

FEDERAL REGISTER

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Agencies in this issue—

The President
Agricultural Research Service
Atomic Energy Commission
Civil Aeronautics Board
Civil Service Commission
Consumer and Marketing Service
Customs Bureau
Federal Aviation Administration
Federal Highway Administration
Federal Maritime Commission
Federal Power Commission
Fish and Wildlife Service
Food and Drug Administration
Interstate Commerce Commission
Land Management Bureau
National Park Service
National Transportation Safety Board
Patent Office
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State Department

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CODE OF FEDERAL REGULATIONS

(As of January 1, 1968)

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Title 22—Foreign Relations (Revised)-----	1. 25
Title 24—Housing and Housing Credit (Revised)-----	1. 25

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Title 3—THE PRESIDENT

Reorganization Plan No. 1 of 1968

Prepared by the President and transmitted to the Senate and the House of Representatives in Congress assembled, February 7, 1968, pursuant to the provisions of chapter 9 of title 5 of the United States Code¹

NARCOTICS; DRUG ABUSE CONTROL

SECTION 1. *Transfer of functions from Treasury Department.* There are hereby transferred to the Attorney General:

(a) Those functions of the Secretary of the Treasury which are administered through or with respect to the Bureau of Narcotics.

(b) All functions of the Bureau of Narcotics, of the Commissioner of Narcotics, and of all other officers, employees and agencies of the Bureau of Narcotics.

(c) So much of other functions or parts of functions of the Secretary of the Treasury and the Department of the Treasury as is incidental to or necessary for the performance of the functions transferred by paragraphs (a) and (b) of this section.

SEC. 2. *Transfer of functions from the Department of Health, Education, and Welfare.* There are hereby transferred to the Attorney General:

(a) The functions of the Secretary of Health, Education, and Welfare under the Drug Abuse Control Amendments of 1965 (Public Law 89-74; 79 Stat. 226), except the function of regulating the counterfeiting of those drugs which are not controlled "depressant or stimulant" drugs.

(b) So much of other functions or parts of functions of the Secretary of Health, Education, and Welfare, and of the Department of Health, Education, and Welfare, as is incidental to or necessary for the performance of the functions transferred by paragraph (a) of this section.

SEC. 3. *Bureau of Narcotics and Dangerous Drugs.* (a) There is established in the Department of Justice an agency which shall be known as the Bureau of Narcotics and Dangerous Drugs. The Bureau shall be headed by a Director who shall be appointed by the Attorney General to a position in the competitive service. The Director shall perform such duties as the Attorney General shall prescribe, and shall receive compensation at the rate now or hereafter provided for Level V of the Executive Schedule Pay Rates (5 U.S.C. 5316).

(b) There are hereby established in the Department of Justice, in addition to the positions transferred to that Department by this Plan, four new positions, appointment to which shall be made by the Attorney General in the competitive service. Two of those positions shall have compensation at the rate now or hereafter provided for GS-18 positions of the General Schedule and the other two shall have compensation at the rate now or hereafter provided for GS-16 positions of the General Schedule (5 U.S.C. 5332). Each such position shall have such title and duties as the Attorney General shall prescribe.

¹ Effective April 8, 1968, under the provisions of and pursuant to 5 U.S.C. 906.

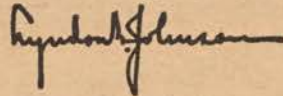
SEC. 4. *Abolition.* The Bureau of Narcotics in the Department of the Treasury, including the office of Commissioner of Narcotics (21 U.S.C. 161), is hereby abolished. The Secretary of the Treasury shall make such provision as he may deem necessary with respect to terminating those affairs of the Bureau of Narcotics not otherwise provided for in this reorganization plan.

SEC. 5. *Performance of transferred functions.* The Attorney General may from time to time make such provisions as he shall deem appropriate authorizing the performance of any of the functions transferred to him by the provisions of this reorganization plan by any officer, employee, or organizational entity of the Department of Justice.

SEC. 6. *Incidental transfers.* (a) There are hereby transferred to the Department of Justice all of the positions, personnel, property, records, and unexpended balances of appropriations, allocations, and other funds, available or to be made available, (1) of the Bureau of Narcotics, and (2) of the Bureau of Drug Abuse Control of the Department of Health, Education, and Welfare.

(b) There shall be transferred to the Department of Justice, at such time or times as the Director of the Bureau of the Budget shall direct, so much as the Director shall determine of other positions, personnel, property, records and unexpended balances of appropriations, allocations, and other funds of the Department of the Treasury and of the Department of Health, Education, and Welfare employed, used, held, available or to be made available in connection with functions transferred by the provisions of this reorganization plan.

(c) Such further measures and dispositions as the Director of the Bureau of the Budget shall deem to be necessary in order to effectuate the transfers provided in this section shall be carried out in such manner as he may direct and by such agencies as he shall designate.



[F.R. Doc. 68-4400; Filed, Apr. 10, 1968; 10:35 a.m.]

Rules and Regulations

Title 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Agricultural Research Service, Department of Agriculture

SUBCHAPTER C—INTERSTATE TRANSPORTATION OF ANIMALS AND POULTRY

PART 85—CYSTICERCOSIS

Restrictions on Interstate Movement of Cattle; Quarantine

Pursuant to the provisions of sections 1 and 3 of the Act of March 3, 1905, as amended (21 U.S.C. 123, 125-128), provisions to appear as a new Part 85, designated "Cysticercosis" in Title 9, Code of Federal Regulations, are hereby issued to read as follows:

Sec.

85.1 Definitions.

85.2 Notice relating to existence of disease and quarantine.

85.3 Movement from quarantined premises.

AUTHORITY: The provisions of this Part 85 issued under secs. 1 and 3, 33 Stat. 1264 and 1265, as amended; 21 U.S.C. 123, 125-128; 29 F.R. 16210, as amended, 30 F.R. 5799, as amended.

§ 85.1 Definitions.

As used in this part, the following terms shall have the meanings set forth in this section except as otherwise clearly indicated.

(a) *Department.* The U.S. Department of Agriculture.

(b) *Division.* The Animal Health Division, Agricultural Research Service, U.S. Department of Agriculture.

(c) *Director of Division.* The Director of the Animal Health Division, or any other official of the Division to whom authority has heretofore been delegated or may hereafter be delegated to act in his stead.

(d) *Division Inspector.* An inspector of the Animal Health Division responsible for the performance of the functions involved.

(e) *State Inspector.* An inspector regularly employed in livestock sanitary work of a State or a political subdivision thereof, and who is authorized by such State or political subdivision to perform the function involved.

(f) *State.* Any State, Territory, or the District of Columbia.

(g) *Interstate.* From one State into or through any other State.

(h) *Public stockyard.* A stockyard designated in § 78.14(a) where trading in livestock is carried on, where yarding, feeding, and watering facilities are provided by the stockyard, transportation, or similar company, and where Federal inspection is maintained for the inspection of livestock for communicable diseases.

(i) *Quarantined premises.* That portion of a State, county, or area quarantined under this part because of cysticercosis.

§ 85.2 Notice relating to existence of disease and quarantine.

Notice is hereby given that the contagious, infectious, and communicable disease of livestock known as cysticercosis exists in cattle on the premises specified below. Accordingly, such premises are hereby quarantined because of said disease, and the interstate movement of cattle from such premises is prohibited except as provided in this part:

(a) Dean Cluck Feedlot, Gruver, Tex., known and described as the north 200 acres of the west half of sec. 12 of Block 3B, GHNH, in Sherman County, Tex.

(b) Hereford Cattle Feeders, Inc., Hereford, Tex., known and described as a premises of 524.04 acres out of the north part of sec. 27, Block K-4, Certificate No. 264, in Deaf Smith County, Tex.

§ 85.3 Movement from quarantined premises.

Cattle may be moved interstate from quarantine premises for immediate slaughter direct to a slaughtering establishment operating under the provisions of the Federal Meat Inspection Act (34 Stat. 1260, as amended by Public Law 90-201), or to a public stockyard for sale to such a slaughtering establishment: *Provided*, That such cattle are accompanied by a certificate issued by a Division Inspector of a State Inspector stating the destination of the animals; the purpose for which they are to be moved; the number of animals covered by the certificate; the point from which the animals are moved interstate; the name and address of the owner or shipper; and such cattle are moved interstate in compliance with all other applicable provisions of this Subchapter C.

Effective date. The foregoing regulation shall become effective upon issuance.

The foregoing provisions are intended to prevent the interstate spread of cysticercosis, a contagious, infectious, and communicable disease of cattle by quarantining premises known to be affected with such disease, and by prohibiting the interstate movement of cattle from such premises except to a federally inspected slaughtering establishment for immediate slaughter or to a public stockyard for sale to such establishment. In order to accomplish its purposes, the regulation should be made effective as soon as possible. Therefore, under the administrative procedure provisions in 5 U.S.C., section 553, it is found upon good cause that notice and other public procedure regarding the regulation are impracticable and contrary to the public interest, and good cause is found for making it effective less than 30 days after

publication hereof in the FEDERAL REGISTER.

Done at Washington, D.C., this 5th day of April 1968.

GEORGE W. IRVING, JR.,
Administrator,
Agricultural Research Service.

[F.R. Doc. 68-4302; Filed, Apr. 10, 1968; 8:46 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

[Airworthiness Docket No. 68-WE-3-AD, Amdt. 39-577]

PART 39—AIRWORTHINESS DIRECTIVES

Certain McDonnell Douglas DC-3 Series and C-47 Series Airplanes

A notice of proposed rule making to amend Part 39 of the Federal Aviation Regulations to include an Airworthiness Directive (AD) applicable to the above aircraft was published in 31 F.R. 16368. The notice contained a proposal to supersede AD 47-2-10 (21 F.R. 9456) and require:

1. Visual inspection of the 0.020-inch thick Elevator Ribs P/N 5115210-5 and -9 for cracks at intervals not to exceed 250 hours time in service;

2. Reinforcement of cracked elevator ribs by the addition of a 0.040-inch thick doubler or replacement of cracked elevator ribs with 0.040-inch thick elevator ribs; and

3. Visual inspection of reinforced elevator ribs and replacement elevator ribs at intervals not to exceed 2,500 hours time in service.

Interested persons were afforded an opportunity to participate in the making of this amendment, and several comments were received.

One comment questioned the need to supersede AD 47-2-10. This question was adequately answered in Paragraph 1 of the preamble to the notice which initiated this rule-making action, and further comment in this regard is unnecessary.

One comment expressed concern over the applicability of the AD and thought that the elevator tabs which are connected to the beam in the front of the trim tab cut-out, and which have no service history of cracking would also be affected by the proposed AD. To eliminate confusion in this area, the applicability statement in the AD has been changed to indicate that only airplanes having a particular type of elevator installation (identified by P/Ns) are affected by the AD. Other types of

installations are excluded from the requirements of this AD.

In addition, the notice has been clarified herein to indicate that once an 0.040-inch thick elevator rib has been installed, repetitive inspection of this rib is no longer required by the terms of the AD.

In consideration of the foregoing, as well as for the reasons set forth in the notice published in 31 F.R. 16368, and pursuant to the authority delegated to me by the Administrator (14 CFR § 11.89), § 34.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

MCDONNELL DOUGLAS. Applies to all DC-3 Series and C-47 Series Airplanes having an Elevator P/N 5115210 incorporating Elevator Ribs P/N 511520-5 or -9 and Trim Tab Hinge P/N 1141847 (hereinafter referred to as the Elevator Installation).

There have been several reports of cracking of the elevator ribs at the inboard and outboard ends of the trim tab cut-outs referred to above. To preclude failure of the elevator installation due to cracking of the elevator ribs, accomplish the following:

(a) For airplanes having the Elevator Installation wherein the elevator rib referred to above has not been reinforced by the addition of a 0.040-inch thick doubler, visually inspect each elevator rib for cracks within 250 hours time in service after the effective date of this AD, and thereafter at intervals not to exceed 250 hours time in service.

(b) For airplanes having the Elevator Installation wherein the elevator rib referred to above has been reinforced by the addition of a 0.040-inch thick doubler, visually inspect each elevator rib for cracks within 2,500 hours time in service after the effective date of this AD, and thereafter at intervals not to exceed 2,500 hours time in service.

(c) If cracks are found in the affected elevator ribs, before further flight (except that the airplane may be flown in accordance with FAR 21.197 to a base where the alteration or maintenance can be accomplished),

(1) For elevator ribs that are part of the Elevator Installation described in paragraph (a) of this AD—

(i) Reinforce by the addition of a 0.040-inch thick doubler and rebalance the affected elevator rib in accordance with McDonnell Douglas Service Bulletin No. 244, section I dated September 23, 1946, or later FAA approved revision. Thereafter inspect in accordance with paragraph (b) of this AD;

(ii) Replace the affected elevator rib with an elevator rib made of 0.040-inch thick material; or

(iii) Modify the affected elevator rib and reinspect in accordance with a method approved by the Chief, Aircraft Engineering Division, FAA Western Region.

(2) For elevator ribs that are part of the Elevator Installation described in paragraph (b) of this AD,

(i) Replace the affected elevator rib with an elevator rib made of 0.040-inch thick material; or

(ii) Modify the affected elevator rib and reinspect in accordance with a method approved by the Chief, Aircraft Engineering Division, FAA Western Region.

NOTE: Repetitive inspections of elevator ribs made of 0.040-inch thick material are not required by this AD but should nonetheless be performed in accordance with good maintenance practice.

This supersedes AD 47-2-10 (21 F.R. 9456). This amendment becomes effective on May 9, 1968.

(Secs. 313(a), 601, 603, Federal Aviation Act of 1958, as amended; 49 U.S.C. 1354(a), 1421, 1423)

Issued in Los Angeles, Calif., on March 29, 1968.

LEE E. WARREN,
Acting Director,
FAA Western Region.

[F.R. Doc. 68-4307; Filed, Apr. 10, 1968; 8:47 a.m.]

[Airworthiness Directive No. 68-WE-6-AD, Amdt. 39-580]

PART 39—AIRWORTHINESS DIRECTIVES

Boeing Model 727 Series Airplanes

Pursuant to the authority delegated to me by the Administrator (14 CFR 11.81), an airworthiness directive (AD) was adopted on March 30, 1968, and made effective by telegram immediately as to all known U.S. operators of Boeing Model 727 Series airplanes on which the aft trunnion extension of either main landing gear outer cylinder has been chrome plated during overhaul. The AD requires inspection of the aft trunnion extension for cracks and replacement, if necessary.

Telegraphic issuance of this directive was necessitated by a report of a failure of an aft trunnion extension which was overhauled other than in accordance with the techniques described by the Boeing Model 727 Overhaul Manual. It was determined that the same condition might occur in other Boeing Model 727 Series airplanes.

Since it was found that immediate corrective action was required, notice and public procedure thereon were impracticable and contrary to the public interest and good cause existed for making the airworthiness directive effective immediately as to all known U.S. Operators of Boeing Model 727 Series airplanes. This condition still exists and the airworthiness directive is hereby published in the FEDERAL REGISTER as an amendment to § 39.13 of Part 39 of the Federal Aviation Regulations to make it effective as to all persons.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (14 CFR 11.81), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

BOEING: Applies to Model 727 Series Airplanes on which the aft trunnion extension has been chrome plated during overhaul.

Compliance required as indicated.

An investigation of a recent failure of the aft trunnion extension of a Boeing Model 727 main landing gear outer cylinder (P/N 65-17651) indicates that the failure probably resulted from the use of an overhaul procedure which was not strictly in accordance with the sequence and techniques described by the Boeing Model 727 Overhaul Manual. Since this unsafe condition is likely to exist

in other Boeing Model 727 Series airplanes, accomplish the following:

1. Within the next 75 hours time in service after the effective date of this AD, unless already accomplished, and at intervals thereafter not to exceed 150 hours time in service, inspect all chrome plated main landing gear outer cylinder aft trunnion extensions which have been overhauled in a manner other than specifically described by section 32/12/1 of the Boeing Model 727 Overhaul Manual for cracks in the areas and in the manner described in Boeing Alert Service Bulletin 32/153 dated March 29, 1968.

2. If cracks are found, prior to further flight replace the main landing gear outer cylinder with an unoverhauled cylinder or a cylinder which has been overhauled in the manner specifically described by section 32/12/1 of the Model 727 Overhaul Manual.

3. The results of each initial inspection by a U.S. air carrier must be reported within 3 days to the assigned FAA Inspector.

This amendment becomes effective on April 12, 1968, for all persons except those to whom it was made effective immediately by telegram dated March 30, 1968.

(Secs. 313(a), 601, 603, Federal Aviation Act of 1958; 49 U.S.C. 1354(a), 1421, 1423)

Issued in Los Angeles, Calif., on April 2, 1968.

LEE E. WARREN,
Acting Regional Director,
FAA Western Region.

[F.R. Doc. 68-4281; Filed, Apr. 10, 1968; 8:45 a.m.]

[Docket No. 67-SO-75, Amdt. 39-582]

PART 39—AIRWORTHINESS DIRECTIVES

Piper PA-28 and PA-32 Series Airplanes

Amendment 39-484, 32 F.R. 13321, Airworthiness Directive 67-26-3, requires the fuel tank interiors to be inspected for separated or loosely attached sloshing compound and repair is necessary on PA-28 and PA-32 series airplanes. After issuing Amendment 39-484, the Agency determined that an alternate sloshing compound material will also accomplish a satisfactory repair on defective tanks. Therefore, the airworthiness directive is being amended to provide an additional means of meeting requirements.

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

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (31 F.R. 13697), § 39.13 of Part 39 of the Federal Aviation Regulations, Amendment 39-484, 32 F.R. 13321, AD 67-26-3 is amended as follows:

Revise the first sentence in paragraph (e) as follows: "If loose or separated material was found at any time, prior to but not later than the next 100 hours' time in service after effective date of this airworthiness directive remove the tank

from the airplane and reseal in accordance with Piper Service Bulletin No. 251B dated March 13, 1968, and with instructions contained in Piper Kit No. 921-388V, or Piper Kit No. 757-572V, or an equivalent method approved by Chief, Engineering and Manufacturing Branch, Federal Aviation Administration, Southern Region. Following * * *

This amendment becomes effective April 12, 1968.

(Secs. 313(a), 601, 603, Federal Aviation Act of 1958; 49 U.S.C. 1354(a), 1421, 1423)

Issued in East Point, Ga., on April 3, 1968.

JAMES G. ROGERS,
Director, Southern Region.

[F.R. Doc. 68-4382; Filed, Apr. 10, 1968; 8:46 a.m.]

[Docket No. 68-EA-38, Amdt. 39-581]

PART 39—AIRWORTHINESS DIRECTIVES

McCauley Propellers

The Federal Aviation Administration is amending § 39.13 of Part 39 of the Federal Aviation Regulations so as to publish an airworthiness directive requiring an alteration of the McCauley Constant Speed Propeller.

There have been instances of in flight failure of the McCauley Constant Speed Propellers causing engine power loss necessitating forced landings. Since this condition is likely to exist or develop in other propellers of the same type design an airworthiness directive is being issued to require replacement of the propeller cylinder attach screws and washers on propeller Models 2A34C50, D2A34C58, 2A36C23, 3A32C76, D3A32C77, and D3A32C79.

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

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator, 14 CFR 11.89, 31 F.R. 13697, § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

McCAULEY: Applies to Constant Speed Propeller Models 2A34C50, D2A34C58, 2A36C23, 3A32C76, D3A32C77, and D3A32C79, having hub serial Nos. 652209 through 654422 and 661132 through 664617.

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

To prevent failure of the propeller cylinder attach screws, accomplish the following:

1. If installed, remove spinner shell.
2. Remove and discard the (8) eight flister-slotted head type screws (McCauley P/N's A-1635-13, -32, or -43) and brass washers (McCauley P/N A-1638-9) which attach the propeller cylinder to the front of the propeller hub. Removal of the cylinder from the hub is not necessary.
3. Reattach the cylinder to the propeller hub with (8) eight new socket head type cap screws (McCauley P/N A-1635-65) and new

brass washers (McCauley P/N A-1638-9). Install cap screws and washers with 50-55 pound-inches of torque, using a torque wrench. Lockwire the screws together in pairs after the torque application.

4. If applicable, reinstall the spinner shell.

This amendment effective April 11, 1968.

(Secs. 313(a), 601, 603, Federal Aviation Act of 1958, 49 U.S.C. 1354(a), 1421, 1423)

Issued in Jamaica, N.Y., on April 2, 1968.

WAYNE HENDERSHOT,
Acting Director, Eastern Region.

[F.R. Doc. 68-4285; Filed, Apr. 10, 1968; 8:46 a.m.]

[Airspace Docket No. 68-WE-26]

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

Alteration of Control Zone

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to alter the description of the Whidbey Island, Wash., control zone.

As a result of two revised instrument approach procedures for Ault Field it is necessary that the control zone be modified. The revised procedures will amend the present north control extension 1° by substituting the Whidbey Island TACAN 351° T (329° M) radial in lieu of the 350° T (328° M) radial.

Since this amendment is minor in nature and imposes no additional burden on any person, notice and public procedure hereon are unnecessary.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended as hereinafter set forth.

In § 71.171 (33 F.R. 2133) the Whidbey Island, Wash., control zone is amended by deleting " * * * 350° radial * * *" and substituting " * * * 351° radial * * *" therefor.

Effective date. This amendment shall be effective 0001 e.s.t., June 20, 1968.

Issued in Los Angeles, Calif., on April 3, 1968.

LEE E. WARREN,
Acting Director, Western Region.

[F.R. Doc. 68-4283; Filed, Apr. 10, 1968; 8:46 a.m.]

[Airspace Docket No. 68-WE-32]

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

Alteration of Control Zones and Transition Area

The purpose of these amendments to Part 71 of the Federal Aviation Regulations is to alter the descriptions of the Ephrata Municipal Airport, Wash.; Pasco Tri-Cities Airport, Wash.; Pendleton Municipal Airport, Ore.; Tucson International Airport, Ariz., control zones; and Tucson Ariz., transition area. These actions are necessary to reflect

recently updated geographical coordinates of the various airport reference points.

Since these changes are minor in nature and impose no additional burden on any person, notice and public procedure hereon are unnecessary and good cause exists for making these amendments effective in less than 30 days.

In § 71.171 (33 F.R. 2079) the Ephrata, Wash., control zone is amended by deleting " * * * (latitude 47°18'20" N., longitude 119°30'40" W.) * * *" and substituting " * * * (latitude 47°18'27" N., longitude 119°30'38" W.) * * *" therefor.

In § 71.171 (33 F.R. 2113) the Pasco, Wash., control zone is amended by deleting " * * * (latitude 46°15'50" N., longitude 119°06'55" W.) * * *" and substituting " * * * (latitude 46°15'50" N., longitude 119°06'53" W.) * * *" therefor.

In § 71.171 (33 F.R. 2114) the Pendleton, Ore., control zone is amended by deleting " * * * (latitude 45°41'50" N., longitude 118°50'20" W.) * * *" and substituting " * * * (latitude 45°41'42" N., longitude 118°50'25" W.) * * *" therefor.

In § 71.171 (33 F.R. 2130) the Tucson, Ariz. (Tucson International Airport), control zone is amended by deleting " * * * (latitude 32°07'05" N., longitude 110°56'35" W.) * * *" and substituting " * * * (latitude 32°07'05" N., longitude 110°56'32" W.) * * *" therefor.

In § 71.181 (33 F.R. 2264) the 700-foot portion of the Tucson, Ariz., transition area is amended by deleting " * * * (latitude 32°07'05" N., longitude 110°56'35" W.) * * *" and substituting " * * * (latitude 32°07'05" N., longitude 110°56'32" W.) * * *" therefor.

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

Issued in Los Angeles, Calif., on April 3, 1968.

LEE E. WARREN,
Acting Director, Western Region.

