Township, N.J., to points in Massachusetts and Rhode Island, for 180 days. Supporting shipper: Certain-Teed Saint Gobain Insulation Corp., Valley Forge, Pa. 19481. Send protests to: John B. Thomas, District Supervisor, Interstate Commerce Commission, Bureau of Operations, John F. Kennedy Federal Building, Room 2211-B, Boston, MA 02203.

No. MC 76032 (Sub-No. 277 TA), filed February 10, 1971. Applicant: NAVAJO FREIGHT LINES, INC., 1205 South Platte River Drive, Denver, CO 80223. Applicant's representative: John T. Coon (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities, except those of unusual value, livestock, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, not including those requiring refrigeration, and those injurious or contaminating to other lading, between Santa Fe, N. Mex., and Espanola, N. Mex., from Santa Fe, over Interstate Highway 285 to junction U.S. Highway 285 and New Mexico Highway 76, thence over New Mexico Highway 76 to Espanola and return over the same route, for 180 days. NOTE: Carrier does intend to tack at Santa Fe, N. Mex. Supporting shippers: Becker's, Espanola, N. Mex. 87532; Hunter Motor Co., 531 Onate Street, Espanola, NM 87532; Hunter Tractor Co., Post Office Box 236, Espanola, NM 87532; The "Lure" Sportsman's Center, Box 586, Fairview Station, Espanola, NM 87532. Send protests to: District Supervisor Roger L. Buchanan, Bureau of Operations, Interstate Commerce Commission, 2022 Federal Building, Denver, CO 80202.*

No. MC 116077 (Sub-No. 307 TA), filed February 10, 1971. Applicant: ROBERTSON TANK LINES, INC., 5700 Polk Avenue, Post Office Box 1505, 77023, Houston, TX 77001. Applicant's representative: J. C. Browder (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic pellets, dry, in bulk*, from Plaquemine, La., to Summit, Miss., for 180 days. NOTE: Applicant does not intend to tack with existing authority. Supporting shipper: The Dow Chemical Co. (H. W. Westerman, Traffic Manager, Southern Region), Freeport, TX 77541. Send protests to: District Supervisor John C. Redus, Bureau of Operations, Interstate Commerce Commission, Post Office Box 61212, Houston, TX 77061.

No. MC 118159 (Sub-No. 109 TA), filed February 10, 1971. Applicant: EVERETT LOWRANCE, INC., Post Office Box 10216, 4916 Jefferson Highway, New Orleans, LA 70121. Applicant's representative: David Brunson, 419 Northwest Sixth Street, Oklahoma City, OK 73102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Spice sets*, in glass containers and/or racks, from Tulsa, Okla., to points in the United States (except Alaska and Hawaii), for 180 days. Supporting shipper: Business Builders, Inc., 700 East First Street, Tulsa, OK 74120. Send protests to: Paul D. Collins, District Supervisor, Interstate Commerce Commission, Bureau of Operations, T-4009 Federal Building, 701 Loyola Avenue, New Orleans, LA 70113.

No. MC 119988 (Sub-No. 38 TA), filed February 10, 1971. Applicant: GREAT WESTERN TRUCKING CO., INC., Post Office Box 1384, 811½ North Timberland Drive, Lufkin, TX 75901. Applicant's representative: Bennie W. Haskins (address same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dishes, plates or trays, paper, pulpboard or woodpulp*, nested, from Gladewater, Tex., to points in Oklahoma, Missouri (except St. Louis), Iowa, Minnesota, Nebraska, Nevada, Florida, Alabama, Mississippi, Tennessee, Kentucky, Ohio (except Toledo), Indiana (except South Bend), Pennsylvania, New York, Maryland, North Carolina, Rhode Island, and Massachusetts, for 150 days. NOTE: Applicant does not intend to tack with existing authority. Supporting shipper: Holiday Plates, Inc. (W. H. House, Vice President), 803 East Glade Street, Post Office Box 1485, Gladewater, TX 75647. Send protests to: District Supervisor John C. Redus, Interstate Commerce Commission, Bureau of Operations, Post Office Box 61212, Houston, TX 77061.

No. MC 125521 (Sub-No. 12 TA), filed February 10, 1971. Applicant: FUNK MOTOR TRANSPORTATION, INC., Box 75, Bridge Street, Grand Rapids, OH 43522. Applicant's representative: Arthur R. Cline, 420 Security Building, Toledo, OH 43604. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*, from South Bend, Ind., to Tiffin, Ohio; and from Milwaukee, Wis., to Tiffin, Ohio; and *empty containers* or such other incidental facilities used in transporting the above commodity, from Tiffin, Ohio, to South Bend, Ind., and to Milwaukee, Wis., for 180 days. Supporting shipper: The Tiffin Beverage Co., 114 Miami Street, Tiffin OH 44833. Send protests to: Keith D. Warner, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 5234 Federal Office Building, 234 Summit Street, Toledo, OH 43604.

No. MC 129718 (Sub-No. 2 TA), filed February 10, 1971. Applicant: ARNOLD P. BANWART, doing business as BANWART TRUCKING COMPANY, West

Bend, IA 50597. Applicant's representative: Clayton L. Wornson, 824 Brick & Tile Building, Mason City, IA 50401. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Animal and poultry feed additives* (except liquid animal and poultry feed additives, in bulk) from West Bend, Iowa, to Alpha, Ill., for 180 days. Supporting shipper: West Bend Processing Co., West Bend, IA 50597. Send protests to: Ellis L. Annett, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 677 Federal Building, Des Moines, IA 50309.