[F.R. Doc. 68-4284; Filed, Apr. 10, 1968; 8:46 a.m.]

Title 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T.D. 68-104]

PART 10—ARTICLES CONDITIONALLY FREE, SUBJECT TO A REDUCED RATE, ETC.

Drawback; Internal-Revenue Tax

Schedule 8, Part 1, Subpart A, Headnote 2, Tariff Schedules of the United States (TSUS), has been amended to provide that tobacco products and cigarette papers and tubes classifiable under item 804.00, TSUS, may be released from customs custody, without payment of that part of the duty attributable to the internal-revenue tax, for return to internal-revenue bond as provided by

section 5704(d) of the Internal Revenue Code of 1954.

In order to conform the Customs Regulations to that amendment, § 10.3 is amended as follows:

1. The first sentence of paragraph (a) is amended by substituting "paragraphs" for "paragraph", by inserting "and (f)" after "(c)", and by substituting "district director of customs" for "collector of customs". As amended, the said sentence will read: "Except as prescribed in § 10.1(f) or in paragraphs (c) and (f) of this section, no free entry shall be allowed under Schedule 8, Part 1, Tariff Schedules of the United States, in the final liquidation of an entry unless the district director of customs is satisfied by the certificate of exportation or other evidence or information that no drawback was allowed in connection with the exportation from the United States, and unless no internal-revenue tax is imposed on the importation of like articles not previously exported from the United States or, if such tax is being imposed at the time of entry for consumption or withdrawal from warehouse for consumption, the district director of customs is satisfied that an internal-revenue tax on production or importation was paid in respect to the imported article before it was exported from the United States and was not refunded."

2. Paragraph (f) is added reading as follows:

(f) Tobacco products and cigarette papers and tubes classifiable under item 804.00, Tariff Schedules of the United States, may be released from customs custody without the payment of that part of the duty attributable to the internal-revenue tax for return to internal-revenue bond as provided by section 5704(d) of the Internal Revenue Code of 1954.

3. Footnote 2 appended to § 10.3(a) is amended by deleting "and" at the end of paragraph (a), by redesignating paragraph (b) as paragraph (c), and by inserting after paragraph (a) the following new paragraph (b):

(b) Tobacco products and cigarette papers and tubes classifiable under such item may be released from customs custody, without payment of that part of the duty attributable to the internal-revenue tax, for return to internal-revenue bond as provided by section 5704(d) of the Internal Revenue Code of 1954; and

(80 Stat. 379, R.S. 251, 76 Stat. 72, sec. 624, 46 Stat. 759; 5 U.S.C. 301, 19 U.S.C. 66, 1202 (Gen. Headnote 11), 1624)

[SEAL] LESTER D. JOHNSON,
Commissioner of Customs.

Approved: April 3, 1968.

JOSEPH M. BOWMAN,
Assistant Secretary
of the Treasury.

[F.R. Doc. 88-4316; Filed, Apr. 10, 1968;
8:47 a.m.]

Title 21—FOOD AND DRUGS

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

SUBCHAPTER A—GENERAL

PART 3—STATEMENTS OF GENERAL POLICY OR INTERPRETATION

Antibiotics Used in Food-Producing Animals

Pursuant to the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (secs. 409, 505, 507, 701(a), 52 Stat. 1052, as amended, 1055, 59 Stat. 463, as amended, 72 Stat. 1785 et seq., as amended; 21 U.S.C. 348, 355, 357, 371(a)) and delegated by him to the Commissioner of Food and Drugs (21 CFR 2.120), § 3.25 is revised to read as follows:

§ 3.25 Antibiotics used in food-producing animals.

(a) The Food and Drug Administration in the interest of fulfilling its responsibilities with regard to protection of the public health has requested an evaluation of the public health aspects of the use of antibiotics in veterinary medical and nonmedical uses. There is particular concern with regard to the potential hazards associated with the extensive use of antibiotics administered to food-producing animals. Accordingly, an ad hoc committee on the Veterinary Medical and Nonmedical Uses of Antibiotics was established by the Food and Drug Administration to study and advise the Commissioner of Food and Drugs on the uses of antibiotics in veterinary medicine and for various nonmedical purposes as such uses may affect the enforcement of the Federal Food, Drug, and Cosmetic Act with respect to their safety and effectiveness.

(b) Based upon an evaluation of the conclusions of said Committee and other relevant material, § 3.55 was published in the FEDERAL REGISTER of August 23, 1966 (31 F.R. 11141), asking sponsors of drugs containing any antibiotic intended for use in food-producing animals to submit data to establish whether such antibiotic and its metabolites are present as residues in edible tissues, milk, and eggs from treated animals. The data on the residues of antibiotics in milk from intramammary infusion preparations were requested within 60 days and the data on all other products were requested within 180 days following the date of publication of § 3.55 in the FEDERAL REGISTER.

(c) An evaluation of the data now available shows that use of many antibiotic preparations cause residues in edible products of treated animals for varying and, in some cases, for long periods of time following the last administration. Because of the accumulation of new information with regard to the development of resistance of bacteria to antibiotics, the ability of bacteria to transfer this resistance, and the develop-

ment of sensitivity to antibiotics in humans, unauthorized and unsafe residues of antibiotics cannot be permitted in food obtained from treated animals.

(d) Based on evaluation of information available, including the conclusions of the aforementioned ad hoc Committee, the Commissioner concludes that antibiotic preparations intended for use in food-producing animals, other than topical and ophthalmic preparations, are not generally recognized among qualified experts as having been shown to be safe for their intended use(s) within the meaning of section 201(s) of the Federal Food, Drug, and Cosmetic Act.

(e) Therefore, all exemptions from the provisions of section 409 of the act for use of antibiotics in food-producing animals based on sanctions or approvals granted prior to enactment of the Food Additives Amendment of 1958 (Public Law 85-929; 72 Stat. 1784) will be revoked and the uses which are concluded to be safe will be covered by food additive regulations. On those products for which there are inadequate residue data, actions will be initiated to amend or revoke antibiotic regulations under the provisions of section 507 of the act, or to withdraw approval of new-drug applications under the provisions of section 505 of the act. Antibiotic preparations, other than those for topical and ophthalmic application in food-producing animals, which are not covered by food additive regulations will be subject to regulatory action within 180 days after publication of the forthcoming revocation order.

(f) Because of the variation in the period of time that antibiotic residues may remain in edible products from treated animals, all injectable, intramammary infusion, intrauterine, and oral preparations (except certifiable antibiotics), including medicated premixes intended for use in food-producing animals, are deemed to be new drugs as well as food additives. An Antibiotic Form 6 (see § 146.13 of this chapter) will be required for all medicated premixes containing certifiable antibiotics.

(Secs. 409, 505, 507, 701(a), 52 Stat. 1052, as amended, 1055, 59 Stat. 463, as amended, 72 Stat. 1785 et seq., as amended; 21 U.S.C. 348, 355, 357, 371(a))

Dated: April 3, 1968.

JAMES L. GODDARD,
Commissioner of Food and Drugs.

[F.R. Doc. 68-4324; Filed, Apr. 10, 1968;
8:48 a.m.]

PART 3—STATEMENTS OF GENERAL POLICY OR INTERPRETATION

Thyroid-Containing Drug Preparations Intended for Treatment of Obesity in Humans

Regulatory actions have recently been taken under the Federal Food, Drug, and Cosmetic Act against dangerous drugs such as thyroid-digitalis combinations used in the treatment of obesity; however, the Commissioner of Food and Drugs has received several requests for

clarification of the status of other thyroid-containing drugs that have been or are being offered for use in the treatment of obesity.

Therefore, pursuant to the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (secs. 201(p), 502, 701(a), 52 Stat. 1041-42, 1050, as amended, 1055; 21 U.S.C. 321(p), 352, 371(a)) and delegated to the Commissioner (21 CFR 2.120), the following new section is added to Part 3:

§ 3.63 Thyroid-containing drug preparations intended for treatment of obesity in humans.

(a) Investigation by the Food and Drug Administration has revealed that a large number of drug preparations containing thyroid or thyrogenic substances in combination with central nervous system stimulants, with or without one or more additional drug substances such as barbiturates or laxatives, are being marketed for or as adjuncts to the treatment, control, or management of obesity in humans. The Commissioner of Food and Drugs finds that the administration of such combinations for said purposes is without medical rationale except possibly in those relatively uncommon instances where the condition is directly related to hypothyroidism and there exists a concurrent need for appetite control (in such instances the safety and effectiveness of such combinations are not generally recognized). In particular, the Commissioner of Food and Drugs finds that neither the consensus of informed medical opinion nor clinical experience justifies any representation that such combinations are safe and effective in connection with the treatment, control, or management of obesity in patients having normal thyroid function.

(b) Combinations of thyroid or other thyrogenic drugs with central nervous system stimulants with or without other drug substances when offered for or as adjuncts to the treatment, control, or management of obesity not related to hypothyroidism are regarded as misbranded. Such combinations when offered for obesity in humans directly attributable to established hypothyroidism are regarded as new drugs within the meaning of section 201(p) of the Federal Food, Drug, and Cosmetic Act.

(Secs. 201(p), 502, 701(a), 52 Stat. 1041-42, 1050, as amended, 1055; 21 U.S.C. 321(p), 352, 371(a))

Dated: April 2, 1968.

JAMES L. GODDARD,
Commissioner of Food and Drugs.

[F.R. Doc. 68-4326; Filed, Apr. 10, 1968; 8:48 a.m.]

PART 3—STATEMENTS OF GENERAL POLICY OR INTERPRETATION

Use of Secondhand Poultry Crates as Fresh Vegetable Containers

Because of the significance to the public health of avoiding Salmonella or

other enteropathogenic micro-organisms in fresh vegetables, which are frequently consumed without cooking, the Commissioner of Food and Drugs calls attention to the applicability of the Federal Food, Drug, and Cosmetic Act to contamination in fresh vegetables and other edible products by issuing the following statement of policy. Accordingly, under the authority vested in the Secretary of Health, Education, and Welfare by said act (secs. 402(a), 701(a), 52 Stat. 1046, as amended, 1055; 21 U.S.C. 342(a), 371(a)) and delegated by him to the Commissioner (21 CFR 2.120), the following new section is added to Part 3:

§ 3.61 Use of secondhand poultry crates as fresh vegetable containers.

(a) Investigations by the Food and Drug Administration, the National Communicable Disease Center of the U.S. Public Health Service, the Consumer and Marketing Service of the U.S. Department of Agriculture, and by various State public health agencies have revealed that Salmonella organisms are commonly present on dressed poultry and in excreta and fluid exudates from dressed birds.

(b) It is widespread practice among some vegetable growers and packers to employ used poultry crates for shipment of fresh vegetables, including cabbage and celery.

(c) Thus wooden crates in which dressed poultry has been iced and packed are potential sources of Salmonella or other enteropathogenic micro-organisms that may contaminate fresh vegetables, which are frequently consumed without heat treatment.

(d) The Food and Drug Administration, therefore, will regard as adulterated within the meaning of section 402(a) of the Federal Food, Drug, and Cosmetic Act shipments of vegetables or other edible food in used crates or containers that may render the contents injurious to health.

(Secs. 402(a), 701(a), 52 Stat. 1046, as amended, 1055; 21 U.S.C. 342(a), 371(a))

Dated: April 3, 1968.

JAMES L. GODDARD,
Commissioner of Food and Drugs.

[F.R. Doc. 68-4327; Filed, Apr. 10, 1968; 8:48 a.m.]

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 27—CANNED FRUITS AND FRUIT JUICES

Cranberry Juice Cocktail—a Juice Drink; Artificially Sweetened Cranberry Juice Cocktail—a Juice Drink; Order Establishing Identity Standards

In the matter of establishing definitions and standards of identity for cranberry juice cocktail—a juice drink and artificially sweetened cranberry juice cocktail—a juice drink.

A notice of proposed rulemaking in the above-identified matter was published in the FEDERAL REGISTER of March 2, 1967 (32 F.R. 3469), based on a petition sub-

mitted by Ocean Spray Cranberries, Inc., Hanson, Mass. 02341. Comments were received in response to the proposal and some took exception to the lack of a provision for color to be added at the option of the manufacturer of the food whereas others approved such lack. Some requested that the standards permit articles more diluted than provided for in the published proposal, which set a minimum of 25 percent equivalent single strength juice. Reasonable grounds were not given, however, showing that added color and greater dilutions are necessary and would promote honesty and fair dealing in the interest of consumers.

On the basis of the information submitted in the petition, comments received, and other relevant material, it is concluded that it will promote honesty and fair dealing in the interest of consumers to establish definitions and standards of identity for the cranberry beverages as set forth below. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 401, 701, 52 Stat. 1046, 1055, as amended 70 Stat. 919, 72 Stat. 948; 21 U.S.C. 341, 371) and under the authority delegated to the Commissioner of Food and Drugs by the Secretary of Health, Education, and Welfare (21 CFR 2.120): *It is ordered*, That Part 27 be amended by adding thereto the following two new sections:

§ 27.127 Cranberry juice cocktail—a juice drink; identity; label statement of optional ingredients.

(a) Cranberry juice cocktail—a juice drink is the beverage food prepared from one or both of the cranberry juice ingredients specified in paragraph (b) of this section to which water and one or more safe and suitable nutritive sweeteners are added. The finished food is filtered and contains not less than 25 percent by volume of equivalent single strength cranberry juice. The soluble solids content of the finished food is not less than 14° Brix nor more than 16° Brix, as determined by refractometer. It may contain added vitamin C in a quantity prescribed by paragraph (c) of this section. The acid content of the food, calculated as anhydrous citric acid, is not less than 0.55 gram per 100 milliliters. The food is sealed in a container and so processed by heat, before or after sealing, as to prevent spoilage.

(b) The cranberry juice ingredients referred to in paragraph (a) of this section are cranberry juice and concentrated cranberry juice. For the purpose of this section cranberry juice is the juice extracted from mature, well colored, sound, washed cranberries and concentrated cranberry juice is cranberry juice from which part of the water has been removed.

(c) Vitamin C may be added in a quantity such that the total vitamin C in each 6 fluid ounces of the finished food amounts to not less than 30 milligrams and not more than 60 milligrams.

(d) The name of the food is "cranberry juice cocktail—a juice drink—contains not less than 25 percent cranberry juice." The words "a juice drink" shall appear on the label either on the

same line with or centered on a line immediately below the words "cranberry juice cocktail." The words "contain not less than 25 percent cranberry juice" shall appear on a line immediately below and be centered with the line preceding it. The words "a juice drink"—contains not less than 25 percent cranberry juice" shall be in letters not less than one-half the height of the largest letter in the words "cranberry juice cocktail."

(e) (1) The label shall name the sweetening ingredients used. When vitamin C is added, as provided for by paragraph (c), it shall be designated on the label as "vitamin C added" or "with added vitamin C." The label shall conform to the labeling requirements prescribed for foods which purport to be or are represented for special dietary uses by regulations promulgated pursuant to section 403(j) of the Federal Food, Drug, and Cosmetic Act.

(2) Statements of the ingredients present as specified in this paragraph shall be set forth on the label with such prominence and conspicuousness as to render them likely to be read by the ordinary individual under customary conditions of purchase.

§ 27.128 Artificially sweetened cranberry juice cocktail—a juice drink; identity; label statement of optional ingredients.

(a) Artificially sweetened cranberry juice cocktail—a juice drink is the food that conforms to the definition and standard of identity prescribed for cranberry juice cocktail—a juice drink by § 27.127, except that in lieu of nutritive sweeteners it is sweetened with one or more of the artificial sweeteners listed in and complying with Part 121 of this chapter, and the soluble solids specifications prescribed in § 27.127(a) do not apply. The quantity of artificial sweeteners added is sufficient to sweeten the beverage to the same sweetness taste level as that of the food conforming to § 27.127.

(b) The name of the food is "artificially sweetened cranberry juice cocktail—a juice drink—contains not less than 25 percent cranberry juice." The words "artificially sweetened" shall be of the same size and style of type as the words "cranberry juice cocktail" and the words "a juice drink—contains not less than 25 percent cranberry juice" shall be of the same size and placement as prescribed in § 27.127(d).

(c) The food is subject to the requirements for label statement of ingredients as prescribed for cranberry juice cocktail—a juice drink by § 27.127 and is labeled to conform to the labeling requirements prescribed for foods which purport to be or are represented for special dietary uses by regulations promulgated pursuant to section 403(j) of the Federal Food, Drug, and Cosmetic Act.

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C. 20201, written objec-

tions thereto. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing, and such objections must be supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof. All documents shall be filed in six copies.

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

(Secs. 401, 701, 52 Stat. 1046, 1055, as amended 70 Stat. 919, 72 Stat. 948; 21 U.S.C. 341, 371)

Dated: April 1, 1968.

J. K. KIRK,
Associate Commissioner
for Compliance.

[F.R. Doc. 68-4328; Filed, Apr. 10, 1968;
8:48 a.m.]

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

Dimethyl 2,3,5,6-Tetrachloroterephthalate

A petition (PP 8F0640) was filed with the Food and Drug Administration by the Diamond Alkali Co., T. R. Evans Research Center, Post Office Box 348, Painesville, Ohio 44077, proposing the establishment of a tolerance of 0.1 part per million for negligible residues of the herbicide dimethyl 2,3,5,6-tetrachloroterephthalate in or on the raw agricultural commodity cottonseed.

Subsequently, the petitioner amended the proposal to request a tolerance of 0.2 part per million for the combined residues of dimethyl 2,3,5,6-tetrachloroterephthalate and its two metabolites monomethyl 2,3,5,6-tetrachloroterephthalate and 2,3,5,6-tetrachloroterephthalic acid (calculated as dimethyl 2,3,5,6-tetrachloroterephthalate) in or on the raw agricultural commodity cottonseed.

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

Based on consideration given the data submitted in the petition, and other relevant material, the Commissioner of Food and Drugs concludes that the tolerance established by this order will protect the public health. He further concludes that residues of such metabolites of the subject pesticide chemical may also be present as components of the pesticide residues on all commodities for which tolerances have already been

established and § 120.185 should be amended accordingly to include these metabolites.

Therefore, by virtue of the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(2), 68 Stat. 512; 21 U.S.C. 346a(d)(2)) and delegated by him to the Commissioner (21 CFR 2.120), § 120.185 is amended by revising the introductory paragraph and by adding a new final paragraph, as follows:

§ 120.185 Dimethyl 2,3,5,6-tetrachloroterephthalate; tolerances for residues.

Tolerances for total residues of the herbicide dimethyl 2,3,5,6-tetrachloroterephthalate and its metabolites monomethyl 2,3,5,6-tetrachloroterephthalate and 2,3,5,6-tetrachloroterephthalic acid (calculated as dimethyl 2,3,5,6-tetrachloroterephthalate) are established as follows:

* * * * *

0.2 part per million (negligible residue) in or on cottonseed.

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C. 20201, written objections thereto, preferably in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

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

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

Dated: April 1, 1968.

J. K. KIRK,
Associate Commissioner
for Compliance.

[F.R. Doc. 68-4329; Filed, Apr. 10, 1968;
8:48 a.m.]

PART 121—FOOD ADDITIVES

Subpart C—Food Additives Permitted in Feed and Drinking Water of Animals or for the Treatment of Food-Producing Animals

Subpart D—Food Additives Permitted in Food for Human Consumption

SULFOMYXIN

1. The Commissioner of Food and Drugs, having evaluated the data sub-

mitted in a petition (FAP 5D1686) filed by Chas. Pfizer and Co., Inc., 235 East 42d Street, New York, N.Y. 10017, and other relevant material, has concluded that the food additive regulations should be amended to provide for the safe use of sulfomyxin for the injection of chickens and turkeys for conditions specified below. (In the notice of filing of said petition, published in the FEDERAL REGISTER of Apr. 7, 1965 (30 F.R. 4502), the additive was referred to as "polymyxin methane sulfonate," a proposed nonproprietary name; however, that nomenclature has not been adopted.)

Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)) and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (21 CFR 2.120), Part 121 is amended by adding to Subpart C the following new section:

§ 121.318 Sulfomyxin.

The food additive sulfomyxin (*N*-sulfomethylpolymyxin B sodium salt) may be safely used in the treatment of animals in accordance with the following prescribed conditions:

(a) The additive is derived from the antibiotic substance produced by growth of *Bacillus polymyxa* or is the same substance produced by any other means.

(b) (1) It is sterile and it is used or intended for use in chickens and turkeys as an aid in the treatment of diseases caused or complicated by *E. coli*, such as colibacillosis and complicated chronic respiratory disease.

(2) It is administered by subcutaneous injection as follows:

Age of birds in days	Antibiotic activity	
	Chickens	Turkeys
	<i>Units</i>	<i>Units</i>
1 to 14.....	12,500	12,500
15 to 28.....	25,000	25,000
29 to 63.....	50,000	50,000
Over 63.....	50,000	100,000

(3) A second injection may be given 3 days later if symptoms persist.

(c) To assure safe use the label and labeling of the additive shall bear, in addition to the other information required by the act, the following:

(1) The name of the additive.

(2) A statement of the quantity contained therein.

(3) Adequate directions and warnings for use including the statements:

(i) "Not for use in laying hens"; and

(ii) "Do not treat chickens within 5 days and turkeys within 7 days of slaughter."

2. Based upon an evaluation of the data before him and proceeding under the authority of said act (sec. 409(c)(4), 72 Stat. 1786; 21 U.S.C. 348(c)(4)), delegated as cited above, the Commissioner has concluded that tolerance limitations are required to assure that edible products from chickens and turkeys treated with sulfomyxin in accordance with

§ 121.318 are safe for human consumption. Accordingly, Part 121 is amended by adding to Subpart D the following new section:

§ 121.1217 Sulfomyxin.

A tolerance of zero is established for residues of sulfomyxin (*N*-sulfomethylpolymyxin B sodium salt) in edible tissues from chickens and turkeys.

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C. 20201, written objections thereto, preferably in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

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

(Sec. 409(c)(1), (4), 72 Stat. 1786; 21 U.S.C. 348(c)(1), (4))

Dated: April 3, 1968.

J. K. KIRK,
Associate Commissioner
for Compliance.

[F.R. Doc. 68-4330; Filed, Apr. 10, 1968; 8:48 a.m.]

PART 121—FOOD ADDITIVES

Subpart B—Exemption of Certain Food Additives From the Requirement of Tolerances

NORDIHYDROGUAIARETIC ACID; REMOVAL FROM LIST OF SUBSTANCES GENERALLY RECOGNIZED AS SAFE

A proposal to remove nordihydroguaiaretic acid (NDGA) from the list of substances generally recognized as safe for use in food as preservatives (21 CFR 121.101(d)(2)) was published in the FEDERAL REGISTER of November 22, 1967 (32 F.R. 16048). Comments received thereon from three interested parties provided no substantive evidence to alter the proposed course of action. It is entirely appropriate for any interested party to submit a food additive petition with data that establish the conditions of safe use for NDGA in food.

Removal of NDGA from the list of substances generally recognized as safe reclassifies this compound as a food additive for which a food additive regulation is necessary to permit its use. The existing food additive regulation for the use of NDGA in packaging material, § 121.2514, is not altered by this action

nor is the existing prior sanction in certain other packaging uses as provided in § 121.2001(a). In the absence of a regulation providing for uses of NDGA directly in food, a proposal to remove NDGA from the list of permitted optional ingredients in the soda water standard is published elsewhere in this issue of the FEDERAL REGISTER.

Accordingly, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(d), 72 Stat. 1787; 21 U.S.C. 348(d)) and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (21 CFR 2.120), § 121.101 *Substances that are generally recognized as safe* is amended by deleting from paragraph (d)(2) the item "Nordihydroguaiaretic acid."

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C. 20201, written objections thereto, preferably in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

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

(Sec. 409(d), 72 Stat. 1787; 21 U.S.C. 348(d))

Dated: April 1, 1968.

J. K. KIRK,
Associate Commissioner
for Compliance.

[F.R. Doc. 68-4322; Filed, Apr. 10, 1968; 8:47 a.m.]

Title 22—FOREIGN RELATIONS

Chapter I—Department of State

[Dept. Reg. 108.582]

PART 41—VISAS: DOCUMENTATION OF NONIMMIGRANTS UNDER THE IMMIGRATION AND NATIONALITY ACT, AS AMENDED

Nonimmigrant Documentary Waivers

Correction

In F.R. Doc. 68-4102 appearing at page 5410 in the issue of Friday, April 5, 1968, the signature appearing at the end of the document should read "Raymond F. Farrell, Commissioner of Immigration and Naturalization, Immigration and Naturalization Service, Department of Justice."

Title 49—TRANSPORTATION

Chapter I—Department of Transportation

SUBCHAPTER A—GENERAL RULES AND REGULATIONS

PART 177—SHIPMENTS MADE BY WAY OF COMMON, CONTRACT, OR PRIVATE CARRIERS BY PUBLIC HIGHWAY

SUBCHAPTER B—CARRIERS BY MOTOR VEHICLES

PART 294—RECORDING AND REPORTING OF ACCIDENTS

PART 297—TRANSPORTATION OF EXPLOSIVES AND OTHER DANGEROUS ARTICLES BY MOTOR VEHICLES

Annual Safety Accident Report by Private Motor Carriers of Hazardous Materials

A proposal to amend §§ 177.875 and 177.876 of the Hazardous Materials Regulations of the Department of Transportation (49 CFR 177.875 and 177.876; 32 F.R. 14569), to redesignate the sections as § 294.6 of the Motor Carrier Safety Regulations (49 CFR 294.6), and to revoke § 177.877 of the Hazardous Materials Regulations of the Department of Transportation, was published in the FEDERAL REGISTER on December 19, 1967 (32 F.R. 18114). Interested persons have been given the opportunity to participate in this rulemaking action and careful consideration has been given to all relevant matter presented.

This amendment requires every private carrier engaged in transporting hazardous materials in a motor vehicle which must be marked or placarded under the provisions of § 177.823 of the Hazardous Materials Regulations of the Department of Transportation to prepare and file form MCS-51, entitled Private Carrier Annual Safety Report, on or before the date specified. Additionally, certain identification requirements for such vehicles are prescribed.

Operations involving the carriage of hazardous materials are of particular importance because of the inherently dangerous characteristics of such materials. The accident frequency rate and annual accident experience are valuable aids in focusing on those carriers in need of close attention and supervision. There is, at present, a lack of meaningful statistical data available to the Bureau of Motor Carrier Safety, concerning accidents involving private carriers of hazardous materials. This amendment furnishes the means for obtaining such statistical data and for identifying those private carriers in need of close supervision and attention.

Several commentators objected to the requirement that private carriers report on the total number of vehicles operated. They contend the report should be limited to the number of placarded vehicles actually engaged in the carriage of haz-

ardous materials. The Administrator recognizes that there are exceptional cases where reporting the total number of vehicles operated would not contribute significantly to the accumulation of meaningful statistical data. Consequently, provision has been made whereby the Director, Bureau of Motor Carrier Safety, may, upon written request and for good cause shown, permit the carrier to limit the information contained in the report to that portion of its operation involving the actual transportation of hazardous materials.

For reasons of clarity and to avoid possible misunderstanding, language changes have been made to § 294.6(a) (1) (iv) expressly limiting the total number of trucks and truck tractors reportable to instances where the hazardous materials are of such kind and in such quantities as to require the vehicle to be placarded under the provisions of § 177.823 of the Hazardous Materials Regulations of the Department of Transportation (49 CFR 177.823).

The date for filing the first report under this amendment has been changed to April 1, 1969. The information contained in that report covers calendar year 1968. Thereafter, the report must be filed on or before April 1 of each succeeding year, covering the prior calendar year. For calendar year 1967, the provisions of § 177.875 of the Hazardous Materials Regulations of the Department of Transportation apply.

Section 297.01(b) of the Motor Carrier Safety Regulations is amended by adding at the end thereof, the following: "Except as specified in § 294.6." Through an oversight, the notice of proposed rule making, published on December 19, 1967 (32 F.R. 18114) did not expressly refer to § 297.01(b). However, this rule making proceeding clearly comprehended this amendment to § 297.01(b). Consequently, additional notice and public procedure are unnecessary.

This rule making action is taken under the authority of sections 204, 220, and 224, of the Interstate Commerce Act, as amended (49 U.S.C. 304, 320, 324); Title 18, United States Code, sections 831-835; section 6 of the Department of Transportation Act (49 U.S.C. 1955); and delegation of authority dated April 5, 1967 (32 F.R. 5606).

In consideration of the foregoing:

§§ 177.875, 177.876 [Redesignated]

1. Sections 177.875 and 177.876 of the Hazardous Materials Regulations of the Department of Transportation (49 CFR 177.875 and 177.876) (32 F.R. 14569) are redesignated as § 294.6 of the Motor Carrier Safety Regulations (49 CFR 294.6) and amended as set forth below, effective January 1, 1969.

§ 177.877 [Revoked]

2. Section 177.877 of the Hazardous Materials Regulations of the Department of Transportation (49 CFR 177.877) is revoked; and

3. Section 297.01(b) is amended by adding at the end thereof "except as

specified in § 294.6." The full text of § 297.01(b), as amended, is set forth below:

§ 294.6 Annual safety report required; private carriers.

(a) (1) Every private carrier engaged in transporting hazardous materials of such kind and in such quantities as to require that a motor vehicle be marked or placarded under the provisions of § 177.823 of this chapter, shall file, on or before April 1, 1969, and on or before April 1 of each year thereafter, Form MCS-51 entitled Private Carrier Annual Safety Report,¹ with the Director, Bureau of Motor Carrier Safety, Federal Highway Administration, Washington, D.C. 20591. This report shall include, in addition to the carrier's name and principal business address, the following information concerning the operations of the private carrier during the preceding calendar year:

(i) Maximum number of trucks and truck tractors operated at any time during the calendar year;

(ii) Actual number of truck and truck tractor miles operated in intrastate and interstate operations, except that estimated mileage is acceptable where accurate mileage figures are not maintained;

(iii) Total number of recordable accidents as defined in § 294.2(a) including:

(a) Total number of fatalities and injuries; and

(b) Total amount of property damage in dollars;

(iv) Total number of trucks and truck tractors transporting hazardous materials of such kind and in such quantities as to require the motor vehicle to be placarded under the provisions of § 177.823 of this chapter by primary State of registration only; and

(v) Total number of recordable accidents as defined in § 294.2(a), involving those motor vehicles referred to in subdivision (iv) of this paragraph.

(2) The Director, Bureau of Motor Carrier Safety, upon written request and for good cause shown, may permit a private carrier to limit the information contained in the report specified in this paragraph (a) to that part of its operation involving the actual transportation of hazardous materials.

(b) Identification of vehicles of certain private carriers:

(1) *General requirements.* There shall be displayed on both sides of each vehicle operated under its own power, either alone or in combination, and engaged in the transportation of the articles described in paragraph (a) of this section, the name or trade name of the private carrier operating such vehicle, and the city or community in which the carrier maintains its principal office or in which the vehicle is customarily based. If the name of any person other than the operating carrier appears on a vehicle operated under its own power, either alone or in combination, the name of the operating carrier shall be followed by the

¹ Filed as part of the original document.

information required by this paragraph, and be preceded by words "operated by." Nothing in the regulations in this part shall prohibit display of such additional identification as is not inconsistent herewith.

(2) *Size, shape, and color.* The display of name and address prescribed in subparagraph (1) of this paragraph, shall be in letters in sharp color contrast to the background, and be of such size, shape, and color as to be readily legible, during daylight hours from a distance of 50 feet while the vehicle is not in motion, and such display shall be kept and maintained in such manner as to remain so legible. The display may be accomplished through use of a removable device so prepared as to meet the identification and legibility requirements of this section.

§ 297.01 Application of regulations.

(b) Parts 290 to 297, inclusive, of this subchapter, shall be applicable to all motor carriers designated in paragraph (a) of this section, whether or not operating wholly within a municipality or between contiguous municipalities, or within a zone adjacent to and commercially a part of any such municipality or municipalities, to the extent that the motor vehicles and drivers of the aforesaid carriers are engaged in the transportation of explosives and other dangerous articles: *Provided, however,* That Part 294 of this subchapter relating to the reporting of accidents shall not apply to any private carrier of property except as specified in § 294.6 of this subchapter.

Issued in Washington, D.C., on April 3, 1968.

LOWELL K. BRIDWELL,
Federal Highway Administrator.

[F.R. Doc. 68-4315; Filed, Apr. 10, 1968; 8:47 a.m.]

Title 50—WILDLIFE AND FISHERIES

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

PART 33—SPORT FISHING

Lake Ilo National Wildlife Refuge, N. Dak.

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

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

NORTH DAKOTA

LAKE ILO NATIONAL WILDLIFE REFUGE

Sport fishing on the Lake Ilo National Wildlife Refuge, N. Dak., is permitted only on the area designated by signs as open to fishing. This open area comprising 400 acres is delineated on maps available at refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 1006

West Lake Street, Minneapolis, Minn. 55408. Sport fishing shall be in accordance with all applicable State regulations and subject to the following special conditions.

(1) The open season for sport fishing on the refuge extends from May 4, 1968, through September 15, 1968, daylight hours only.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in title 50, Part 33, and are effective through September 15, 1968.

HOMER L. BRADLEY,
Refuge Manager, Lake Ilo National Wildlife Refuge, Dunn Center, N. Dak.

APRIL 4, 1968.

[F.R. Doc. 68-4314; Filed, Apr. 10, 1968; 8:47 a.m.]

PART 33—SPORT FISHING
Deer Flat National Wildlife Refuge, Idaho, et al.

The following special regulations are issued and are effective on date of publication in the FEDERAL REGISTER.

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

General Conditions: Fishing shall be in accordance with applicable State regulations except for special conditions listed.

All areas open to fishing are designated by signs and delineated on maps available at the respective refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 730 Northeast Pacific Street, Portland, Oreg. 97208.

IDAHO

DEER FLAT NATIONAL WILDLIFE REFUGE

Deer Flat National Wildlife Refuge, Route 1, Box 335, Nampa, Idaho 83651. Sport fishing is permitted on the entire refuge year-round except as stipulated under Special Conditions.

Special Conditions:

1. Fishing is not permitted on the public hunting area during the migratory waterfowl hunting season.

2. Boats with motors may be used during daylight hours only (interpreted here to be 1 hour before sunrise to 1 hour after sunset) from February 1 through September 30.

3. Shoreline fishing is prohibited between the upper and lower embankments on the north side of the reservoir.

4. Shoreline fishing is prohibited on the islands of the Snake River sector from February 1 to May 15.

KOOTENAI NATIONAL WILDLIFE REFUGE

Kootenai National Wildlife Refuge, Star Route No. 1, Bonners Ferry, Idaho 83805.

Sport fishing is permitted on portions of Kootenai River, Deep Creek, and Myrtle Creek within the refuge year-round except during the migratory waterfowl hunting season.

MINIDOKA NATIONAL WILDLIFE REFUGE
Minidoka National Wildlife Refuge, Route 4, BSFW, Rupert, Idaho 83350.

Sport fishing is permitted on the entire refuge year-round except as stipulated under Special Conditions.

Special Conditions:

1. Fishing is not permitted on Lake Walcott during the migratory waterfowl hunting season.

2. Boats with or without motors may be used during daylight hours only (interpreted here to be 1 hour before sunrise to 1 hour after sunset) from April 1 through September 30.

The provisions of these special regulations supplement the regulations which govern fishing on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 33, and are effective through April 30, 1969.

HENRY BAETKEY,
Acting Regional Director,
Bureau of Sport Fisheries
and Wildlife.

APRIL 1, 1968.

[F.R. Doc. 68-4273; Filed, Apr. 10, 1968; 8:45 a.m.]

Title 39—POSTAL SERVICE

Chapter I—Post Office Department

SUBCHAPTER C—INTERNATIONAL MAIL

APPENDIX—DIRECTORY OF INTERNATIONAL MAIL

Miscellaneous Amendments

I. In the appendix to Subchapter C—The Directory of International Mail under the individual country regulations make the following changes:

A. Under the country item Italy make the following changes:

1. Under Postal Union Mail two new items *Insurance* and *Special handling* are inserted directly following the item *Registration* and the item *Prohibitions and import restrictions* is revised.

POSTAL UNION MAIL

Insurance. Not applicable to Postal Union mail.

Special handling. Available to U.S. dispatching exchange office for AO packages only. See chart 6 in the front of the appendix for fees.

Prohibitions and import restrictions. Precious stones, precious metals, jewelry, and other precious articles. Dutiable articles in letter packages, except for postage stamps (see "Observations"). Articles prohibited or restricted as parcel post are prohibited or restricted in the Postal Union mail.

2. Under Parcel Post a new item *Insurance* is inserted immediately following the item *Special handling*.

PARCEL POST

Insurance. No provision.

(5 U.S.C. 301, 39 U.S.C. 501, 505)

TIMOTHY J. MAY,
General Counsel.

APRIL 5, 1968.

[F.R. Doc. 68-4301; Filed, Apr. 10, 1968;
8:46 a.m.]

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 213—EXCEPTED SERVICE

Commission on Civil Rights

Section 213.3156 is amended to show that the Schedule A authority covering 15 positions at GS-11 and above of employees who collect, study, and appraise civil rights information under Public Law 88-352 is extended for the life of the Commission and is modified to include activities in furtherance of the Commission's clearinghouse responsibilities. Effective on publication in the FEDERAL REGISTER, paragraph (a) of § 213.3156 is amended as set out below.

§ 213.3156 Commission on Civil Rights.

(a) Until January 31, 1973, 15 positions at grade GS-11 and above of employees who collect, study, and appraise civil rights information and use that information to carry out the national clearinghouse responsibilities of the Commission under Public Law 88-352, as amended.

(5 U.S.C. 3301, 3302, E.O. 10577, 19 F.R. 7521,
3 CFR 1954-58 Comp., p. 218)

UNITED STATES CIVIL SERV-
ICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to
the Commissioners.

[F.R. Doc. 68-4303; Filed, Apr. 10, 1968;
8:46 a.m.]

PART 213—EXCEPTED SERVICE

Department of Defense

Section 213.3306 is amended to show that the position of Executive and Confidential Assistant to the Secretary is excepted under Schedule C. Effective on publication in the FEDERAL REGISTER, subparagraph (1) of paragraph (a) of § 213.3306 is amended as set out below.

§ 213.3306 Department of Defense.

(a) Office of the Secretary. (1) One Executive and Confidential Assistant, one Special Assistant, and two Private Secretaries to the Secretary.

(5 U.S.C. 3301, 3302, E.O. 10577, 19 F.R. 7521,
3 CFR 1954-58 Comp., p. 218)

UNITED STATES CIVIL SERV-
ICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to
the Commissioners.

[F.R. Doc. 68-4303; Filed, Apr. 10, 1968;
8:47 a.m.]

PART 213—EXCEPTED SERVICE

Department of Housing and Urban Development, Housing and Home Finance Agency

1. Section 213.3384 is amended to show that the position of Deputy Assistant for Problems of the Elderly and the Handicapped, Office of the Assistant Secretary for Renewal and Housing Assistance, is excepted under Schedule C in lieu of the position of Deputy Assistant Administrator (Housing for Senior Citizens), Housing and Home Finance Agency. Effective on publication in the FEDERAL REGISTER, subparagraph (8) is added to paragraph (c) of § 213.3384 as set out below.

§ 213.3384 Department of Housing and Urban Development.

(c) Office of the Assistant Secretary for Renewal and Housing Assistance. * * *

(8) One Deputy Assistant for Problems of the Elderly and the Handicapped.

2. Section 213.3344 is amended to show that the positions of Confidential Assistant, Executive Assistant, and Special Assistant to the Commissioner, Urban Renewal Administration; Private Secretary to the Assistant Administrator (Community Programs); and Secretary and Confidential Assistant to the Assistant Administrator (Metropolitan Development); and Deputy Assistant Administrator (Housing for Senior Citizens) are no longer excepted under Schedule C. Effective on publication in the FEDERAL REGISTER, paragraph (a) of § 213.3344 is amended as set out below.

§ 213.3344 Housing and Home Finance Agency.

(a) Office of the Secretary. * * *

(11) [Revoked]

(18) [Revoked]

(19) [Revoked]

(23) [Revoked]

(40) [Revoked]

(41) [Revoked]

(5 U.S.C. 3301, 3302, E.O. 10577, 19 F.R. 7521,
3 CFR, 1954-58 Comp., p. 218)

UNITED STATES CIVIL SERV-
ICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to
the Commissioners.

[F.R. Doc. 68-4305; Filed, Apr. 10, 1968;
8:47 a.m.]

Title 7—AGRICULTURE

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

[Valencia Orange Reg. 234]

PART 908—VALENCIA ORANGES GROWN IN ARIZONA AND DESIG- NATED PART OF CALIFORNIA

Limitation of Handling

§ 908.534 Valencia Orange Regulation 234.

(a) Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 908, as amended (7 CFR Part 908), regulating the handling of Valencia oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations and information submitted by the Valencia Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such Valencia oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

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

which cannot be completed on or before the effective date hereof. Such committee meeting was held on April 9, 1968.

(b) *Order.* (1) The respective quantities of Valencia oranges grown in Arizona and designated part of California which may be handled during the period April 12, 1968, through April 18, 1968, are hereby fixed as follows:

- (i) District 1: Unlimited movement;
- (ii) District 2: unlimited movement;
- (iii) District 3: 275,000 cartons.

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

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

Dated: April 10, 1968.

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

[F.F. Doc. 68-4412; Filed, Apr. 10, 1968;
11:15 a.m.]

[945.326 Amdt. 3]

**PART 945—IRISH POTATOES GROWN
IN CERTAIN DESIGNATED COUN-
TIES IN IDAHO AND MALHEUR
COUNTY, OREG.**

Limitation of Shipments

Findings. (a) Pursuant to Marketing Agreement No. 98 and Order No. 945, both as amended (7 CFR Part 945), regulating the handling of Irish potatoes grown in the production area defined therein, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of recommendations and information submitted by the Idaho-Eastern Oregon Potato Committee, established pursuant to the said marketing agreement and order, and other available information, it is hereby found that the amendment to the limitation of shipments hereinafter set forth, will tend to effectuate the declared policy of the act.

(b) It is hereby found that it is impracticable and contrary to the public interest to give preliminary notice and engage in public rule making procedure, and that good cause exists for not postponing the effective date of this amendment until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) in that (1) 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, (2) compliance with this amendment will not require any special preparation by handlers which cannot be completed by the effective date, (3) information regarding the committee's recommendation has been made available to producers and handlers in the production area, and (4) this amend-

ment relieves restrictions on the handling of potatoes in the production area.

Order, as amended. In § 945.326 (32 F.R. 9298, 15577 and 33 F.R. 2933), subparagraph (1) of paragraph (b); and paragraph (g) are hereby amended to read as follows:

§ 945.326 Limitations of shipments.

* * * * *

(b) *Minimum maturity requirements.*

(1) *White Rose variety:* No minimum maturity requirements.

* * * * *

(g) *Applicability to imports.* Pursuant to § 608e-1 of the act and § 980.1 "Import regulations" (7 CFR 980.1, as amended), Irish potatoes of the long varieties imported during the effective period of this section shall meet the applicable grade, size, quality, and maturity requirements specified in paragraphs (a) and (b) of this section as amended.

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

Dated April 8, 1968, to become effective April 8, 1968.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Veg-
etable Division, Consumer
and Marketing Service.

[F.R. Doc. 68-4355; Filed, Apr. 10, 1968;
8:49 a.m.]

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

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

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

PART 3—FORMS FOR PATENT CASES

**New Defensive Publication Program;
Additional Form**

Sections 1.11, 1.14, 1.101, 1.103, and 1.108 of Title 37 CFR (Patent Rules 11, 14, 101, 103, and 108) are amended or revised and a new § 1.139 (Patent Rule 139) is added to take effect May 1, 1968, for the purpose of instituting a new defensive publication program. A new § 3.50 is added for the purpose of implementing the new program.

The general substance of the proposed revisions and additions was published in the FEDERAL REGISTER of February 20, 1968 (33 F.R. 3189). A hearing was held on March 27, 1968, and all persons, who desired to, were invited to attend and to submit their views, objections, recommendations or suggestions. Both oral and written comments were carefully considered. The sections are being revised substantially as published with a few additional changes.

This program is intended to provide better service to the public by making available the technical disclosure of certain applications in which the owner may prefer to publish an abstract in lieu of obtaining an examination by the Patent

Office. The defensive publication would be in the form of an abstract of the technical disclosure, printed in the Official Gazette and made a part of the Patent Office search files.

This program will be open to any applicant having an application awaiting action by the Patent Office and who files a written request no later than eight (8) months after the earliest U.S. effective filing date of the designated application and agrees to the conditions of the program, including waiving his patent rights based on the designated application, opening the complete application to inspection by the general public upon publication of the abstract, expressly abandoning his application, the abandonment to take effect five (5) years after the earliest U.S. effective filing date of the application unless within that period interference proceedings have been initiated, and waiving his rights to a patent on a continuing application filed after the expiration of thirty (30) months from the earliest U.S. effective filing date of the designated application. Until November 1, 1968, this program will be open to any pending application awaiting first action by the Patent Office at the time of the request without regard to the filing date of that application.

In accordance with existing rules and procedures interferences may be declared with applications and patents. During the period beginning with the suggestion of claims by the Patent Office or the filing of claims by the applicant copied from a patent and ending with the termination of proceedings if an interference is declared or the mailing of a decision refusing to declare the interference, abandonment by reason of the expiration of the 5-year period will be stayed. Since the applicant has waived his patent rights and agreed to a defensive publication, termination of interference proceedings in his favor would render the express abandonment ineffective but would not result in the issuance of an enforceable patent. Instead, a normal Notice of Allowance would be issued except that the applicant would be notified that when the issue fee is remitted a disclaimer of the entire term of the patent to be granted in accordance with the second paragraph of 35 U.S.C. 253 should be included.

No special fees will be required for entrance into this program. The applicant will be permitted to include with his request a replacement or expanded abstract of the technical disclosure of up to two hundred (200) words. Acceptance of a request to enter this program will be contingent upon screening by the Patent Office to exclude such material that may be considered advertising, frivolous, scandalous, against public policy, subject to national security controls, etc. Acceptance of a designated application in this program is not intended to preclude the examination of any continuing application filed under 35 U.S.C. 120 within thirty (30) months after the earliest effective U.S. filing date of the designated application.

Upon receipt and approval of the request the application abstract will be

published in the Official Gazette. Publication of the abstract in the Official Gazette would be in a separate section identifying the application as being open for inspection by the general public and indicating that it is subject to the New Defensive Publication Program.

Following publication the application would be filed in the Record Section of the Patent Reference Branch where it will be available for inspection upon written request. Copies of the application will be furnished by the Patent Office upon request and payment of fee. The application abstract and suitable drawing copies would then be made a part of the official search files.

After the defensive publication has appeared in the Official Gazette the abstract and suitable drawing copies will be available as prior art from the date of publication under 35 U.S.C. 102(a) or 102(b) as a printed publication. Also, at this time the application will be available as prior art under 35 U.S.C. 102(a) as evidence of prior knowledge from the actual date of filing the application in the Patent Office.

The changes follow:

1. In § 1.11, delete "Patent" from the title. Identify the one paragraph now in the section as paragraph "(a)" and follow with a new paragraph "(b)", so that the section reads as follows:

§ 1.11 Files open to the public.