No. MC 135243 TA (Correction), filed January 22, 1971, published in the FEDERAL REGISTER issue of January 30, 1971, and republished in part, as corrected this issue. Applicant: WISPAK TRANSPORT, INC., 4700 North 132d Street, Butler, WI 53007. Applicant's representative: Harry J. Weisfeldt, Suite 5058, Plankinton Building, Milwaukee, WI 53203. NOTE: The purpose of this partial republication is to redescribe part (2) of the authority sought from that shown in the previous publication, as follows: (2) "Carcass meat, from Muncie, Ind., Dubuque, Postville, and Sioux City, Iowa; Wichita, Kans., Minneapolis, St. Cloud, and St. Paul, Minn., Pittsburgh and Philadelphia, Pa., to Wisconsin Packing Co., Inc., at Butler and Milwaukee, Wis." The rest of the application remains as previously published.

No. MC 135289 (Sub-No. 1 TA), filed February 10, 1971. Applicant: KYLE E.

BURGESS, Graham Road, Crosswell, Mich. 48422. Applicant's representative: William B. Elmer, 22644 Gratiot Avenue, East Detroit, MI 48021. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer*, from Maumee, Ohio, to points in Huron, St. Clair, Sanilac, and Tuscola Counties, Mich., for 150 days. Supporting shipper: Russell H. Schmidt, doing business as Anderson Fertilizer of Carsonville, Mich. Send protests to: District Supervisor Melvin F. Kirsch, Interstate Commerce Commission, Bureau of Operations, 1110 Broderick Tower, 10 Witherell Street, Detroit, MI 48226.

No. MC 135308, TA filed February 10, 1971. Applicant: PETE KOOYMAN, doing business as PETE KOOYMAN TRUCKING, 13579 De Vries Road, Lodi, Calif. 95240. Applicant's representative: Ernest D. Salm, 3846 Evans Street, Los Angeles, CA 90027. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Steel corrugated culvert pipe, including their attachments and accessories* transported in connection therewith, for the account of Pacific Corrugated Culvert Co., between the plantsites and places of business of Pacific Corrugated Culvert Co. at Fontana and Sacramento, Calif., on the one hand, and, on the other, points in Nevada and Oregon, for 180 days. Supporting shipper: Pacific Corrugated Culvert Co., Post Office Box 7405, Sacramento, CA 95826. Send protests to: District Supervisor Wm. E. Mur-

phy, Interstate Commerce Commission, Bureau of Operations, 405 Golden Gate Avenue, Box 36004, San Francisco, CA 94102.

By the Commission.

[SEAL] ROBERT L. OSWALD,  
Secretary.

[FR Doc. 71-2317 Filed 2-18-71;8:49 am]

[Notice No. 648]

**MOTOR CARRIER TRANSFER PROCEEDINGS**

FEBRUARY 16, 1971.

Application filed for temporary authority under section 210(a) (b) in connection with transfer application under section 212(b) and Transfer Rules, 49 CFR Part 1132:

No. MC-FC-72694. By application filed February 11, 1971, NORTHWAYS, INCORPORATED, 14 March Street, Worcester, MA 01604, seeks temporary authority to lease the operating rights of CHEW EXPRESS COMPANY, 340 Main Street, Worcester, MA 01604, under section 210a(b). The transfer to NORTHWAYS, INCORPORATED, of the operating rights of CHEW EXPRESS COMPANY, is presently pending.

By the Commission.

[SEAL] ROBERT L. OSWALD,  
Secretary.

[FR Doc. 71-2363 Filed 2-18-71;8:50 am]

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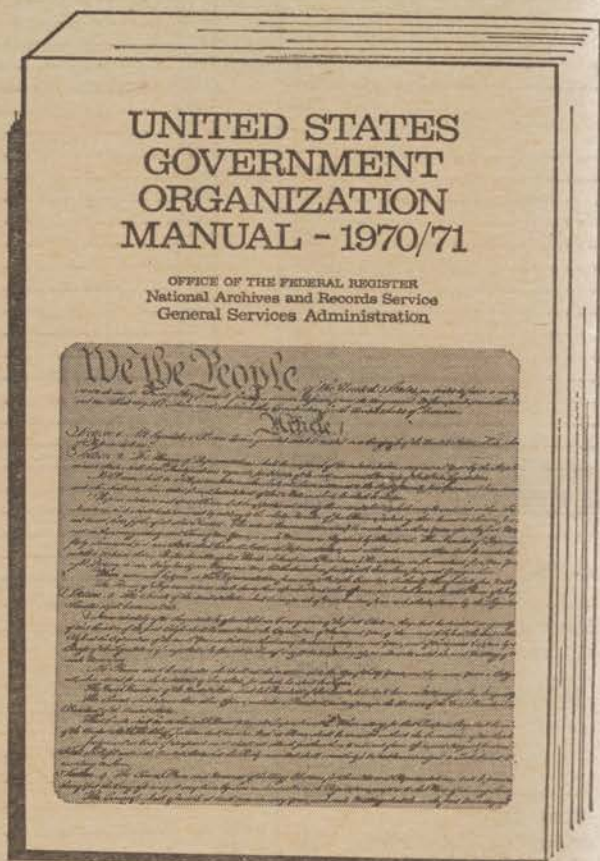
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