(a) After a patent has been issued, the specification, drawings, and all papers relating to the case in the file of the patent are open to inspection by the general public, and copies may be furnished upon paying the fee therefor. The file of any terminated interference involving a patent, or an application on which a patent has subsequently issued, is similarly open to public inspection and procurement of copies. See § 2.27 for trademark files.

(b) Applications in which the Office has accepted a request filed under § 1.139 are open to inspection by the general public, and copies may be furnished upon paying the fee therefor.

2. In § 1.14, insert "Except as provided in § 1.11(b)" at the beginning of the first sentence of both paragraphs (a) and (b), so that these paragraphs read:

§ 1.14 Patent applications preserved in secrecy.

(a) Except as provided in § 1.11(b) pending patent applications are pre-

served in secrecy. No information will be given by the Office respecting the filing by any particular person of an application for a patent, the pendency of any particular case before it, or the subject matter of any particular application, nor will access be given to or copies furnished of any pending application or papers relating thereto, without written authority of the applicant, or his assignee or attorney or agent, unless it shall be necessary to the proper conduct of business before the Office or as provided by this part.

(b) Except as provided in § 1.11(b) abandoned applications are likewise not open to public inspection, except that if an application referred to in a U.S. patent is abandoned and is available, it may be inspected or copies obtained by any person on written request, without notice to the applicant. Abandoned applications may be destroyed after 20 years from their filing date, except those to which particular attention has been called and which have been marked for preservation. Abandoned applications will not be returned.

3. In § 1.101, add "except for those applications in which the Office has accepted a request filed under § 1.139" at the end of the last sentence of paragraph (a), so that it reads:

§ 1.101 Order of examination.

(a) Applications filed in the Patent Office and accepted as complete applications (§§ 1.53 and 1.55) are assigned for examination to the respective examining divisions having the classes of inventions to which the applications relate. Applications shall be taken up for examination by the examiner to whom they have been assigned in the order in which they have been filed except for those applications in which the Office has accepted a request filed under § 1.139.

4. In § 1.103, add a new paragraph (d) to read as follows:

§ 1.103 Suspension of action.

(d) Action on applications in which the Office has accepted a request filed under § 1.139 will be suspended for the entire pendency of these applications except for purposes relating to proceedings under § 1.201(b).

5. In § 1.108, delete "and forfeited" in the title and the first sentence, and add "except those which have become abandoned as a result of the filing and

acceptance of a request under § 1.139" at the end of the first sentence, so that it reads as follows:

§ 1.108 Abandoned applications not cited.

Abandoned applications as such will not be cited as references except those which have become abandoned as a result of the filing and acceptance of a request under § 1.139.

6. A new § 1.139 is added, the full text of which reads as follows:

§ 1.139 Waiver of patent rights.

An applicant may waive his rights to an enforceable patent based on a pending patent application by filing in the Patent Office a written waiver of patent rights, a consent to the publication of an abstract, an authorization to open the complete application to inspection by the general public, and a declaration of abandonment signed by the applicant and the assignee of record or by the attorney or agent of record.

7. A new § 3.50 is added to read as follows:

§ 3.50 Waiver of patent rights.

To the Commissioner of Patents:

The undersigned having on _____ filed an application for patent, Serial No. _____ entitled _____ hereby waives his right to an enforceable patent based on said application or on any continuing application filed after the expiration of thirty (30) months from the earliest U.S. effective filing date of said application and subject to acceptance by the Commissioner, and requests that an abstract of the disclosure thereof be published in the Official Gazette, that the complete application be opened to inspection by the general public upon publication of said abstract, and that the application be considered pending for the purpose of interference; and further the undersigned expressly abandons said application, the abandonment to take effect five (5) years after the earliest U.S. effective filing date of the application unless within that period interference proceedings have been initiated.

(Sec. 1, 66 Stat. 792; 35 U.S.C. 6)

EDWARD J. BRENNER,
Commissioner of Patents.

Approved: April 9, 1968.

JOHN F. KINCAID,
Assistant Secretary for
Science and Technology.

[F.R. Doc. 68-4386; Filed, Apr. 10, 1968;
8:49 a.m.]

Proposed Rule Making

POST OFFICE DEPARTMENT

[39 CFR Part 151]

SERVICE IN POST OFFICES; BOX RENTALS

Notice of Extension of Time for Filing Comments

In the daily issue of March 1, 1968 (33 F.R. 3639) the Post Office Department published a notice of proposed rule making consisting of a change in box rental procedures. It was proposed to amend paragraph (b) (4) of § 151.3 of Title 39, Code of Federal Regulations to provide for no new rental arrangements for non-existent boxes or for boxes in excess of the number already held by any one patron. In addition, it was proposed that the present boxholders of nonexistent boxes and the present holders of boxes in excess of one at any one post office would be permitted to continue renting them until midnight June 30, 1970. Effective July 1, 1970, it was proposed to provide that only post office boxes located in space accessible to the public could be rented and that only one box would be assigned each patron at any one post office.

Interested persons were given 30 days in which to submit written data, views, and arguments concerning the proposals. Such comments were to be submitted to the Director, Classification and Special Services Division, Bureau of Operations, Post Office Department, Washington, D.C. 20260. In view of the interest shown, the Department has decided to extend the time for filing comments an additional 30 days in order that all interested parties have adequate time to express their views concerning these proposals. Accordingly, the public is invited to submit such written views to the above official any time prior to the 30th day following the date of publication of this notice in the FEDERAL REGISTER.

(5 U.S.C. 301, 39 U.S.C. 501)

TIMOTHY J. MAY,
General Counsel.

APRIL 8, 1968.

[F.R. Doc. 68-4298; Filed, Apr. 10, 1968;
8:46 a.m.]

DEPARTMENT OF AGRICULTURE

Agricultural Research Service

[7 CFR Part 318]

HAWAIIAN AND TERRITORIAL QUARANTINE NOTICES

Notice of Proposed Rule Making

Notice is hereby given under the administrative procedure provisions of 5

U.S.C. 553, that, pursuant to sections 8 and 9 of the Plant Quarantine Act of 1912, as amended (7 U.S.C. 161, 162) and section 106 of the Federal Plant Pest Act (7 U.S.C. 150ee), it is proposed to amend the regulations and administrative instructions supplemental to the quarantine relating to the interstate movement of Hawaiian fruits and vegetables (7 CFR 318.13a, 318.13-1 et seq.) as follows:

1. Amend the section heading and subparagraph (a) (4) of § 318.13a, and add a new paragraph (c) to said section, to read, respectively, as follows:

§ 318.13a Administrative instructions providing exemptions from specified requirements.

(a) * * *
(4) Beets, rutabagas, and turnips; when without tops.

(b) * * *
(c) Coconuts may be moved interstate from Hawaii without restriction under this subpart.

2. Amend paragraph (c) of § 318.13-1, and add to § 318.13-1 new paragraphs (l), (m), and (n), to read, respectively, as follows:

§ 318.13-1 Definitions.

(c) *Cut flowers.* Any cut blooms, fresh foliage customarily used in the florist trade, and dried decorative plant material.

(l) *Compliance agreement.* An agreement to comply with stipulated conditions as prescribed under § 318.13-3(b) or § 318.13-4(b), executed by any person to facilitate the interstate movement of regulated articles under this subpart.

(m) *Limited permit.* A document issued by an inspector for the interstate movement of regulated articles to a specified destination for consumption, or limited utilization or processing, or treatment, in conformity with a compliance agreement.

(n) *Director.* The Director of the Plant Quarantine Division, Agricultural Research Service, U.S. Department of Agriculture, or any officer or employee of the Division to whom authority to act in his stead has been or may hereafter be delegated.

§ 318.13-2 [Amended]

3. Amend § 318.13-2(b) by deleting from the list of fruits and vegetables therein, the item "Coconuts (Cocos nucifera), in mature green or mature brown condition".

4. Amend § 318.13-3 by redesignating paragraph (b) as paragraph (c); and by revising paragraph (a) and adding a new paragraph (b) to read, respectively, as follows:

§ 318.13-3 Conditions of movement.

(a) *To any destination.* Any regulated articles may be moved interstate from Hawaii in accordance with this subpart to any destination if (1) such movement is authorized by a valid certificate and is made in accordance with the conditions of any applicable compliance agreement, or (2) the articles are exempted from certificate or limited permit requirements by administrative instructions.

(b) *To restricted destinations.* Smooth Cayenne pineapples; fresh fruit cocktail; inflight baskets of fruit; and cut flowers as defined in § 318.13-1(c) (except cut blooms of gardenia, mauna loa, and jade vine, and leis thereof) may be moved interstate from Hawaii under limited permit, to a destination specified in the permit, directly from an establishment operated in accordance with the terms of a compliance agreement executed by the operator of the establishment, if the articles have not been exposed to infestation and they are not accompanied by any articles prohibited interstate movement under this subpart.

(c) *Segregation of certified articles.*

* * *

5. Amend § 318.13-4 to read as follows:

§ 318.13-4 Conditions governing the issuance of certificates or limited permits.

Certificates or limited permits may be issued for the movement of articles allowed movement in accordance with the regulations in this subpart under the following conditions:

(a) *Certification on basis of inspection or nature of lot involved.* Fruits and vegetables designated in § 318.13-2(b) may be certified when they have been inspected by an inspector and found apparently free from infestation and infection, or without such inspection when the inspector determines that the lot for shipment is of such a nature that no danger of infestation or infection is involved.

(b) *Certification on basis of treatment.* Fruits, vegetables, and other products designated in § 318.13, which are not listed in § 318.13-2(b) and for which treatments may be approved by the Director of the Plant Quarantine Division, may be certified if such treatments have been applied under the observation of an inspector in accordance with administratively approved procedure and if the articles were handled after such treatment in accordance with conditions prescribed in a compliance agreement executed by the applicant for the certificate or were handled after such treatment under such supervision of an inspector as the inspector may require. Any treatment that may be approved must be applied at the expense of the shipper, owner, or person in charge of such articles. The Department of

Agriculture or its inspector will not be responsible for loss or damage resulting from any treatment prescribed or supervised.

(c) *Limited permits.* Limited permits may be issued by an inspector for the movement of noncertified regulated articles designated in § 318.13-3(b), to specified destinations for consumption, or limited utilization or processing, or treatment.

(d) *Compliance agreements.* As a condition of issuance of a limited permit, or a certificate under paragraph (b) of this section, for the movement of regulated articles for which a compliance agreement is required, the person applying for the permit or certificate must sign a compliance agreement stipulating that he will use all such permits or certificates issued to him in accordance with the provisions thereof and of the compliance agreement; will maintain at his establishment such safeguards against the establishment and spread of infestation and infection and comply with such conditions as to the maintenance of identity, handling (including post treatment handling), and interstate movement of regulated articles under such permits or certificates and the cleaning and treatment of means of conveyance and containers used in such movement of the articles, as may be required by the inspector in each specific case to prevent the spread of infestation or infection; and will allow inspectors to inspect the establishment and operations thereof.

§ 318.13-5 [Amended]

6. Amend § 318.13-5 by deleting therefrom the sentence reading, "All costs, including storage, transportation, and labor incident to inspection, other than the services of the inspector shall be paid by the shipper."

7. Amend § 318.13-6 to read as follows:

§ 318.13-6 Type and marking of containers; certificate or limited permit to accompany shipment, exception.

(a) *Containers.* Each container of articles for which a certificate or limited permit is required under the regulations in this subpart shall be new or of materials approved by an inspector and shall be plainly marked for identification purposes as required by the inspector, and, except as provided in paragraph (b), shall be accompanied by a certificate or limited permit issued in compliance with the regulations in this subpart. In the case of shipments consisting of regulated articles in more than one container or in bulk, the certificate or limited permit covering the lot shall be attached to or stamped on the accompanying waybill, manifest, or bill of lading.

(b) *Identification of precleared shipments.* Certificates or limited permits need not accompany regulated articles moving interstate from Hawaii as air cargo or containerized cargo on ships when (1) such articles have been inspected or treated and precleared in

Hawaii under § 318.13-10, (2) the carrier has on file documentary evidence that a valid certificate or limited permit was issued to cover such movement, and (3) a notation of such documentation is made by the carrier on the waybill that accompanies the shipment.

8. (a) Amend the first sentence in § 318.13-8 to read as follows:

§ 318.13-8 Inspection of vessels.

All ships, vessels, and other surface craft from Hawaii, upon coming within the territorial waters of the continental United States, Guam, Puerto Rico, or the Virgin Islands of the United States, shall be subject to examination by inspectors for the purpose of ascertaining by inspection whether any of the articles or insects prohibited movement by the quarantine and regulations in this subpart or part 330 of this Chapter are contained in such ships, vessels, or other surface craft, or in cargo containers in such craft, or whether there remains any infestation therefrom. * * *

§§ 318.13-9, 318.13-11 [Amended]

(b) Amend §§ 318.13-9 and 318.13-11 by inserting the phrase "or part 330 of this chapter" after the phrase "said quarantine and regulations" each time the latter phrase appears therein.

§ 318.13-10 [Amended]

(c) Amend § 318.13-10, § 318.13-12(a) and the first sentence in § 318.13-12(b) by inserting the phrase "or part 330 of this chapter" after the word "subpart" each time said word appears therein.

9. Amend § 318.13-12 by providing paragraph titles and amending the second sentence of paragraph (b) thereof to read, respectively, as follows:

§ 318.13-12 Inspection of baggage and cargo.

(a) *Baggage inspection.* * * *

(b) *Container inspection.* * * * If any such prohibited article, or any injurious insect or any fruit or vegetable infested with plant pests, is found, the inspector may order the return of the article to the place of origin under safeguards satisfactory to him, or otherwise dispose of it, or such part thereof as in his judgment is necessary to comply with the quarantine and regulations in this subpart and part 330 of this chapter, in accordance with section 10 of the Plant Quarantine Act and section 105 of the Federal Plant Pest Act (7 U.S.C. 164a, 150dd) and instructions issued by the Director of the Plant Quarantine Division.

(c) *Cargo loading or unloading.* * * *

10. Add a new § 318.13-15 to read as follows:

§ 318.13-15 Parcel post inspection.

Inspectors are authorized in accordance with the postal laws and regulations and in cooperation with employees of the U.S. Post Office Department, to inspect parcel post packages placed in the mails in Hawaii and destined to other parts of

the United States, to determine whether such packages contain fruits, vegetables, or other regulated articles, the movement of which is not authorized under this subpart, to examine such articles for plant pests, and to notify the postmaster in writing of any violation of this subpart or Part 330 of this chapter in connection therewith.

11. Add a new § 318.13-16 to read as follows:

§ 318.13-16 Costs and charges.

Services of the inspector during regularly assigned hours of duty at the usual places of duty shall be furnished without cost to the one requesting such services. The Division will not assume responsibility for any costs or charges, other than those indicated in this section, in connection with the inspection, treatment, conditioning, storage, forwarding, or any other operation of any character incidental to the physical movement of regulated articles or plant pests.

12. Add a new § 318.13-17 to read as follows:

§ 318.13-17 Cancellation of certificates, limited permits, or compliance agreements.

Any certificate, limited permit, or compliance agreement that has been issued in accordance with this subpart may be withdrawn or canceled by the Director, after notice and reasonable opportunity to present views has been accorded to the party to whom such document has been issued, if the Director determines that such party has failed to comply with any condition for the use of any such document imposed by this subpart.

(Secs. 8, 9, 37 Stat. 318, as amended, sec. 106, 71 Stat. 33; 7 U.S.C. 161, 162, 150ee, 29 F.R. 16210, as amended, 30 F.R. 5799, as amended)

The major purpose of the proposed amendments is to provide (§§ 318.13-3 and 318.13-4) for the issuance of limited permits that would authorize the movement for consumption, or limited utilization or processing, or treatment, of certain uncertified regulated articles in conformity with a compliance agreement; to require the execution of a compliance agreement as a condition of the issuance of certificates for regulated articles based on treatment of the articles; and to outline the conditions that may be included in compliance agreements. The proposed § 318.13-1 would define the terms "limited permit" and "compliance agreement." The term "Director" also would be defined. The proposed amendment of paragraph (c) of § 318.13-1 would broaden the definition of cut flowers.

The proposed amendment of § 318.13a would delete bitter melons, Cavendish bananas, Bluefield bananas (Gros Michel), and zucchini squash from the list of fruits and vegetables that may be moved without certification or other restriction from Hawaii into or through Guam. These articles are hosts of the oriental fruit fly that exists in Hawaii. This fruit fly has now been eradicated on the Island of Guam. It is therefore proposed that the four articles when

destined to Guam, be required to be certified on the basis of the treatments prescribed in the administrative instructions in § 318.13-4b in the same manner as required for shipment to other destinations.

The proposed amendment of § 318.13a also would exempt coconuts moving interstate from Hawaii from all certification or limited permit requirements. Experience has indicated that there is no appreciable pest risk involved in the movement of coconuts from Hawaii. Reference to coconuts in §§ 318.13-2(b) and 318.13-3(a) would be deleted accordingly.

It is proposed that a sentence be deleted from § 318.13-5, the subject matter to be expanded in a proposed addition designated as § 318.13-16.

A change in § 318.13-6 is proposed largely to provide for the adequate identification of noncertified articles moving under limited permit and in conformity with a compliance agreement.

The proposed change in § 318.13-8 would recognize the increasing use of cargo containers in ocean transportation and the necessity for inspection of their contents.

New §§ 318.13-15 and 318.13-16 are proposed to authorize plant quarantine inspection in U.S. Post Offices in cooperation with the Post Office Department and to include a standardized statement concerning the costs that will be assumed by the Department. Addition of the later section would permit deletion of a sentence relating to costs in § 318.13-5, as proposed.

A new § 318.13-17 is proposed to provide an orderly manner for canceling certificates, limited permits, and compliance agreements when the holder thereof has failed to carry out the applicable conditions.

In addition minor changes are proposed in §§ 318.13-4(a), 318.13-9, 318.13-10, 318.13-11, and 318.13-12 for clarification or editorial reasons.

All persons who desire to submit written data, views, or arguments in connection with this matter should file the same with the Director of the Plant Quarantine Division, Agricultural Research Service, U.S. Department of Agriculture, Hyattsville, Md. 20782, within 45 days after the date of publication of this notice in the FEDERAL REGISTER. All written submissions made pursuant to this notice will be made available for public inspection at times and places and in a manner convenient to the public business (7 CFR 1.27(b)).

Done at Washington, D.C., this 29th day of March 1968.

[SEAL] R. J. ANDERSON,
Acting Administrator,
Agricultural Research Service.

[F.R. Doc. 68-4320; Filed, Apr. 10, 1968; 8:47 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 31]

NONALCOHOLIC BEVERAGES

Proposal To Remove Nordihydroguaiaretic Acid From List of Optional Ingredients Permitted in Soda Water

The Commissioner of Food and Drugs, having considered the announced action of the Canadian Food and Drug Directorate proposing the banning of nordihydroguaiaretic acid for food use, and other relevant information, proposed in the FEDERAL REGISTER of November 22, 1967 (32 F.R. 16048), that nordihydroguaiaretic acid be removed from the list of substances generally recognized as safe by deleting it from § 121.101(d)(2) of the food additive regulations (21 CFR 121.101(d)(2)).

Notice is given that the Commissioner of Food and Drugs, on his own initiative and subject to an affirmative ruling on the above-mentioned proposal, also proposes that the standard of identity for soda water be amended to remove nordihydroguaiaretic acid from the list of chemical preservatives permitted in that beverage.

Accordingly, it is proposed that § 31.1 *Soda water; identity; label statement of optional ingredients* be amended by deleting "nordihydroguaiaretic acid" from the list of chemical preservatives in paragraph (b) (10).

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 401, 701, 52 Stat. 1046, 1055, as amended 70 Stat. 919, 72 Stat. 948; 21 U.S.C. 341, 371) and in accordance with the authority delegated to the Commissioner of Food and Drugs by the Secretary of Health, Education, and Welfare (21 CFR 2.120), all interested persons are invited to submit their views in writing, preferably in quintuplicate, regarding this proposal. Such views and comments should be addressed to the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C. 20201, within 30 days following the date of publication of this notice in the FEDERAL REGISTER, and may be accompanied by a memorandum or brief in support thereof.

Dated: April 1, 1968.

J. K. KIRK,
Associate Commissioner
for Compliance.

[F.R. Doc. 68-4323; Filed, Apr. 10, 1968; 8:48 a.m.]

[21 CFR Parts 121, 146a, 146b, 146c, 146d, 146e]

ANTIBIOTICS

Proposed Amendments Regarding Use in Animals

In accordance with the statement of policy regarding antibiotics used in food-producing animals (21 CFR 3.25) promulgated elsewhere in this issue of the FEDERAL REGISTER, new food additive regulations and amendments to existing antibiotic drug regulations are proposed as follows to provide for the safe and effective use of certain antibiotic drugs in the treatment of animals.

A. Pursuant to the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 409(d), 72 Stat. 1787; 21 U.S.C. 348(d)) and delegated by him to the Commissioner of Food and Drugs (21 CFR 2.120), it is proposed that Part 121 be amended by adding to Subpart C four new sections, as follows:

§ 121.314 Sodium penicillin (penicillin sodium, penicillin sodium salt), calcium penicillin (penicillin calcium, penicillin calcium salt), crystalline penicillin (crystalline penicillin sodium, crystalline penicillin sodium salt, crystalline penicillin potassium, crystalline penicillin potassium salt, crystalline penicillin G sodium, crystalline penicillin G sodium salt, crystalline penicillin G potassium, crystalline penicillin G potassium salt, crystalline penicillin O sodium, crystalline penicillin O potassium, crystalline penicillin O potassium salt).

(a) Sodium penicillin (penicillin sodium, penicillin sodium salt), calcium penicillin (penicillin calcium, penicillin calcium salt), crystalline penicillin (crystalline penicillin sodium, crystalline penicillin sodium salt, crystalline penicillin potassium, crystalline penicillin potassium salt, crystalline penicillin G sodium, crystalline penicillin G sodium salt, crystalline penicillin G potassium, crystalline penicillin G potassium salt, crystalline penicillin O sodium, crystalline penicillin O sodium salt, crystalline penicillin O potassium, crystalline penicillin O potassium salt) comply with the requirements of § 146a.24 of this chapter.

(b) Each such additive is used or intended for use in the treatment of food-producing animals, as follows:

(1) (i) As an intravenous or intramuscular injection in an amount not to exceed 2,000 units per pound of body weight per day.

(ii) The labeling shall bear the statement "Warning—The use of this drug must be discontinued for 5 days before treated animals are slaughtered for food."

(iii) If the drug is intended for use in animals producing milk for human consumption, the labeling shall also bear the statement "Milk that has been taken

from animals during treatment and for ____ hours (____ milkings) after the latest treatment must not be used for food," the blanks being filled with the figures 96 and 8 respectively, unless the sponsor of the drug has submitted the results of tests and assays demonstrating that residues of the drug in milk from treated animals persist for a shorter period of time and the shorter period is authorized by the Commissioner.

(iv) If the drug is intended for use in poultry, the labeling shall bear a statement that the drug is not to be used in birds producing eggs for human consumption.

(2) (i) As an intramammary infusion injection in an amount not to exceed 100,000 units per dose.

(ii) Its labeling shall comply with the requirements prescribed in subparagraph (1) (iii) of this paragraph.

§ 121.315 Procaine penicillin for aqueous injection.

(a) Procaine penicillin for aqueous injection complies with the requirements of § 146a.47 of this chapter.

(b) It is used or intended for use in the treatment of food-producing animals, as follows:

(1) (i) As an intravenous or intramuscular injection in an amount not to exceed 2,000 units per pound of body weight per day.

(ii) The labeling shall bear the statement "Warning—The use of this drug must be discontinued for 5 days before treated animals are slaughtered for food."

(iii) If the drug is intended for use in animals producing milk for human consumption, the labeling shall also bear the statement "Milk that has been taken from animals during treatment and for ____ hours (____ milkings) after the latest treatment must not be used for food," the blanks being filled with the figures 96 and 8 respectively, unless the sponsor of the drug has submitted the results of tests and assays demonstrating that residues of the drug in milk from treated animals persist for a shorter period of time and the shorter period is authorized by the Commissioner.

(iv) If the drug is intended for use in poultry, the labeling shall bear a statement that the drug is not to be used in birds producing eggs for human consumption.

(2) (i) As an intramammary infusion injection in an amount not to exceed 100,000 units per dose.

(ii) Its labeling shall comply with the requirements prescribed in subparagraph (1) (iii) of this paragraph.

§ 121.316 Procaine penicillin and buffered crystalline penicillin for aqueous injection.

(a) Procaine penicillin and buffered crystalline penicillin for aqueous injection comply with the requirements of § 146a.50 of this chapter.

(b) Each such additive is used or intended for use in the treatment of food-producing animals, as follows:

(1) (i) As an intravenous or intramuscular injection in an amount not to ex-

ceed 2,000 units per pound of body weight per day.

(ii) The labeling shall bear the statement "Warning—The use of this drug must be discontinued for 5 days before treated animals are slaughtered for food."

(iii) If the drug is intended for use in animals producing milk for human consumption, the labeling shall also bear the statement "Milk that has been taken from animals during treatment and for ____ hours (____ milkings) after the latest treatment must not be used for food," the blanks being filled with the figures 96 and 8 respectively, unless the sponsor of the drug has submitted the results of tests and assays demonstrating that residues of the drug in milk from treated animals persist for a shorter period of time and the shorter period is authorized by the Commissioner.

(iv) If the drug is intended for use in poultry, the labeling shall bear a statement that the drug is not to be used in birds producing eggs for human consumption.

(2) (i) As an intramammary infusion injection in an amount not to exceed 100,000 units per dose.

(ii) Its labeling shall comply with the requirements prescribed in subparagraph (1) (iii) of this paragraph.

§ 121.317 I-Ephenamine penicillin G for aqueous injection.

(a) I-Ephenamine penicillin G for aqueous injection complies with the requirements of § 146a.66 of this chapter.

(b) It is used or intended for use in the treatment of food-producing animals, as follows:

(1) (i) As an intravenous or intramuscular injection in an amount not to exceed 2,000 units per pound of body weight per day.

(ii) The labeling shall bear the statement "Warning—The use of this drug must be discontinued for 5 days before treated animals are slaughtered for food."

(iii) If the drug is intended for use in animals producing milk for human consumption, the labeling shall also bear the statement "Milk that has been taken from animals during treatment must not be used for food," the blanks being filled with the figures 96 and 8 respectively, unless the sponsor of the drug has submitted the results of tests and assays demonstrating that residues of the drug in milk from treated animals persist for a shorter period of time and the shorter period is authorized by the Commissioner.

(iv) If the drug is intended for use in poultry, the labeling shall bear a statement that the drug is not to be used in birds producing eggs for human consumption.

(2) (i) As an intramammary infusion injection in an amount not to exceed 100,000 units per dose.

(ii) Its labeling shall comply with the requirements prescribed in subparagraph (1) (iii) of this paragraph.

B. Under the authority vested in the Secretary of Health, Education, and Welfare by the Act (sec. 507, 59 Stat. 463, as amended; 21 U.S.C. 357), delegated as

cited above, it is proposed that Parts 146a, 146b, 146c, 146d, and 146e of the antibiotic drug regulations be amended in the following respects:

1. In § 146a.19 *Benzathine phenoxymethyl penicillin for aqueous injection veterinary*:

a. By deleting from paragraph (a) (1) the words "not less than".

b. By deleting from the last sentence of paragraph (b) the words "not less than".

c. By revising paragraph (c) (1) (iii) to read as follows:

(iii) The statement "Warning—Not for use in animals which are raised for food production."

2. By revising § 146a.24(c) (2) to read as follows:

(2) *It is packaged for dispensing and it is intended solely for veterinary use.*

(i) Its label and labeling shall comply with all the requirements prescribed by subparagraph (1) of this paragraph, except that in lieu of the statement "Caution: Federal law prohibits dispensing without prescription," each package shall include information containing directions and warnings adequate for the veterinary use of the drug by the laity.

(ii) If it is intended for use in animals raised for food production, it shall be used in accordance with § 121.314 of this chapter.

3. By revising § 146a.25(c) (2) to read as follows:

§ 146a.25 *Penicillin in oil and wax (calcium penicillin in oil and wax, crystalline penicillin in oil and wax).*

(c) * * *

(2) *It is packaged for dispensing and it is intended solely for veterinary use.*

Its label and labeling shall comply with all the requirements prescribed by subparagraph (1) of this paragraph, except that in lieu of the statement "Caution: Federal law prohibits dispensing without prescription," each package shall include information containing directions and warnings adequate for the veterinary use of the drug by the laity and the statement "Warning—Not for use in animals which are raised for food production."

4. In § 146a.45 *Procaine penicillin G in oil*:

a. By deleting from the fifth sentence of paragraph (a) the words "or subcutaneous injection in fowl".

b. By deleting from the sixth sentence of paragraph (a) the words "or if packaged and labeled solely for subcutaneous injection in fowl, the procaine penicillin G used is exempt from the requirements of paragraph (a) (2) and (3) of that section".

c. By deleting from the first sentence of paragraph (b) the words "or subcutaneous injection in fowl" and by revising the third sentence to read "Unless it is packaged for repacking each such container shall contain not less than 1 milliliter and not more than 20 milliliters of procaine penicillin in oil, except if it is packaged and labeled solely for veterinary use it shall contain not more than 10 milliliters."

d. By changing the comma after "laity" in paragraph (c)(2)(i) to a period and deleting the rest of the sentence.

e. By adding to paragraph (c)(2) a new subdivision (iii) reading as follows:

(iii) Each package shall bear on its label and labeling the statement "Warning—Not for use in animals which are raised for food production."

f. By deleting from paragraph (d)(2)(i) and (ii), respectively, the words "or subcutaneous injection in fowl".

5. By adding to § 146a.47(c)(2) a new subdivision, as follows:

§ 146a.47 Procaine penicillin for aqueous injection.

(c) * * *

(iii) If it is intended for use in animals raised for food production, it shall be used in accordance with § 121.315 of this chapter.

6. By revising § 146a.58 (b) and (c)(3) to read as follows:

§ 146a.58 Penicillin-streptomycin; penicillin-dihydrostreptomycin veterinary.

(b) *Packaging.* In all cases the immediate containers shall be tight containers as defined by the U.S.P., shall be sterile at the time of filling and closing, shall be so sealed that the contents cannot be used without destroying such seal, and shall be of such composition as will not cause any change in the strength, quality, or purity of the contents beyond any limit therefor in applicable standards, except that minor changes so caused that are normal and unavoidable in good packaging, storage, and distribution practice shall be disregarded. In case it is packaged for dispensing, it shall be in immediate containers of colorless (unless it is intended solely for veterinary use), transparent glass, closed by a substance through which a hypodermic needle may be introduced and withdrawn without removing the closure or destroying its effectiveness. Unless it is a single-dose container that contains not less than 300,000 units, each such container shall contain 300,000 units, 600,000 units, 900,000 units, 1,500,000 units, or 3,000,000 units of procaine penicillin, crystalline sodium penicillin, potassium penicillin, or 1-ephenamine penicillin G and not less than 0.25 gram of streptomycin for each 300,000 units of penicillin, except that if it is a mixture of two salts of penicillin it shall contain not less than 100,000 units of crystalline sodium penicillin or potassium penicillin for each 300,000 units of procaine penicillin, and if it is intended for veterinary use it contains not more than 0.5 gram of streptomycin or 0.5 gram of dihydrostreptomycin. Each such container may be packaged in combination with a container of a solvent consisting of water for injection U.S.P., dextrose injection U.S.P., or sodium chloride injection U.S.P.

(c) * * *

(3) *It is packaged for dispensing and it is intended solely for veterinary use.* Its label and labeling shall comply with

the requirements prescribed by subparagraphs (1) and (2) of this paragraph, except that in lieu of the statement "Caution: Federal law prohibits dispensing without prescription" each package shall include information containing directions and warnings adequate for the veterinary use of the drug by the laity and the statement "Warning—Not for use in animals which are raised for food production."

7. By revising § 146a.65(c)(2) to read as follows:

§ 146a.65 1-Ephenamine penicillin G in oil.

(c) * * *

(2) *It is packaged for dispensing and it is intended solely for veterinary use.* Its label and labeling shall comply with all the requirements prescribed by subparagraph (1) of this paragraph, except that in lieu of the statement "Caution: Federal law prohibits dispensing without prescription" each package shall include information containing directions and warnings adequate for the veterinary use of the drug by the laity and the statement "Warning—Not for use in animals which are raised for food production."

8. By revising § 146a.66(c)(2) to read as follows:

§ 146a.66 1-Ephenamine penicillin G for aqueous injection.

(c) * * *

(2) *It is packaged for dispensing and it is intended solely for veterinary use.*

(i) Its label and labeling shall comply with all the requirements prescribed by subparagraph (1) of this paragraph, except that in lieu of the statement "Caution: Federal law prohibits dispensing without prescription" each package shall include information containing directions and warnings adequate for the veterinary use of the drug by the laity.

(ii) If it is intended for use in animals raised for food production, it shall be used in accordance with § 121.317 of this chapter.

9. In § 146a.67 by revising paragraph (a)(1) and by adding to paragraph (c)(2) a new subdivision (iii), as follows:

§ 146a.67 Procaine penicillin in streptomycin sulfate solution; procaine penicillin in dihydrostreptomycin sulfate solution veterinary (procaine penicillin in crystalline dihydrostreptomycin sulfate solution veterinary).

(a) * * *

(1) Each milliliter shall contain not less than 100,000 units of procaine penicillin and not less than 0.25 gram of streptomycin sulfate or dihydrostreptomycin sulfate, but each immediate container shall contain not less than 300,000 units of procaine penicillin and not less than 0.25 gram of streptomycin sulfate or dihydrostreptomycin sulfate; except if it is packaged for veterinary use each such container shall contain not more than 0.5 gram of streptomycin sulfate or dihydrostreptomycin sulfate;

(c) * * *

(c) * * *

(2) * * *

(iii) Each package shall bear on its label and labeling the statement "Warning—Not for use in animals which are raised for food production."

10. By revising § 146a.75(c)(2) to read as follows:

§ 146a.75 Diethylaminoethyl ester penicillin G hydriodide for aqueous injection (penicillin G diethylaminoethyl ester hydriodide for aqueous injection).

(c) * * *

(2) *It is packaged for dispensing and intended solely for veterinary use.* Its label and labeling shall comply with all the requirements prescribed by subparagraph (1) of this paragraph, except that in lieu of the statement "Caution: Federal law prohibits dispensing without prescription" each package shall include information containing directions and warnings adequate for the veterinary use of the drug by the laity and the statement "Warning—Not for use in animals which are raised for food production."

11. By revising § 146a.77(c)(2) to read as follows:

§ 146a.77 Benzathine penicillin G for aqueous injection.

(c) * * *

(2) *It is packaged for dispensing and intended solely for veterinary use.* Its label and labeling shall comply with all the requirements prescribed by subparagraph (1) of this paragraph, except that in lieu of the statement "Caution: Federal law prohibits dispensing without prescription" each package shall include information containing directions and warnings adequate for the veterinary use of the drug by the laity and the statement "Warning—Not for use in animals which are raised for food production."

12. By revising § 146a.80(c)(2) to read as follows:

§ 146a.80 Chlorprocaine penicillin O for aqueous injection.

(c) * * *

(2) *It is packaged for dispensing and intended solely for veterinary use.* Its label and labeling shall comply with all the requirements prescribed by subparagraph (1) of this paragraph, except that in lieu of the statement "Caution: Federal law prohibits dispensing without prescription" each package shall include information containing directions and warnings adequate for the veterinary use of the drug by the laity and the statement "Warning—Not for use in animals which are raised for food production."

13. In § 146b.101 *Streptomycin sulfate*, * * *:

(c) * * *

(2) *It is packaged for dispensing and intended solely for veterinary use.* Its label and labeling shall comply with all the requirements prescribed by subparagraph (1) of this paragraph, except that in lieu of the statement "Caution: Federal law prohibits dispensing without prescription" each package shall include information containing directions and warnings adequate for the veterinary use of the drug by the laity and the statement "Warning—Not for use in animals which are raised for food production."

13. In § 146b.101 *Streptomycin sulfate*, * * *:

a. By revising the last sentence of paragraph (b) to read "Each such container shall contain 0.5 gram, 1.0 gram, 2.0 grams, 3.0 grams, 4.0 grams, 5.0 grams, or 10.0 grams, and each may be packaged in combination with a container of the solvent water for injection U.S.P., dextrose injection 5 percent U.S.P., or physiological salt solution

(c) * * *

(2) *It is packaged for dispensing and intended solely for veterinary use.* Its label and labeling shall comply with all the requirements prescribed by subparagraph (1) of this paragraph, except that in lieu of the statement "Caution: Federal law prohibits dispensing without prescription" each package shall include information containing directions and warnings adequate for the veterinary use of the drug by the laity and the statement "Warning—Not for use in animals which are raised for food production."

13. In § 146b.101 *Streptomycin sulfate*, * * *:

a. By revising the last sentence of paragraph (b) to read "Each such container shall contain 0.5 gram, 1.0 gram, 2.0 grams, 3.0 grams, 4.0 grams, 5.0 grams, or 10.0 grams, and each may be packaged in combination with a container of the solvent water for injection U.S.P., dextrose injection 5 percent U.S.P., or physiological salt solution

(c) * * *

(2) *It is packaged for dispensing and intended solely for veterinary use.* Its label and labeling shall comply with all the requirements prescribed by subparagraph (1) of this paragraph, except that in lieu of the statement "Caution: Federal law prohibits dispensing without prescription" each package shall include information containing directions and warnings adequate for the veterinary use of the drug by the laity and the statement "Warning—Not for use in animals which are raised for food production."

13. In § 146b.101 *Streptomycin sulfate*, * * *:

a. By revising the last sentence of paragraph (b) to read "Each such container shall contain 0.5 gram, 1.0 gram, 2.0 grams, 3.0 grams, 4.0 grams, 5.0 grams, or 10.0 grams, and each may be packaged in combination with a container of the solvent water for injection U.S.P., dextrose injection 5 percent U.S.P., or physiological salt solution

U.S.P., except that if it is intended for veterinary use each such container shall contain 0.5 gram."

b. By revising paragraph (c) (2) to read as follows:

(2) *It is packaged for dispensing and it is intended solely for veterinary use.* Its label and labeling shall comply with all the requirements prescribed by subparagraph (1) of this paragraph, except that in lieu of the statement "Caution: Federal law prohibits dispensing without prescription," each package shall include information containing directions and warnings adequate for the veterinary use of the drug by the laity and the statement "Warning—Not for use in animals which are raised for food production."

14. In § 146b.106 *Streptomycin sulfate solution*; * * *:

a. By revising the last sentence of paragraph (b) to read "Each such container shall contain not less than 1.0 milliliter and not more than 20 milliliters, except if it is intended for veterinary use each such container shall contain not more than 0.5 gram of streptomycin sulfate or dihydrostreptomycin sulfate."

b. By revising paragraph (c) (2) to read as follows:

(2) *It is packaged for dispensing and it is intended solely for veterinary use.* Its label and labeling shall comply with all the requirements prescribed by subparagraph (1) (i) (a) and (ii) of this paragraph except that in lieu of the statement "Caution: Federal law prohibits dispensing without prescription," each package shall include information containing directions and warnings adequate for the veterinary use of the drug by the laity and the statement "Warning—Not for use in animals which are raised for food production."

15. By revising § 146c.201(c) (2) to read as follows:

§ 146c.201 *Chlortetracycline hydrochloride (chlortetracycline hydrochloride salt).*

(c) * * *

(2) *It is packaged for dispensing and it is intended solely for veterinary use.* Its label and labeling shall bear the statement "Warning—Not for use in animals which are raised for food production" and shall comply with all the requirements prescribed by subparagraph (1) of this paragraph; except, if it is not intended for intravenous use, in lieu of the statement "Caution: Federal law prohibits dispensing without prescription," each package shall include information containing directions and warnings adequate for the veterinary use of the drug by the laity. If it is intended for intravenous use, the labeling shall conform with the requirements prescribed by § 1.106(c) of this chapter and to the requirements of subparagraph (1) (i) and (ii) of this paragraph.

16. By revising § 146c.221(c) (2) to read as follows:

§ 146c.221 *Tetracycline hydrochloride for intramuscular use; tetracycline phosphate complex for intramuscular use.*

(c) * * *

(2) *It is packaged for dispensing and intended solely for veterinary use.* Its label and labeling shall comply with all the requirements prescribed by subparagraph (1) of this paragraph, except that in lieu of the statement "Caution: Federal law prohibits dispensing without prescription" each package shall include information containing directions and warnings adequate for the veterinary use of the drug by the laity and the statement "Warning—Not for use in animals which are raised for food production."

17. By revising § 146d.301(c) (2) to read as follows:

§ 146d.301 *Chloramphenicol.*

(c) * * *

(2) *If it is intended solely for veterinary use.* Its label and labeling shall comply with all the requirements of subparagraph (1) of this paragraph, except subdivisions (i) (a) and (ii); and in lieu of the statement "Caution: Federal law prohibits dispensing without prescription," it shall be labeled in accordance with the requirements prescribed by § 1.106(c) of this chapter (regulations issued under section 502(f) of the act), and bear on its label and labeling the statement "Warning—Not for use in animals which are raised for food production."

18. By revising § 146d.307(c) (2) to read as follows:

§ 146d.307 *Chloramphenicol solution; chloramphenicol for aqueous injection.*

(c) * * *

(2) *If it is intended solely for veterinary use.* Its label and labeling shall comply with all the requirements of subparagraph (1) of this paragraph, except subdivisions (i) (a) and (iii); and in lieu of the statement "Caution: Federal law prohibits dispensing without prescription," it shall be labeled in accordance with the requirements prescribed by § 1.106(c) of this chapter (regulations issued under section 502(f) of the act and bear on its label and labeling the statement "Warning—Not for use in animals which are raised for food production."

19. By revising § 146e.401(c) (2) to read as follows:

§ 146e.401 *Bacitracin.*

(c) * * *

(2) *It is packaged for dispensing and intended solely for veterinary use.* In addition to conforming with the requirements prescribed by subparagraph (1) (i), (ii), and (iii) of this paragraph and with the requirements prescribed by § 1.106(c) of this chapter (regulations issued under section 502(f) of the act),

its label and labeling shall bear the statement "Warning—Not for use in animals which are raised for food production."

All interested persons are invited to submit their views in writing, preferably in quintuplicate, regarding this proposal within 60 days following the date of publication of this notice in the FEDERAL REGISTER. Such views and comments should be addressed to the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C. 20201, and may be accompanied by a memorandum or brief in support thereof.

Dated: April 3, 1968.

JAMES L. GODDARD,
Commissioner of Food and Drugs.

[F.R. Doc. 68-4325; Filed, Apr. 10, 1968; 8:48 a.m.]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 39]

[Docket No. 7842]

AIRWORTHINESS DIRECTIVES

Rolls Royce Spey Models 506-14, 510-14, 511-8, and 511-14 Airplane Engines

The Federal Aviation Administration has under consideration a proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive applicable to Rolls Royce Spey Models 506-14, 510-14, 511-8, and 511-14. The notice of proposed rule making published in 32 F.R. 17895, required periodic inspection for and replacement of cracked H.P. air system center section duct, P/N EU.29670A with a duct of the same part number, or with P/N EU.63415A. Subsequent to the issuance of the proposal, it has been determined that P/N EU.63415A is also subject to failure and that a stainless steel wire braid wrap around the air duct would contain a failure thus preventing secondary nacelle damage and would provide an increased measure of strength.

In view of the foregoing, the proposed AD, published in 32 F.R. 17895, on December 14, 1967, is hereby withdrawn, and a new airworthiness directive is proposed requiring the initial inspection of P/N EU.63415A and the installation of a stainless steel wire braid wrap around the ducts, in addition to the requirements set forth in the original proposal.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the docket number and be submitted in duplicate to the Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C.

20590. All communications received on or before May 10, 1968, will be considered by the Administrator before taking action upon the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

This amendment is proposed under the authority of sections 313(a), 601, and 603 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, and 1423).

In consideration of the foregoing, it is proposed to amend § 39.13 of Part 39 of the Federal Aviation Regulations by adding the following new airworthiness directive:

ROLLS ROYCE. Applies to Spey Engines Models 506-14, 510-14, 511-8, and 511-14.

Compliance required as indicated, unless already accomplished.

To prevent or contain a possible failure of the H.P. center section air duct and thereby prevent possible secondary powerplant damage, accomplish the following:

(a) Within the next 300 hours' time in service after the effective date of this AD, visually inspect (with the aid of a mirror as necessary) the high pressure air system center section duct, P/Ns EU.29670A and EU.63415A, particularly adjacent to welds, for cracks (discoloration of the cowl and engine adjacent to the duct may be indicative of a duct crack), and incorporate a stainless steel wire braid wrap around the high pressure air system center section duct, P/Ns EU.29670A and EU.63415A, in accordance with Rolls-Royce Service Bulletin No. SP. 75-88, dated November 20, 1967, or later ARB-approved revision, or an equivalent approved by the Chief, Aircraft Certification Staff, Europe, Africa, and Middle East Region.

(b) At the next scheduled aircraft inspection when the engine is uncowed after compliance with paragraph (a), and thereafter at each scheduled aircraft inspection when the engine is uncowed, or at intervals not to exceed 600 hours' time in service from the last inspection, whichever occurs first, inspect (with the aid of a mirror as necessary) the exposed high pressure air system center section duct for signs of cracking and the stainless steel wire braid wrap for security, distortion and discoloration. (Distortion or discoloration of the wire wrap may be indicative of a duct crack).

(c) If defects are found during the inspection required by paragraphs (a) and (b), before further flight replace as required the center section duct with a serviceable P/N EU.29670A, or P/N EU.63415A duct and a new stainless steel wire braid wrap.

(d) Upon the request of an operator, an FAA maintenance inspector, subject to prior approval of the Chief, Aircraft Certification Staff, FAA, Europe, Africa, and Middle East Region, may adjust the repetitive inspection interval specified in this AD to permit compliance at an established inspection period of the operator, if the request contains substantiating data to justify the increase for such operator.

Issued in Washington, D.C., on April 4, 1968.

R. S. SLIFF, Acting
Director, Flight Standards Service.

[F.R. Doc. 68-4286; Filed, Apr. 10, 1968;
8:46 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 68-CE-22]

TRANSITION AREA

Proposed Alteration

The Federal Aviation Administration is considering amending Part 71 of the Federal Aviation Regulations so as to alter the transition area at Billings, Mont.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Director, Central Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, Federal Building, 601 East 12th Street, Kansas City, Mo. 64106. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Regional Air Traffic Division Chief.

Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

A public docket will be available for examination by interested persons in the Office of the Regional Counsel, Federal Aviation Administration, Federal Building, 601 East 12th Street, Kansas City, Mo. 64106.

Additional controlled airspace is needed so that the Great Falls ARTC Center can provide more effective and efficient radar vectoring services to IFR aircraft operating on random routings or direct flights between Great Falls, Mont., and Billings, Mont. Consequently, in order to provide these services it is necessary to alter the Billings 7,700-foot MSL transition area by the inclusion of additional airspace between V2-N and V-187 for a distance of approximately 65 nautical miles northwest of Billings. The present designation of the Billings' 700 and 1,200-foot floor transition areas will not be changed as a result of this proposal.

In consideration of the foregoing, the Federal Aviation Administration proposes to amend Part 71 of the Federal Aviation Regulations as hereinafter set forth:

In § 71.181 (33 F.R. 2137), the following transition area is amended to read:

BILLINGS, MONT.

That airspace extending upward from 700 feet above the surface within an 8-mile radius of Logan Field (latitude 45°48'25" N., longitude 108°31'55" W.); within a 12-mile radius of Billings VORTAC, extending from a line 5 miles southeast of and parallel to the Billings VORTAC 212° radial clockwise to the Billings VORTAC 347° radial; and within 2

miles each side of the Billings ILS localizer east course, extending from the 8-mile radius area to 8 miles east of the Billings RBN; that airspace extending upward from 1,200 feet above the surface within a 25-mile radius of Billings VORTAC, extending from the south edge of V-2 west of Billings clockwise to the southwest edge of V-19 southeast of Billings; within 10 miles southwest and 7 miles northeast of the Billings VORTAC 301° radial, extending from the 25-mile radius area to 49 miles northwest of the VORTAC; within 10 miles southwest and 7 miles northeast of the Billings VORTAC 317° radial, extending from the 25-mile radius area to 45 miles northwest of the VORTAC; within 10 miles west and 7 miles east of the Billings VORTAC 347° radial, extending from the 25-mile radius area to 42 miles north of the VORTAC; within 10 miles north and 8 miles south of the Billings VORTAC 096° radial, extending from the 25-mile radius area to 33 miles east of the VORTAC; and the area southeast of Billings bounded on the northeast by V-86, on the south by latitude 45°20'00" N., and on the west by V-187; and that airspace extending upward from 7,700 feet MSL within 8 miles each side of the Billings VORTAC 096° radial, extending from 38 to 99 miles east of the VORTAC; and the area northwest of Billings bounded on the northeast by V-187, on the southwest by V2-N, and on the northwest by the Lewistown, Mont., VORTAC 195° radial.

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

Issued at Kansas City, Mo., on March 25, 1968.

DANIEL E. BARROW,
Acting Director, Central Region.

[F.R. Doc. 68-4287; Filed, Apr. 10, 1968;
8:46 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 68-CE-27]

TRANSITION AREA

Proposed Alteration

The Federal Aviation Administration is considering amending Part 71 of the Federal Aviation Regulations so as to alter the transition area at Gaylord, Mich.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Director, Central Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, Federal Building, 601 East 12th Street, Kansas City, Mo. 64106. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Regional Air Traffic Division Chief.

Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be

changed in the light of comments received.

A public docket will be available for examination by interested persons in the Office of the Regional Counsel, Federal Aviation Administration, Federal Building, 601 East 12th Street, Kansas City, Mo. 64106.

Additional controlled airspace is needed so that the Minneapolis ARTC Center can provide more effective and efficient radar vectoring services to IFR traffic operating into and out of Emmet County Airport, Pellson, Mich., from direct routes and/or jet routes which are being set up between Detroit and Sault Ste. Marie, and Chicago and Sault Ste. Marie. Consequently, it is necessary to alter the Gaylord, Mich., 5,000-foot MSL transition area by the inclusion of additional airspace in order to provide these

services. The present designation of the Gaylord 700- and 1,200-foot floor transition areas will not be changed as a result of this proposal.

In consideration of the foregoing, the Federal Aviation Administration proposes to amend Part 71 of the Federal Aviation Regulations as hereinafter set forth:

In § 71.181 (33 F.R. 2137), the following transition area is amended to read:

GAYLORD, MICH.

That airspace extending upward from 700 feet above the surface within a 6-mile radius of Otsego County Airport (latitude 45°00'50" N., longitude 84°41'45" W.); and within 2 miles each side of the 087° bearing from Otsego County Airport extending from the 6-mile radius area to 8 miles east of the airport; that airspace extending upward from 1,200 feet above the surface within 8 miles

north and 5 miles south of the 087° bearing from Otsego County Airport, extending from the airport to 12 miles east of the airport; and within 5 miles each side of the 304° bearing from Otsego County Airport, extending from the airport to V-193; that airspace extending upward from 5,000 feet MSL within the area east of Gaylord bounded on the northeast by V-45, on the southeast by V-45W and on the west by V-297; and within the area west and north of Gaylord bounded on the east by V-297, on the south by V-430 and on the northwest by V-193.

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

Issued at Kansas City, Mo., on March 25, 1968.

DANIEL E. BARROW,
Acting Director, Central Region.

[F.R. Doc. 68-4288; Filed, Apr. 10, 1968;
8:46 a.m.]

Notices

DEPARTMENT OF THE TREASURY

Bureau of Customs

[T.D. 68-105]

EVIDENCE REGARDING EX-FACTORY SALES

Notice of Decision

Decision in C.A.D. 929 as to sufficiency of evidence to establish ex-factory sales, limited.

In the case of United States v. Bud Berman Sportswear, Inc., the U.S. Court of Customs and Patent Appeals, in a decision dated December 7, 1967, published as C.A.D. 929, sustained the trial court's finding that at or about the time of exportation, such or similar merchandise was freely sold for exportation to the United States on an ex-factory basis.

Inasmuch as other evidence which may not have been fully considered by the courts is available in support of the Government's position a retrial has been sought. Consequently, pending a new ruling by the court, the decision in C.A.D. 929 shall be limited to the merchandise which was the subject of the appeal to reappraisal in that case.

[SEAL]

LESTER D. JOHNSON,
Commissioner of Customs.

[F.R. Doc. 68-4317; Filed, Apr. 10, 1968;
8:47 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Serial No. M7991]

MONTANA

Notice of Proposed Classification of Public Lands for Multiple-Use Management

Correction

In F.R. Doc. 68-3705 appearing at page 5107 in the issue of Thursday, March 28, 1968, the line in the third column now reading "T. 8 S., R. 25 E.," should be corrected to read "T. 8 S., R. 20 E.,".

[New Mexico Supplement to Bureau of Land Management Manual 1510]

CHIEF, DIVISION OF ADMINISTRATION, STATE OFFICE ET AL.

Delegation of Authority Regarding Contracts and Leases

APRIL 3, 1968.

A. Pursuant to delegation of authority contained in Bureau Manual 1510.03B2d, the—

Chief, Division of Administration, State Office,

Administrative Officer, State Office.
District Managers.
Chief, Division of Administration in each District Office.

are authorized:

1. To enter into contracts with established sources for supplies and services, excluding capitalized equipment, regardless of amount, and

2. To enter into contracts on the open market for supplies and materials, excluding capitalized equipment, not to exceed \$2,500 per transaction (\$2,000 for construction), provided that the requirement is not available from established sources.

B. Under the above-mentioned delegation of authority, Cadastral Survey Chiefs are authorized to enter into contracts on the open market for supplies and materials, excluding capitalized equipment, not to exceed \$500: *Provided*, That the requirement is not available from established sources.

W. J. ANDERSON,
State Director.

[F.R. Doc. 68-4274; Filed, Apr. 10, 1968;
8:45 a.m.]

[A 1952]

ARIZONA

Order Providing for Opening of Public Lands

1. In an exchange of lands made under provisions of section 8 of the act of June 28, 1934 (48 Stat. 1272), as amended June 26, 1936 (49 Stat. 1976; 43 U.S.C. 315g), the following described lands have been reconveyed to the United States under Serial AR 036035:

GILA AND SALT RIVER MERIDIAN, ARIZONA

T. 4 S., R. 31 E.,
Sec. 27, NE $\frac{1}{4}$.

The area described contains 160 acres.

2. The lands are located in Greenlee County approximately 10 miles east of Clifton, Ariz., and are bounded on the north by the Apache National Forest. Topography is a flat mesa with a steep canyon on both east and west sides. Soils are rocky, sandy loam; vegetation consists of scattered mesquite, juniper, and scrub oak; grasses are black grama, side oats, and various annuals.

3. The lands will be open to petition-application and selection under the public land laws and to location under the U.S. mining laws. No application for these lands will be allowed under the homestead, desert land or other non-mineral public land laws unless the lands have already been classified as valuable or suitable for such type of application, or shall be so classified upon consideration of a petition-application. Any pe-

tition-application that is filed will be considered on its merits. The lands will not be subject to occupancy or disposition until they have been classified.

4. This order shall become effective at 10 a.m. on May 10, 1968.

5. Inquiries concerning these lands should be addressed to: U.S. Bureau of Land Management, Arizona Land Office, Room 3022 Federal Building, Phoenix, Ariz. 85025.

FRED J. WEILER,
State Director.

APRIL 4, 1968.

[F.R. Doc. 68-4275; Filed, Apr. 10, 1968;
8:45 a.m.]

[Sacramento 062878]

CALIFORNIA

Opening of Lands

APRIL 4, 1968.

By virtue of the authority contained in section 24 of the Act of June 10, 1920 (41 Stat. 1075; 16 U.S.C. 818), as amended, and pursuant to authority re-delegated to me by the Acting Manager, November 18, 1965 (30 F.R. 14444), it is ordered as follows:

1. In DA-990-California the Federal Power Commission determined that the value of the following described lands withdrawn in Power Project No. 334 will not be injured nor destroyed for purposes of power development by location, entry, or selection, under the Public Land Laws, subject to the provisions of section 24 of the Federal Power Act of June 10, 1920 (41 Stat. 1075; 16 U.S.C. 818), as amended.

MOUNT DIABLO MERIDIAN

T. 15 N., R. 9 E.,
Sec. 36, NE $\frac{1}{4}$ SW $\frac{1}{4}$ (unsurveyed).

The area described contains approximately 40 acres in Placer County.

2. The land has been classified under section 7 of the Taylor Grazing Act, as amended (48 Stat. 1269, 1272; 43 U.S.C. 315f), for disposal under the provisions of the Recreation and Public Purposes Act of June 14, 1926 (44 Stat. 741; 43 U.S.C. 869), as amended.

Should the land subsequently be restored from the Recreation and Public Purposes classification noted above, it will, upon restoration to the public lands status, become subject to the Multiple-Use Management Classification, S. 572, December 21, 1967 (32 F.R. 20660-20661).

3. Any disposal of the lands described in this order shall be subject to the provisions of section 24 of the Federal Power Act, *supra*.

4. Subject to any valid existing rights and equitable claims, the requirements of applicable law, rules, and regulations,

and the provisions of any existing withdrawals, the land is hereby opened to filing of applications, selections, and locations in accordance with the following:

a. Until 10 a.m. on October 4, 1968, the State of California shall have a preference right of application to select the land described in paragraph 1 of this order in accordance with the provisions of section 2 of the Act of August 27, 1958 (72 Stat. 928; 43 U.S.C. 851, 852).

b. All valid applications and selections under the nonmineral public land laws, other than any from the State of California presented at or prior to 10 a.m. on October 4, 1968, will be considered as simultaneously filed at that hour. Rights under such applications and selections filed after that hour will be governed by the time of filing.

The State of California has waived the preference right of application provided by section 24 of the Act of June 10, 1920, as amended (62 Stat. 275; 16 U.S.C. 818).

5. This order shall not otherwise be effective to change the status of the public land until 10 a.m. on October 4, 1968. At that time the land shall be open to the operation of the public land laws, subject to valid existing rights, the requirements of applicable law, the provisions of any existing withdrawals and the classifications noted above.

Inquiries concerning the land should be addressed to the Land Office, Bureau of Land Management, 650 Capitol Mall, Sacramento, Calif. 95814.

JESSE H. JOHNSON,
Acting Chief,
Lands Adjudication Section.

[F.R. Doc. 68-4276; Filed, Apr. 10, 1968;
8:45 a.m.]

[Oregon 017307]

OREGON

Order Providing for Opening of Public Lands

APRIL 4, 1968.

1. In an exchange of lands made under the provisions of section 8 of the Act of June 28, 1934 (48 Stat. 1272), as amended June 26, 1936 (49 Stat. 1976; 43 U.S.C. 315g), the following lands have been re-conveyed to the United States:

WILLAMETTE MERIDIAN

T. 10 S., R. 45 E.,
Sec. 11, SE $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 12, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 13, NW $\frac{1}{4}$;
Sec. 23, SE $\frac{1}{4}$ SE $\frac{1}{4}$.

The areas described aggregate 520 acres.

2. The lands are located in Baker County. They are semiarid in character and are not suitable for farming.

3. Subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law, the lands are hereby open to application, petition, location and selection. All valid applications received at or prior to 10 a.m., May 10, 1968, shall be considered as simultaneously filed at that time.

Those received thereafter shall be considered in the order of filing.

4. Inquiries concerning the lands should be addressed to the Chief, Division of Lands and Minerals, Program Management and Land Office, Post Office Box 2965, Portland, Oreg. 97208.

VIRGIL O. SEISER,
Chief, Branch of Lands.

[F.R. Doc. 68-4277; Filed, Apr. 10, 1968;
8:45 a.m.]

Fish and Wildlife Service

REGIONAL DIRECTORS AND AREA DIRECTOR, BUREAU OF COMMERCIAL FISHERIES

Delegation of Authority Regarding Federal Aid

The regulations issued herein are based on the authority of the Director, Bureau of Commercial Fisheries, to issue such regulations. The requirements herein set forth apply as a portion of the directive system of the Bureau of Commercial Fisheries.

1. *Delegation.* Under authority delegated to heads of bureaus by the Secretary of the Interior in Departmental Manual, Part 241, General Program Delegations dated August 26, 1966 (31 F.R. 11685), redelegation of authority to officials and employees of the Bureau of Commercial Fisheries is hereby made.

2. *Exercise of authority.* The redelegation hereby made is of authority, on behalf of the United States and the Bureau of Commercial Fisheries, to the Regional Directors and the Area Director, Bureau of Commercial Fisheries, to approve Federal Aid Cooperative Agreement documents under the provisions of the Anadromous Fish Act of 1965 (79 Stat. 1125; 16 U.S.C. 757a.f.). The redelegation is in addition to the Delegation of Authority—Federal Aid published in the FEDERAL REGISTER on April 1, 1967.

3. *Effective date.* This redelegation shall become effective May 1, 1968.

WILLIAM M. TERRY,
Acting Director,
Bureau of Commercial Fisheries.

[F.R. Doc. 68-4290; Filed, Apr. 10, 1968;
8:46 a.m.]

National Park Service

GRAND TETON NATIONAL PARK, WYO.

Notice of Intention To Extend Concession Permit

Pursuant to the provisions of section 5 of the Act of October 9, 1965 (79 Stat. 969; 16 U.S.C. 20), public notice is hereby given that thirty (30) days after the date of publication of this notice, the Department of the Interior, through the Superintendent of Grand Teton National Park, National Park Service, proposes to extend for the period January 1, 1968, through September 30, 1968, the concession permit under which Leek's Lodge,

Inc., is authorized to provide concession facilities and services for the public in Grand Teton National Park.

The foregoing concessioner has performed its obligations under the permit to the satisfaction of the National Park Service and, therefore, pursuant to the Act cited above, is entitled to be given preference in the renewal of the permit. However, under the Act cited above, the Secretary is also required to consider and evaluate all proposals received as a result of this notice. Any proposal to be considered and evaluated must be submitted within thirty (30) days after the publication date of this notice.

Interested parties should contact the Superintendent, Grand Teton National Park, Post Office Box 67, Moose, Wyo. 83012, for information as to the requirements of the proposed permit.

Dated: April 4, 1968.

EDWARD A. HUMMEL,
Assistant Director,
National Park Service.

[F.R. Doc. 68-4278; Filed, Apr. 10, 1968;
8:45 a.m.]

CAPE COD NATIONAL SEASHORE, MASS.

Notice of Intention To Issue Concession Permit

Pursuant to the provisions of section 5 of the Act of October 9, 1965 (79 Stat. 969; 16 U.S.C. 20), public notice is hereby given that thirty (30) days after the date of publication of this notice, the Department of the Interior, through the Superintendent, Cape Cod National Seashore, proposes to issue a concession permit to Joseph R. Whiting, authorizing him to provide refreshment services for the public at Nauset Light Beach, Eastham, Mass., for a period of seven (7) months from June 1, 1968, through December 31, 1968.

The foregoing concessioner has performed his obligations under an existing permit to the satisfaction of the National Park Service, and therefore, pursuant to the Act cited above, is entitled to be given preference in the issuance of a new permit. However, under the Act cited above, the Secretary is also required to consider and evaluate all proposals received as a result of this notice. Any proposal to be considered and evaluated must be submitted within thirty (30) days after the date of publication of this notice.

Interested parties should contact the Superintendent, Cape Cod National Seashore, South Wellfleet, Mass. 02663, for information as to the requirements of the proposed permit.

Dated: March 25, 1968.

STANLEY C. JOSEPH,
Superintendent,
Cape Cod National Seashore.

[F.R. Doc. 68-4279; Filed, Apr. 10, 1968;
8:45 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration
AMERICAN CYANAMID CO.

Notice of Filing of Petition for Food Additives

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition (FAP 8H2278) has been filed by the American Cyanamid Co., Agricultural Division, Post Office Box 400, Princeton, N.J. 08540, proposing the establishment of a food additive tolerance of 5 parts per million for residues of the insecticide dimethoate (*O,O*-dimethyl *S*-(*N*-methylcarbamoylmethyl) phosphorodithioate) and its oxygen analog in dehydrated citrus pulp for cattle feed, such residues resulting from application of the insecticide to the growing crop.

Dated: April 1, 1968.

J. K. KIRK,
Associate Commissioner
for Compliance.

[F.R. Doc. 68-4332; Filed, Apr. 10, 1968;
8:48 a.m.]

CHEMAGRO CORP.

Notice of Withdrawal of Petition for Food Additives

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b), 72 Stat. 1786; 21 U.S.C. 348(b)), the following notice is issued:

In accordance with § 121.52 *Withdrawal of petitions without prejudice* of the procedural food additive regulations (21 CFR 121.52), Chemagro Corp., Post Office Box 4913, Hawthorn Road, Kansas City, Mo. 64120, has withdrawn its petition (FAP 8H2201), notice of which was published in the FEDERAL REGISTER of August 11, 1967 (32 F.R. 11650), proposing the issuance of a regulation to establish a tolerance of 0.5 part per million for residues of *O,O*-dimethyl *S*-[4-oxo-1,2,3,4-tetrahydro-2H-1,2,4-triazin-3(4H)-ylmethyl] phosphorodithioate in soybean oil from concentration and carryover after application of the insecticide to the growing soybean crop as proposed in the pesticide petition (PP 7F0539), notice of which was published in the FEDERAL REGISTER of November 2, 1966 (31 F.R. 14012).

Dated: April 1, 1968.

J. K. KIRK,
Associate Commissioner
for Compliance.

[F.R. Doc. 68-4333; Filed, Apr. 10, 1968;
8:48 a.m.]

CHEMAGRO CORP.

Notice of Filing of Petition Regarding Pesticide Chemicals

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act

(sec. 408(d)(1), 68 Stat. 512; 21 U.S.C. 346a(d)(1)), notice is given that a petition (PP 8F0707) has been filed by the Chemagro Corp., Post Office Box 4913, Hawthorn Road, Kansas City, Mo. 64120, proposing that § 120.183 *O,O*-Diethyl *S*-2-(ethylthio)ethyl phosphorodithioate; tolerances for residues (21 CFR 120.183) be amended to permit application of the subject insecticide in either spring or fall in the production of wheat. No change is proposed in the tolerance levels of 5 parts per million on wheat (green fodder and straw) or 0.3 part per million on wheat grain.

The analytical method proposed in the petition for determining residues of the insecticide is a gas chromatographic technique using a potassium chloride thermionic-emission flame detector after oxidation of the insecticide and its metabolites to the corresponding sulfone.

Dated: April 1, 1968.

J. K. KIRK,
Associate Commissioner
for Compliance.

[F.R. Doc. 68-4334; Filed, Apr. 10, 1968;
8:48 a.m.]

ELANCO PRODUCTS CO.

Notice of Filing of Petition for Food Additives Diethylstilbestrol and Methimazole

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition has been filed by Elanco Products Co., Division of Eli Lilly & Co., Indianapolis, Ind. 46206, proposing that the food additive regulations be amended to provide for the safe use of a combination drug containing diethylstilbestrol and methimazole in feed for beef cattle to promote fattening, growth, and feed efficiency.

Dated: April 1, 1968.

J. K. KIRK,
Associate Commissioner
for Compliance.

[F.R. Doc. 68-4335; Filed, Apr. 10, 1968;
8:48 a.m.]

GEIGY CHEMICAL CORP.

Notice of Filing of Petition Regarding Pesticides

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(1), 68 Stat. 512; 21 U.S.C. 346a(d)(1)), notice is given that a petition (PP 8F0714) has been filed by the Geigy Chemical Corp., Ardsley, N.Y. 10502, proposing the establishment of a tolerance of 0.25 part per million for residues of the herbicide 2-*tert*-butylamino-4-ethylamino-6-methylthio-s-triazine in or on the raw agricultural commodity wheat (grain, green fodder, and straw).

The analytical method proposed in the petition for determining residues of the herbicide is a gas chromatographic

technique in which the residue is extracted with chloroform or acetonitrile, evaporated to dryness, and redissolved in carbon tetrachloride. This solution is then passed through a sodium bisulfate column to remove interfering materials, and the residue is eluted from the column with chloroform and taken to dryness. The residue is dissolved in benzene and then analyzed on a gas chromatograph using a flame photometric detector equipped with a sulfur filter (394 millimicrons).

Dated: April 1, 1968.

J. K. KIRK,
Associate Commissioner
for Compliance.

[F.R. Doc. 68-4336; Filed, Apr. 10, 1968;
8:49 a.m.]

HARRY MILLER CORP.

Notice of Filing of Petition for Food Additives

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; U.S.C. 348(b)(5)), notice is given that a petition (FAP 8B2276) has been filed by Harry Miller Corp., Fourth and Bristol Streets, Philadelphia, Pa. 19140, proposing that § 121.2531 *Surface lubricants used in the manufacture of metallic articles* be amended to provide for the safe use of sodium nitrite as an optional component of surface lubricants used in the manufacture of metallic articles intended for food-contact use.

Dated: April 1, 1968.

J. K. KIRK,
Associate Commissioner
for Compliance.

[F.R. Doc. 68-4337; Filed, Apr. 10, 1968;
8:49 a.m.]

AMDAL CO.

Notice of Filing of Petition for Food Additives

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786, 21 U.S.C. 348(b)(5)), notice is given that petitions (5) have been filed by Amdal Co., Agricultural Division, Abbott Laboratories, North Chicago, Ill. 60064, proposing that the food additive regulations (21 CFR Part 121, Subpart C) be amended to provide for the safe use of combinations of erythromycin thiocyanate and the following coccidiostats in chicken feeds for prevention of coccidiosis, for growth promotion and feed efficiency, improvement of pigmentation, and prevention and treatment of specified conditions of chickens:

1. 3,5-Dinitrobenzamide, sulfantran, and 3-nitro-4-hydroxyphenylarsonic acid.
2. Aklomide and sulfantran.
3. Aklomide, sulfantran, and 3-nitro-4-hydroxyphenylarsonic acid.
4. Aklomide.

5. Aklomide and 3-nitro-4-hydroxyphenylarsonic acid.

Dated: April 3, 1968.

J. K. KIRK,
Associate Commissioner
for Compliance.

[F.R. Doc. 68-4339; Filed, Apr. 10, 1968;
8:49 a.m.]

DEPARTMENT OF TRANSPORTATION

National Transportation Safety Board

[Docket No. SS-H-2; Exhibit 1-C]

INVESTIGATION OF ACCIDENT OCCURRING AT POINT PLEASANT, W. VA.

Notice of Hearing

In the matter of investigation of accident involving bridge collapse, U.S. Highway 35, Point Pleasant, W. Va., December 15, 1967.

Notice is hereby given that an Accident Investigation Hearing on the above matter will be held commencing at 9 a.m., local time, on May 7, 1968, in the Ballroom of the Charleston House Hotel, Charleston, W. Va.

Dated this 29th day of March 1968.

LOUIS M. THAYER,
Member.

[F.R. Doc. 68-4289; Filed, Apr. 10, 1968;
8:46 a.m.]

ATOMIC ENERGY COMMISSION

[Docket Nos. 50-282, 50-306]

NORTHERN STATES POWER CO.

Notice of Hearing on Application for Provisional Construction Permits

In the matter of Northern States Power Co. (Prairie Island Nuclear Generating Plant, Units 1 and 2).

Pursuant to the Atomic Energy Act of 1954, as amended (the Act), and the regulations in Title 10, Code of Federal Regulations, Part 50, "Licensing of Production and Utilization Facilities", and Part 2, rules of practice, notice is hereby given that a hearing will be held at 10 a.m., local time on May 21, 1968, in the Goodhue County Courthouse, Red Wing, Minn., to consider the application filed under § 104b. of the Act by Northern States Power Co. (the applicant) for provisional construction permits for two pressurized water reactors each designed to initially operate at 1,650 megawatts (thermal) to be located at the applicant's site on the west bank of the Mississippi River 6 miles northwest of Red Wing, Goodhue County, Minn.

The hearing will be conducted by the Atomic Safety and Licensing Board designated by the Atomic Energy Commission consisting of Dr. Clarke Williams, Upton, Long Island, N.Y.; Dr.

Lawrence R. Quarles, Charlottesville, Va.; and Jack M. Campbell, Esq., Chairman, Santa Fe, N. Mex. Mr. Reuel C. Stratton, Hartford, Conn., has been designated as a technically qualified alternate.

A prehearing conference will be held by the Board at 10 a.m., local time, on May 2, 1968, in the Goodhue County Courthouse, Red Wing, Minn., to consider the matters provided for consideration by § 2.752 of 10 CFR Part 2 and section II of appendix "A" to 10 CFR Part 2.

The Director of Regulation proposes to make affirmative findings on Item Numbers 1-3 and a negative finding on Item 4 specified below as the basis for the issuance of provisional construction permits to the applicant substantially in the form proposed in Appendices "A" and "B" hereto.

1. Whether in accordance with the provisions of 10 CFR §50.35(a):

(a) The applicant has described the proposed design of the facilities, including, but not limited to, the principal architectural and engineering criteria for the design, and has identified the major features or components incorporated therein for the protection of the health and safety of the public;

(b) Such further technical or design information as may be required to complete the safety analysis and which can reasonably be left for later consideration, will be supplied in the final safety analysis reports;

(c) Safety features or components, if any, which require research and development have been described by the applicant and the applicant has identified, and there will be conducted, a research and development program reasonably designed to resolve any safety questions associated with such features or components; and

(d) On the basis of the foregoing, there is reasonable assurance that (i) such safety questions will be satisfactorily resolved at or before the latest dates stated in the application for completion of construction of the proposed facilities, and (ii) taking into consideration the site criteria contained in 10 CFR Part 100, the proposed facilities can be constructed and operated at the proposed location without undue risk to the health and safety of the public;

2. Whether the applicant is technically qualified to design and construct the proposed facilities;

3. Whether the applicant is financially qualified to design and construct the proposed facilities; and

4. Whether the issuance of permits for the construction of the facilities will be inimical to the common defense and security or to the health and safety of the public.

In the event that this proceeding is not a contested proceeding, as defined by § 2.4 of the Commission's rules of practice, 10 CFR Part 2, the Board will, without conducting a de novo evaluation of the application, consider the issues of whether the application and the record of the proceeding contain sufficient in-

formation, and the review by the Commission's regulatory staff has been adequate, to support the findings proposed to be made and the provisional construction permits proposed to be issued by the Director of Regulation.

In the event that this proceeding becomes a contested proceeding, the Board will consider and initially decide, as the issues in this proceeding, Item Numbers 1 through 4 above as the basis for determining whether the provisional construction permits should be issued to the applicant.

As they become available, the application, the report of the Commission's Advisory Committee on Reactor Safeguards (ACRS) and the Safety Evaluation by the Commission's regulatory staff will be placed in the Commission's Public Document Room, 1717 H Street NW., Washington, D.C., where they will be available for inspection by members of the public. Copies of the ACRS report and the regulatory staff's Safety Evaluation may be obtained by request to the Director of the Division of Reactor Licensing, U.S. Atomic Energy Commission, Washington, D.C. 20545.

Any person who wishes to make an oral or written statement in this proceeding setting forth his position on the issues specified, but who does not wish to file a petition for leave to intervene, may request permission to make a limited appearance pursuant to the provisions of § 2.715 of the Commission's rules of practice. Limited appearances will be permitted at the time of the hearing in the discretion of the Board, within such limits and on such conditions as may be fixed by the Board. Persons desiring to make a limited appearance are requested to inform the Secretary, U.S. Atomic Energy Commission, Washington, D.C. 20545, by April 30, 1968.

Any person whose interest may be affected by the proceeding who does not wish to make a limited appearance and who wishes to participate as a party in the proceeding must file a petition for leave to intervene.

Petitions for leave to intervene, pursuant to the provisions of § 2.714 of the Commission's rules of practice, must be received in the Office of the Secretary, U.S. Atomic Energy Commission, Germantown, Md., or the Commission's Public Document Room, 1717 H Street NW., Washington, D.C., not later than April 30, 1968, or in the event of a postponement of the prehearing conference, at such time as the Board may specify.

The petition shall set forth the interest of the petitioner in the proceeding, how that interest may be affected by Commission action and the contentions of the petitioner. A petition for leave to intervene which is not timely filed will be denied unless the petitioner shows good cause for failure to file it on time.

A person permitted to intervene becomes a party to the proceeding, and has all the rights of the applicant and the regulatory staff to participate fully in the conduct of the hearing. For example, he may examine and cross-examine witnesses. A person permitted to

make a limited appearance does not become a party, but may state his position and raise questions which he would like to have answered to the extent that the questions are within the scope of the hearing as specified in the issues set out above. A member of the public does not have the right to participate unless he has been granted the right to intervene as a party or the right of limited appearance.

An answer to this notice, pursuant to the provisions of § 2.705 of the Commission's rules of practice, must be filed by the applicant on or before April 30, 1968.

Papers required to be filed in this proceeding may be filed by mail or telegram addressed to the Secretary, U.S. Atomic Energy Commission, Washington, D.C. 20545, or may be filed by delivery to the Office of the Secretary, U.S. Atomic Energy Commission, Germantown, Md., or the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. 20545.

Pending further order of the Board, parties are required to file, pursuant to the provisions of § 2.708 of the Commission's rules of practice, an original and twenty conformed copies of each such paper with the Commission.

Dated at Washington, D.C., this 8th day of April 1968.

UNITED STATES ATOMIC
ENERGY COMMISSION,
W. B. McCool,
Secretary.

APPENDIX A

[Docket No. 50-282]

PROVISIONAL CONSTRUCTION PERMIT

Construction Permit No. -----

1. Pursuant to § 104b of the Atomic Energy Act of 1954, as amended (the Act), and Title 10, Chapter 1, Code of Federal Regulations, Part 50, "Licensing of Production and Utilization Facilities", and pursuant to the order of the Atomic Safety and Licensing Board, the Atomic Energy Commission (the Commission) hereby issues a provisional construction permit to Northern States Power Co. (the applicant), for a utilization facility (the facility), designed to operate at 1,650 megawatts (thermal), described in the application and amendments thereto (the application) filed in this matter by the applicant and as more fully described in the evidence received at the public hearing upon that application. The facility, known as Prairie Island Nuclear Generating Plant, Unit No. 1, will be located at the applicant's site northwest of Red Wing, Goodhue County, Minn.

2. This permit shall be deemed to contain and be subject to the conditions specified in §§ 50.54 and 50.55 of said regulations; is subject to all applicable provisions of the Act, and rules, regulations and orders of the Commission now or hereafter in effect; and is subject to the conditions specified or incorporated below:

A. The earliest date for the completion of the facility is October 1, 1971, and the latest date for completion of the facility is February 1, 1972.

B. The facility shall be constructed and located at the site as described in the application, northwest of Red Wing in Goodhue County, Minn.

C. This construction permit authorizes the applicant to construct the facility

described in the application and the hearing record in accordance with the principal architectural and engineering criteria set forth therein.

3. This permit is provisional to the extent that a license authorizing operation of the facility will not be issued by the Commission unless (a) the applicant submits to the Commission, by amendment to the application, the complete final safety analysis report, portions of which may be submitted and evaluated from time to time; (b) the Commission finds that the final design provides reasonable assurance that the health and safety of the public will not be endangered by the operation of the facility in accordance with procedures approved by it in connection with the issuance of said license; and (c) the applicant submits proof of financial protection and the execution of an indemnity agreement as required by § 170 of the Act.

For the Atomic Energy Commission.

APPENDIX B

[Docket No. 50-306]

PROVISIONAL CONSTRUCTION PERMIT

Construction Permit No. -----

1. Pursuant to § 104b of the Atomic Energy Act of 1954, as amended (the Act), and Title 10, Chapter 1, Code of Federal Regulations, Part 50, "Licensing of Production and Utilization Facilities", and pursuant to the order of the Atomic Safety and Licensing Board, the Atomic Energy Commission (the Commission) hereby issues a provisional construction permit to Northern States Power Co. (the applicant), for a utilization facility (the facility), designed to operate at 1,650 megawatts (thermal), described in the application and amendments thereto (the application) filed in this matter by the applicant and as more fully described in the evidence received at the public hearing upon that application. The facility, known as Prairie Island Nuclear Generating Plant, Unit No. 2, will be located at the applicant's site northwest of Red Wing, Goodhue County, Minn.

2. This permit shall be deemed to contain and be subject to the conditions specified in §§ 50.54 and 50.55 of said regulations; is subject to all applicable provisions of the Act, and rules, regulations and orders of the Commission now or hereafter in effect; and is subject to the conditions specified or incorporated below:

A. The earliest date for the completion of the facility is October 1, 1973, and the latest date for completion of the facility is February 1, 1974.

B. The facility shall be constructed and located at the site as described in the application, northwest of Red Wing in Goodhue County, Minn.

C. This construction permit authorizes the applicant to construct the facility described in the application and the hearing record in accordance with the principal architectural and engineering criteria set forth therein.

3. This permit is provisional to the extent that a license authorizing operation of the facility will not be issued by the Commission unless (a) the applicant submits to the Commission, by amendment to the application, the complete final safety analysis report, portions of which may be submitted and evaluated from time to time; (b) the Commission finds that the final design provides reasonable assurance that the health and safety of the public will not be endangered by the operation of the facility in accordance with procedures approved by it in connection with the issuance of said license; and (c) the applicant submits proof of financial protection and the execution of

an indemnity agreement as required by § 170 of the Act.

For the Atomic Energy Commission.

[F.R. Doc. 68-4371; Filed, Apr. 10, 1968; 8:49 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 18137]

DEUTSCHE LUFTHANSA AKTIENGESELLSCHAFT ENFORCEMENT PROCEEDING

Notice of Hearing

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that hearing in the above-entitled matter is assigned to be held on April 30, 1968, at 10 a.m., e.d.s.t., in Room 211, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before Examiner Richard A. Walsh.

Dated at Washington, D.C., April 3, 1968.

[SEAL]

THOMAS L. WRENN,
Chief Examiner.

[F.R. Doc. 68-4318; Filed, Apr. 10, 1968; 8:47 a.m.]

[Docket No. 18650; Order E-26604]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Regarding Specific Commodity Rates

Issued under delegated authority, April 2, 1968.

An agreement has been filed with the Board, pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's economic regulations, between various air carriers, foreign air carriers, and other carriers, embodied in the resolutions of Traffic Conference 1 of the International Air Transport Association (IATA), and adopted pursuant to the provisions of Resolution 590 dealing with specific commodity rates.

The agreement, adopted pursuant to unprotested notices to the carriers and promulgated in an IATA letter dated March 27, 1968, names additional rates under existing commodity descriptions, as set forth below. The rates proposed reflect significant reductions from the general cargo rates.

R-2: Commodity Item 0007—Fruits and/or Vegetables, 30 cents per kg., minimum weight 300 kgs., Bogota to New York.

R-3: Commodity Item 2001—Yarn, Thread, and Fibers, Natural or Synthetic, Textile Manufactures, 23 cents per kg., minimum weight 200 kgs., Pereira to Panama City.

Pursuant to authority duly delegated by the Board in the Board's regulations, 14 CFR 385.14, it is not found that the subject agreement is adverse to the public interest or in violation of the Act: *Provided*, That approval thereof is conditioned as hereinafter ordered.

Accordingly, it is ordered, That: Agreement CAB 20107, R-2 and R-3, be approved: *Provided*, That approval shall not constitute approval of the specific commodity descriptions contained therein for purposes of tariff publication.

Persons entitled to petition the Board for review of this order, pursuant to the Board's regulations, 14 CFR 385.50, may file such petitions within 10 days after the date of service of this order.

This order shall be effective and become the action of the Civil Aeronautics Board upon expiration of the above period unless within such period a petition for review thereof is filed, or the Board gives notice that it will review this order on its own motion.

This order will be published in the FEDERAL REGISTER.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 68-4319; Filed, Apr. 10, 1968;
8:47 a.m.]

CIVIL SERVICE COMMISSION STATISTICIAN (DEMOGRAPHY)

Manpower Shortage

Under the provisions of 5 U.S.C. 5723, the Civil Service Commission found a manpower shortage on March 26, 1968, for the single position of Statistician (Demography) GS-1530-14, Bureau of the Census, Department of Commerce, Washington, D.C. This finding terminates when the position is filled.

The appointee to this position may be paid for the expense of travel and transportation to the first post of duty.

UNITED STATES CIVIL SERVICE COMMISSION,

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

[F.R. Doc. 68-4306; Filed, Apr. 10, 1968;
8:47 a.m.]

FEDERAL MARITIME COMMISSION FARRELL LINES, INC., AND NIGERIAN NATIONAL STEAMSHIP LINE

Notice of Agreement Filed for Approval

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(s) at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 609; or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted

to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 5 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of Agreement Filed for Approval by:

Mr. Baldwin Elnarson, Kirlin, Campbell and Keating, One Twenty Broadway, New York, N.Y. 10005.

In accordance with telegrams exchanged between the parties, Agreement 9709 between Farrell Lines, Inc., and Nigerian National Steamship Line establishes Farrell Lines as agent in the United States for the Nigerian National Line's vessel "Ahambu Bello" operating between West African and United States ports.

Dated: April 8, 1968.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 68-4410; Filed, Apr. 10, 1968;
10:57 a.m.]

FEDERAL POWER COMMISSION

[Docket No. CI67-960]

AUSTRAL OIL CO., INC.

Further Notice of Application

APRIL 4, 1968.

On February 1, 1967, Austral Oil Co., Inc. (Applicant), 2700 Humble Building, Houston, Tex. 77002, filed in Docket No. CI67-960 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale for resale and delivery of natural gas in interstate commerce to Transcontinental Gas Pipe Line Corp. from the Bancker Field, Vermillion Parish, La., at a total rate of 19.05 cents per Mcf at 15.025 p.s.i.a, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to continue in part sales of natural gas heretofore authorized in Docket No. G-17197 to be made by Union Texas Petroleum, a division of Allied Chemical Corp. pursuant to J. Ray McDermott & Co., Inc. (Operator), et al., FPC Gas Rate Schedule No. 4 and in Docket No. G-17779 to be made by Texaco, Inc., pursuant to Texaco, Inc., FPC Gas Rate Schedule No. 278. Applicant also proposes to initiate a sale from previously undedicated acreage. Applicant has ratified its predecessors' contracts and has submitted the ratification agreements and the contracts as its rate schedule filing. Applicant has entered into an agreement with the purchaser to sell previously undedicated gas under the terms of the Texaco contract.

By the amendment filed March 27, 1968, Applicant requests that the Com-

mission either (1) sever from the subject application the request for authorization to continue the previously authorized sales and issue a permanent certificate to continue those sales and a temporary certificate to initiate the new sale, or (2) issue a temporary certificate to continue the previously authorized and to initiate the new sales.

In view of the filing of the amendment to the application, the time for filing protests and petitions to intervene with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) is extended to and including April 26, 1968.¹ Persons who have heretofore filed protests and petitions to intervene shall file again if they desire to protest the granting of the application in whole or in part or to participate as parties in the proceeding.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 68-4271; Filed, Apr. 10, 1968;
8:45 a.m.]

[Docket No. CP68-263]

HUMBLE GAS TRANSMISSION CO.

Notice of Application

APRIL 3, 1968.

Take notice that on March 27, 1968, Humble Gas Transmission Co. (Applicant), 1700 Commerce Building, New Orleans, La. 70112, filed in Docket No. CP68-263 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the installation and operation of a measuring station for the receipt and transportation of natural gas in the Carthage Point Field, Miss., all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant desires to install and operate a measuring station for the receipt of natural gas to be purchased from Dorchester Gas Producing Co. in the Carthage Point Field pursuant to an agreement dated February 9, 1968, at a point where Applicant previously purchased gas in this field on Applicant's existing line.

Applicant states that the authorization is sought in order to supplement the supply of gas available to it by approximately 3 billion cubic feet.

The cost of the facilities is estimated to be \$2,325 to be financed with funds on hand.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (§ 157.10) on or before April 30, 1968.

¹ By notice issued Feb. 17, 1967, in Docket No. G-3735 et al., and published in the FEDERAL REGISTER on Mar. 1, 1967, 32 F.R. 3417, the due date for filing protests and petitions to intervene was Mar. 10, 1967.

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

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

GORDON M. GRANT,
Secretary.

[F.R. Doc. 68-4272; Filed, Apr. 10, 1968;
8:45 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[70-4538]

MICHIGAN GAS AND ELECTRIC CO. AND AMERICAN ELECTRIC POWER CO., INC.

Notice of Filing of Posteffective Amendment Regarding Issue and Sale of Notes to Bank by Subsidiary Company and Open Account Ad- vances by Holding Company

APRIL 4, 1968.

Notice is hereby given that American Electric Power Co., Inc. ("AEP"), 2 Broadway, New York, N.Y. 10004, a registered holding company, and its newly acquired public-utility subsidiary company, Michigan Gas and Electric Co., ("MG&E"), have filed with this Commission, pursuant to sections 6(a), 7, and 12(b) of the Public Utility Holding Company Act of 1935 ("Act") and Rule 45 promulgated thereunder, a posteffective amendment to the declaration in this matter. All interested persons are referred to the declaration as now amended, which is summarized below, for a complete statement of the proposed transactions.

By order dated October 16, 1967 (Holding Company Act Release No. 15872), this Commission authorized the issue and sale by MG&E to National Bank of Detroit ("National") of up to \$850,000 of notes outstanding at any one time and maturing on June 30, 1968. At the time of said order, there were also outstanding \$2,750,000 of MG&E's notes which were issued to National prior to AEP's acquisition of MG&E. The Commission's order of October 16, 1967, also authorized AEP to make open account advances to MG&E

of up to \$4,500,000 outstanding at any one time.

In accordance with its posteffective amendment, MG&E proposes to reissue, from time to time prior to June 30, 1969, its notes to National presently outstanding in the amount of \$2,950,000. MG&E also proposes to issue and reissue, from time to time prior to June 30, 1969, additional notes to National in an aggregate amount not to exceed \$650,000 outstanding at any one time. The notes will be dated in each case as of the date of the borrowings, will mature on or prior to June 30, 1969, will bear interest at the prime credit rate (currently 6 percent per annum) in effect from time to time at National, and will be prepayable, in whole or in part, without premium.

AEP further proposes to make open account advances to MG&E, from time to time during the same period, not to exceed \$7,500,000 outstanding at any one time, such open account advances to bear interest at a rate per annum equal to the prime credit rate in effect from time to time at Irving Trust Co. Such advances will be repaid on or before June 30, 1969, except that, unless otherwise authorized by the Commission, such repayment will not be made before the outstanding preferred stock of MG&E is retired. It is intended that such open account advances will be a temporary form of financing and will be eliminated in the course of divestment of the gas properties of MG&E and permanent financing of MG&E or any successor company.

In connection with such advances, AEP and MG&E have agreed: (1) That neither interest nor principal on the advances will be payable at any time that any dividends on the then outstanding shares of preferred stock of MG&E are in default; and (2) that, in the event of the liquidation of MG&E, the claim of AEP against MG&E for such advances, while prior to the claim of the holders of the then outstanding shares of common stock of MG&E, will be subordinate to the claims of the holders of the then outstanding shares of preferred stock of MG&E.

The proceeds from the proposed issue and sale of notes and from the proposed open account advances will be used by MG&E to reimburse its treasury for past expenditures in connection with its construction program, to pay part of the cost of its future construction program (which is estimated at \$6,317,000 for 1968), and for other corporate purposes, including a refund to MG&E customers pursuant to an outstanding order of the Michigan Public Service Commission.

The declaration states that only nominal expenses will be incurred in connection with the proposed transactions. It is also represented that no State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than April 29, 1968, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law

raised by said posteffective amendment to the declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the declarant at the the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the declaration, as now amended or as it may be further amended, may be permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 68-4280; Filed, Apr. 10, 1968;
8:45 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 1170]

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

APRIL 5, 1968.

The following applications are governed by Special Rule 1.247¹ of the Commission's general rules of practice (49 CFR, as amended), published in the FEDERAL REGISTER issue of April 20, 1966, effective May 20, 1966. These rules provide, among other things, that a protest to the granting of an application must be filed with the Commission within 30 days after date of notice of filing of the application is published in the FEDERAL REGISTER. Failure seasonably to file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest under these rules should comply with § 1.247(d)(3) of the rules of practice which requires that it set forth specifically the grounds upon which it is made, contain a detailed statement of protestant's interest in the proceeding (including a copy of the specific portions of

¹ Copies of Special Rule 1.247 (as amended) can be obtained by writing to the Secretary, Interstate Commerce Commission, Washington, D.C. 20423.

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 § 1.247(d)(4) of the special rule, and shall include the certification required therein.

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

Further processing steps (whether modified procedure, oral hearing, or other procedures) will be determined generally in accordance with the Commission's General Policy Statement Concerning Motor Carrier Licensing Procedures, published in the FEDERAL REGISTER issue of May 3, 1966. This assignment will be by Commission order which will be served on each party of record.

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

No. MC 239 (Sub-No. 23), filed March 28, 1968. Applicant: ECKLAR-MOORE EXPRESS, INC., Forbes Road Extension, Lexington, Ky. 40505. Applicant's representative: Robert H. Kinker, 711 McClure Building, 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, those requiring special equipment, and those injurious or contaminating to other lading), (1) between Lexington and Stanford, Ky., over U.S. Highway 27, serving the intermediate points of Nicholasville, Camp Nelson, and Lancaster, Ky., and serving the junction U.S. Highway 27 with Kentucky Highways 34 and 152 for purpose

of joinder only, (2) between Danville, Ky., and junction Kentucky Highway 34 and U.S. Highway 27, over Kentucky Highway 34, serving no intermediate points, and serving junction Kentucky Highway 34 and U.S. Highway 27 for purpose of joinder only, (3) between Danville and Stanford, Ky., over U.S. Highway 150, serving no intermediate points, (4) between Danville, Ky., and junction Kentucky Highway 33 and U.S. Highway 68, over Kentucky Highway 33, serving no intermediate points, and serving junction Kentucky Highway 33 and U.S. Highway 68 for purpose of joinder only, (5) between Lexington and Harrodsburg, Ky., over U.S. Highway 68, serving no intermediate points, but serving junction U.S. Highway 68 and Kentucky Highway 33 for purpose of joinder only, (6) between Danville and Lawrenceburg, Ky., over U.S. Highway 127, serving the intermediate point of Harrodsburg, Ky., and (7) between Harrodsburg, Ky., and junction Kentucky Highway 152 and U.S. Highway 27, over U.S. Highway 152, serving no intermediate points, and serving the junction Kentucky Highway 152 and U.S. Highway 27 for purpose of joinder only. NOTE: If a hearing is deemed necessary, applicant requests it be held at Lexington, Ky., or Cincinnati, Ohio.

No. MC 1931 (Sub-No. 8), filed March 25, 1968. Applicant: VON DER AHE VAN LINES, INC., 600 Rudder Avenue, Fenton, Mo. Applicant's representative: Robert J. Gallagher, 66 Central Street, Wellesley, Mass. 02181. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods* as defined by the Commission, between points in Texas, Arizona, New Mexico, California, and Colorado. NOTE: Applicant indicates tacking possibilities. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 2368 (Sub-No. 14), filed March 28, 1968. Applicant: BRALLEY-WILLET TANK LINES, INC., 200 Stockton Street, Post Office Box 495, Richmond, Va. 23204. Applicant's representative: Harry C. Ames, Jr., 529 Transportation Building, Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic materials*, in bulk, from Perryville, Md., to points in Alabama, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 4941 (Sub-No. 29), filed March 20, 1968. Applicant: QUINN FREIGHT LINES, INC., 1093 North Montello Street, Brockton, Mass. 02403. Applicant's representative: Bert Collins, 140 Cedar Street, New York, N.Y. 10006. Authority sought to operate as a *com-*

mon carrier, by motor vehicle, over irregular routes, transporting: *Wall board, building board, insulation board, fiberboard, and pulpboard*, from the plant-site and storage facilities of the United States Gypsum Co., Lisbon Falls, Maine, to points in Ohio, Indiana, and Michigan, and *returned shipments*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Boston, Mass.

No. MC 9325 (Sub-No. 38), filed March 24, 1968. Applicant: K LINES, INC., Post Office Box 216, Lebanon, Ore. Applicant's representative: Norman E. Sutherland, 1200 Jackson Tower, Portland, Ore. 97205. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Urea and dry fertilizer*, in bulk and in sacks, from Portland, Ore., to points in Washington, and Idaho. NOTE: If a hearing is deemed necessary, applicant requests it be held at Portland, Ore.

No. MC 10761 (Sub-No. 223), filed March 28, 1968. Applicant: TRANS-AMERICAN FREIGHT LINES, INC., 1700 North Waterman Avenue, Detroit, Mich. 48209. 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 plantsite and/or cold storage facilities utilized by Wilson & Co., Inc., at or near Logansport, Ind., to points in Connecticut, Delaware, District of Columbia, Maryland, Massachusetts, New Jersey, New York, Pennsylvania, and Rhode Island, restricted to the transportation of Wilson & Co., Inc., traffic originating at the above-specified plantsite and/or cold storage facilities and destined to the above-specified destinations. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Indianapolis, Ind.

No. MC 10872 (Sub-No. 45) (Correction), filed March 11, 1968, published in the FEDERAL REGISTER issue of April 4, 1968, and republished (in part) as corrected, this issue. Applicant: BE-MAC TRANSPORT COMPANY, INC., 7400 North Broadway, St. Louis, Mo. 63147. Applicant's representative: G. M. Rebbman, 314 North Broadway, St. Louis, Mo. 63102. NOTE: The purpose of this partial republication is to redescribe Item (32) as follows: (32) Between junction Oklahoma Highways 53 and 65, and junction Oklahoma Highways 65 and 7, over Oklahoma Highway 65, serving junction Oklahoma Highways 53 and 65, and junction Oklahoma Highway 65 and 7, for purposes of joinder only. The rest of the application remains as previously published.

No. MC 13123 (Sub-No. 49), filed March 29, 1968. Applicant: WILSON FREIGHT COMPANY, a corporation, 3636 Follett Avenue, Cincinnati, Ohio 45223. Applicant's representative: Milton H. Bortz (same address as applicant).

Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, from Huntington, W. Va., to points in North Carolina and South Carolina. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Cincinnati, Ohio.

No. MC 21170 (Sub-No. 263), filed March 25, 1968. Applicant: BOS LINES, INC., 408 South 12th Avenue, Marshalltown, Iowa 50158. Applicant's representative: Gene R. Prokuski (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat by-products, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, except hides and commodities in bulk, in tank vehicles, from Canton, Ohio, to points in Connecticut, Delaware, Maryland, Massachusetts, Maine, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, and the District of Columbia. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Cleveland or Columbus, Ohio.

No. MC 25798 (Sub-No. 170), filed March 25, 1968. Applicant: CLAY HYDER TRUCKING LINES, INC., 502 East Bridgers Avenue, Post Office Box 1186, Auburndale, Fla. 33823. Applicant's representative: Harry Ross, 848 Warner Building, Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Candy and confectionery products*; (2) *advertising materials, including premium merchandise*, when moving with candy and confectionery products; and (3) *materials and supplies* used in manufacture, sale and/or distribution of candy and confectionery products, between plantsites and storage facilities of Reed Candy Co., located at or near Campbellsville, Ky., on the one hand, and, on the other, points in Alabama, Connecticut, Delaware, Florida, Georgia, Indiana, Maine, North Dakota, Massachusetts, Maryland, Michigan, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, Vermont, West Virginia, Virginia, District of Columbia, Rhode Island, Arkansas, Illinois, Iowa, Kansas, Louisiana, Minnesota, Missouri, Nebraska, Oklahoma, South Dakota, Texas, and Wisconsin. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Louisville or Lexington, Ky.

No. MC 25798 (Sub-No. 171), filed March 29, 1968. Applicant: CLAY HYDER TRUCKING LINES, INC., 502 East Bridgers Avenue, Post Office Box 1186, Auburndale, Fla. 33823. Applicant's representative: Tony G. Russell (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products and meat by-products and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in

Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles), from the plantsite and/or storage facilities utilized by Wilson & Co., Inc., at or near Logansport, Ind., to points in Alabama, Florida, Georgia, Kentucky, North Carolina, South Carolina, Tennessee, and Virginia, restricted to traffic originating at the plantsite and/or storage facilities utilized by Wilson & Co., Inc., and destined to the above-specified destinations. **NOTE:** Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 25869 (Sub-No. 79), filed March 25, 1968. Applicant: NOLTE BROS. TRUCK LINE, INC., Post Office Box 7184, South Omaha Station, Omaha, Nebr. Applicant's representative: Donald L. Stern, 630 City National Bank Building, Omaha, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *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 commodities in bulk and except hides), from Le Mars, Iowa, to points in Illinois, Nebraska, South Dakota, Iowa, Indiana, and Kentucky, restricted to traffic originating at the plantsite and storage facilities of Blue Ribbon Beef Pack, Inc. **NOTE:** Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 30844 (Sub-No. 252), filed March 24, 1968. Applicant: KROBLIN REFRIGERATED XPRESS, INC., 2125 Commercial, Post Office Box 5000, Waterloo, Iowa 50704. Applicant's representative: Truman A. Stockton, Jr., The 1650 Grant Street Building, Denver, Colo. 80202. 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 Oscar Mayer & Co., Inc., Davenport, Iowa, to points in Michigan, Ohio, and points in Indiana (except those within the Chicago, Ill., commercial zone), restricted to the transportation of traffic originating at the described plantsite and storage facilities and destined to points in the States named. **NOTE:** Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Madison, Wis.

No. MC 30844 (Sub-No. 253), filed March 24, 1968. Applicant: KROBLIN REFRIGERATED XPRESS, INC., 2125 Commercial, Post Office Box 5000, Waterloo, Iowa 50704. Applicant's representative: Truman A. Stockton, Jr., The 1650 Grant Street Building, Denver, Colo. 80202. Authority sought to operate as a

common carrier, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles), from the plantsites and/or facilities of John Morrell & Co., at Madison and Sioux Falls, S. Dak., to points in Ohio, Michigan, Pennsylvania, Maine, New Hampshire, Vermont, Connecticut, Massachusetts, Rhode Island, New York, New Jersey, Delaware, Maryland, Virginia, West Virginia, and the District of Columbia. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn., or Omaha, Nebr.

No. MC 30887 (Sub-No. 154), filed March 25, 1968. Applicant: SHIPLEY TRANSFER, INC., 49 Main Street, Post Office Box 55, Reisterstown, Md. 21136. Applicant's representatives: Leonard A. Jaskiewicz, Madison Building, 1155 15th Street NW., Washington, D.C. 20005, and W. Wilson Corroum (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products* (except petro acids and chemicals, and asphalt and asphalt products), in bulk, in tank vehicles, from terminals off the Colonial Pipeline in Prince William County, at or near Manassas, Va., to points in Maryland and the District of Columbia. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 31389 (Sub-No. 95), filed March 20, 1968. Applicant: McLEAN TRUCKING COMPANY, a corporation, 617 Waughtown Street, Post Office Box 213, Winston, D.C. 20036. Applicant's representative: Francis W. McNerny, 1000 16th Street NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk and those requiring special equipment) (1) between Youngstown, Ohio, and New Castle, Pa., (a) over U.S. Highway 422 to New Castle and return over the same route, and (b) from Youngstown over Ohio Highway 170 to Poland, Ohio, thence over U.S. Highway 224 to New Castle, and return over the same route, and (2) between Pittsburgh and New Castle, Pa., (a) from Pittsburgh over Pennsylvania Highway 65 to New Brighton, Pa., thence over Pennsylvania Highway 18 to New Castle, and return over the same route, (b) from Pittsburgh over U.S. Highway 19 to junction U.S. Highway 422, thence over U.S. Highway 422 to New Castle, and return over the same route; serving points in Lawrence and Butler Counties, Pa., on or South of U.S. Highway 422 and those in Beaver and Allegheny Counties, Pa., as intermediate and off-route points in connection with (1) and (2) above. Applicant states (1) service

is restricted against shipments originating at Youngstown, or points in its commercial zone, for delivery at the Pennsylvania points indicated and against shipments originating at the Pennsylvania points indicated for delivery at Youngstown, or points in its commercial zone (2) in the event any highway route segment sought herein duplicates any highway route segment now authorized, they shall be considered as constituting only one operating right. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 31389 (Sub-No. 96), filed March 24, 1968. Applicant: McLEAN TRUCKING COMPANY, a corporation, 617 Waughtown Street, Post Office Box 213, Winston-Salem, N.C. 27102. Applicant's representative: Francis W. McNerny, Suite 502, 1000 16th Street NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Indianapolis, Ind., and Minneapolis, Minn., over U.S. Highway 52 to junction U.S. Highway 41, thence over U.S. Highway 41 to Chicago, thence over U.S. Highway 12 (also over U.S. Highway 14) to Madison, Wis., thence over U.S. Highway 12 to Minneapolis, and return over the same route, serving no intermediate points, as an alternate route for operating convenience only. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 31389 (Sub-No. 97), filed March 25, 1968. Applicant: McLEAN TRUCKING COMPANY, a corporation, 617 Waughtown Street, Post Office Box 213, Winston-Salem, N.C. 27102. Applicant's representative: Francis W. McNerny, Suite 502, 1000 16th Street NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk and those requiring special equipment), serving the plantsite of the Blue Ridge Shoe Co. near Mountain City, Tenn., as an off-route point in connection with applicant's existing regular-route authority. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., Charlotte, N.C., or Kingsport, Tenn.

No. MC 44302 (Sub-No. 3), filed March 27, 1968. Applicant: BENNY DEFAZIO, JR., 1028 Springbrook Avenue, Moosic, Pa. 18507. 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: *Paper and paper products*, from the plantsite of Swanee Paper Corp. in Ransom Township (Lackawanna County), Pa., to

points in Massachusetts (except Boston) and Connecticut (except those points within 25 miles of New York, N.Y.). NOTE: Applicant holds contract authority in MC 118570, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Harrisburg, Pa.

No. MC 48958 (Sub-No. 100), filed March 20, 1968. Applicant: ILLINOIS-CALIFORNIA EXPRESS, INC., 510 East 51st Avenue, Denver, Colo. 80216. 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, intoxicating liquors, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), between Kansas City, Mo., and Springfield, Ill., from Kansas City over Interstate Highway 70 to junction Interstate Highway 270, thence over Interstate Highway 270 to junction Interstate Highway 55 (U.S. Highway 66), thence over Interstate Highway 55 (U.S. Highway 66) to Springfield, and return over the same route, as an alternate route for operating convenience only, in connection with applicant's regular route operations, serving no intermediate points, and serving Kansas City, Mo., and Springfield, Ill., for purposes of joinder only.

No. MC 49504 (Sub-No. 17) (Amendment), filed February 5, 1968, published in FEDERAL REGISTER issue of February 22, 1968, amended March 27, 1968, and republished as amended, this issue. Applicant: McCUE TRANSFER, INC., 3524 East Fourth Street, Hutchinson, Kans. 67501. Applicant's representative: John E. Jandera, 641 Harrison Street, Topeka, Kans. 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Salt and salt products, and products used in agricultural, water treatment, food processing, wholesale grocery and institutional supply industries* when shipped in mixed truck loads with salt and salt products, from Hutchinson, Kans., to points in Nebraska, Minnesota, North Dakota, South Dakota, Missouri (except St. Joseph, St. Louis, and points in the Kansas City, Mo.-Kans., commercial zone), Wyoming, Arkansas, points in Cochran, Bailey, Randall, Roberts, Crosby, Swisher, Potter, Sherman, Wichita, Lubbock, Castro, Oldham, Dallam, Cottle, Hay, Gray, Ochiltre, Yoakum, Dickens, Briscoe, Carson, Hansford, Floyd, Collingsworth, Hartley, Foard, Kent, Terry, Motley, Childress, Wheeler, Lipscomb, Lamb, Armstrong, Hutchinson, Willbarger, Linn, Hale, Donley, Moore, Hockley, Farmer, Deaf Smith, Hemphill, Hardeman, and Garza Counties, Tex., and points in Curry, Bernalillo, Mora, Sante Fe, Colfax, Harding, Los Alamos, Toas, Quay, Guadalupe, Union, San Miguel, Torrance, Rio Arriba, Catron, Chaves, DeBaca, Dona Ana, Eddy, Grant, Hidalgo, Lea, Lincoln, Luna, McKinley, Otero,

Roosevelt, Sandoval, San Juan, Sierra, Socorro, and Valencia Counties, N. Mex. NOTE: The purpose of this republication is to delete "from the plantsite of Morton Salt Co., located at South Hutchinson, Kans." and show Hutchinson, Kans., as origin point. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 50069 (Sub-No. 404), filed March 25, 1968. Applicant: REFINERS TRANSPORT & TERMINAL CORPORATION, 930 North York Road, Hinsdale, Ill. Applicant's representative: Robert H. Levy, 29 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum polybutene and petroleum oil additives*, in bulk, in tank vehicles, from Wood River, Ill., to points in Ohio, New Jersey, and Pennsylvania. NOTE: Applicant states the purpose of this instant applicant is to eliminate a gateway and tacking, as applicant has authority to the points involved by tacking. Common control and dual authority may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 52110 (Sub-No. 108), filed April 1, 1968. Applicant: BRADY MOTORFRATE, INC., 2150 Grand Avenue, Des Moines, Iowa 50312. Applicant's representative: Homer E. Bradshaw, 11th Floor, Des Moines Building, Des Moines, Iowa 50309. 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 sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk in tank vehicles) from the plantsite and/or warehouse facilities of George A. Hormel & Co., at Fremont, Nebr., to points in Indiana, Ohio, the Lower Peninsula of Michigan and Louisville, Ky., restricted to traffic destined to the above-named destination points. NOTE: If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa, or Chicago, Ill.

No. MC 61396 (Sub-No. 204), filed March 20, 1968. Applicant: HERMAN BROS., INC., 2501 North 11th Street, Omaha, Nebr. Applicant's representatives: Donald L. Stern, 630 City National Bank Building, Omaha, Nebr., and Dale G. Herman, Post Office Box 189, Omaha, Nebr. 68101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, from the terminal location of Dundee Cement Co. near Rock Island, Ill., to points in Minnesota and Wisconsin. NOTE: If a hearing is deemed necessary, applicant does not specify location.

No. MC 61403 (Sub-No. 180), filed March 28, 1968. Applicant: THE MASON AND DIXON TANK LINES, INC., Eastman Road, Post Office Box 47, Kingsport, Tenn. 37662. Applicant's representative: W. C. Mitchell, 140 Cedar Street, New York, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle,

over irregular routes, transporting: *Plastic materials*, in bulk, from Perryville, Md., to points in Alabama, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa., or Washington, D.C.

No. MC 61592 (Sub-No. 105), filed March 24, 1968. Applicant: JENKINS TRUCK LINE, INC., 3708 Elm Street, Bettendorf, Iowa 52722. Applicant's representative: R. Connor Wiggins, Jr., 909, 100 North Main Building, Memphis, Tenn. 38103. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Agricultural implements, farm machinery, farm equipment, and parts and attachments*, from Hernando, Miss., to points in the United States including the District of Columbia, and excluding Washington, Oregon, California, Nevada, Idaho, Montana, Wyoming, Colorado, New Mexico, Alaska, and Hawaii. NOTE: Applicant states tacking possibilities with its Sub 20 at Cleburne, Tex., to points in the United States including Alaska, but excluding Hawaii, New York, Maine, Vermont, New Hampshire, Massachusetts, and Rhode Island. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 64112 (Sub-No. 37), filed March 25, 1968. Applicant: NORTH-EASTERN TRUCKING COMPANY, a corporation, 2508 Starita Road, Post Office Box 1493, Charlotte, N.C. 28201. Applicant's representative: Harry Ross, 848 Warner Building, Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Candy and confectionery products*; (2) *advertising materials, including premium merchandise, moving in mixed loads with candy and confectionery products*; and (3) *materials and supplies used in manufacture, sale, and/or distribution of candy and confectionery products*, between plantsites and storage facilities of Reed Candy Co. at or near Campbellsville, Ky., on the one hand, and, on the other, points in Alabama, Connecticut, Florida, Georgia, Indiana, Maine, Massachusetts, Michigan, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, Illinois, Louisiana, Minnesota, Missouri, Texas, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Louisville or Lexington, Ky.

No. MC 69492 (Sub-No. 34), filed March 25, 1968. Applicant: HENRY EDWARDS, doing business as HENRY EDWARDS TRUCKING COMPANY, Post Office Box 97, Clinton, Ky. 42301. Applicant's representative: Walter Harwood, 515 Nashville Bank and Trust Building, Nashville, Tenn. 37201. Au-

thority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paper and paper articles; materials, equipment, and supplies used in the manufacture and processing of paper and particles* (except in bulk, in tank vehicles) between the plantsite of the West Virginia Pulp & Paper Co., at or near Wickliffe, Ky., and points in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Mississippi, Missouri, North Carolina, South Carolina, Tennessee, Texas, Virginia, West Virginia, Wisconsin, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Nashville and Memphis, Tenn., or Louisville, Ky.

No. MC 78228 (Sub-No. 23), filed March 25, 1968. Applicant: THE J. MILLER COMPANY, a corporation, 147 Nichol Avenue, McKees Rocks, Pa. 15134. 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: *Ferro alloys, silicon metal and manganese metal*, in dump vehicles, between Graham, W. Va., Vancoram and Vanadis, Ohio, on the one hand, and, on the other, points in Kentucky, Illinois, Indiana, Michigan, Missouri, Ohio, and Iowa. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or New York, N.Y.

No. MC 93393 (Sub-No. 13), filed March 27, 1968. Applicant: EDWIN H. NELSON AND ALFRED S. NELSON, a partnership, doing business as NIGHTWAY TRANSPORTATION CO., 4106 South Emerald Avenue, Chicago, Ill. Applicant's representative: Joseph M. Scanlan, 111 West Washington Street, Chicago, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk in tank vehicles), from the plantsite and/or cold storage facilities utilized by Wilson & Co., Inc., at or near Logansport, Ind., to Louisville, Ky., and points in Illinois, Michigan, and Ohio, restricted to the transportation of Wilson & Co., Inc., traffic originating at the above-specified plantsite and/or cold storage facilities and destined to the above-specified destination points. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 95540 (Sub-No. 728), filed March 25, 1968. Applicant: WATKINS MOTOR LINES, INC., 1120 West Griffin Road, Lakeland, Fla. 33801. 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 the appendix I, to the report in *Descriptions in Motor Car-*

rier Certificates, 61 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles), from the plantsite and cold storage facilities utilized by Wilson & Co., Inc., at or near Logansport, Ind., to points in Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, and Tennessee, restricted to the transportation of the Wilson & Co., Inc., traffic originating at the above-specified plantsite and cold storage facilities and destined to the above-specified destination points. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind., or Washington, D.C.

No. MC 10066 (Sub-No. 118), filed March 25, 1968. Applicant: MELTON TRUCK LINES, INC., Post Office Box 7666, Shreveport, La. 71107. Applicant's representative: Wilburn L. Williamson, 450 American National Building, Oklahoma City, Okla. 73102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Composition board*, from the plantsite of U.S. Plywood-Champion Papers, Inc., at or near Oxford, Miss., to points in Arkansas, Iowa, Kansas, Louisiana, Nebraska, Oklahoma, and Texas. NOTE: Applicant states that the authority sought herein could be tacked with its Sub 66 at the plantsite of the Celotex Corp. at or near Hamlin, Tex., and serve New Mexico; with its Sub 67 at Duke, Okla., and serve New Mexico or Colorado and with its Sub 101 at the plantsite or storage facilities of International Paper Co. at or near Gifford, Ark., and serve New Mexico or Colorado. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Memphis, Tenn.

No. MC 102982 (Sub-No. 12), filed March 28, 1968. Applicant: GEORGE W. KUGLER, INC., 2800 East Waterloo Road, Akron, Ohio 44312. Applicant's representative: John McMahon, 100 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Clay and refractory products and materials, and materials and supplies used in the installation thereof*, from Carol Stream, Ill., and Streator, Ill., to points in Indiana, Iowa, Kentucky, Michigan, Missouri, Ohio, and Wisconsin, under contract with The Streator Division of Clow Corp. NOTE: Applicant holds common carrier authority under Docket No. MC 125533 (Sub-No. 1), therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Chicago, Ill.

No. MC 104004 (Sub-No. 175), filed March 25, 1968. Applicant: ASSOCIATED TRANSPORT, INC., 380 Madison Avenue, New York, N.Y. 10017. Applicant's representative: John P. Tynan, 69-20 Fresh Pond Road, New York (Ridgewood), N.Y. 11227. 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 Nashville, and Cumberland City, Tenn., from Nashville over Tennessee Highway 12 to junction Tennessee Highway 49, thence over Tennessee Highway 49 to Erin, Tenn., thence over Tennessee Highway 149 to Cumberland City, and return over the same route serving all intermediate and off-route points within 5 miles of Cumberland City, Tenn., including the Cumberland City steam plant. NOTE: If a hearing is deemed necessary, applicant requests it be held at Nashville, Tenn.

No. MC 105813 (Sub-No. 163), filed March 25, 1968. Applicant: BELFORD TRUCKING CO., INC., 3500 Northwest 79th Avenue, Post Office Box 154, M.I.A., Miami, Fla. 33148. Applicant's representative: Harry Ross, 848 Warner Building, Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Candy and confectionery products*; (2) *advertising materials, including premium merchandise*, when moving in mixed loads with candy and confectionery products; and (3) *materials and supplies* used in manufacture, sale and/or distribution of candy and confectionery products, between plantsites and storage facilities of Reed Candy Co. located at or near Campbellsville, Ky., on the one hand, and, on the other, points in Alabama, Florida, Georgia, North Carolina, and South Carolina. NOTE: If a hearing is deemed necessary, applicant requests it be held at Louisville or Lexington, Ky.

No. MC 106644 (Sub-No. 88), filed March 25, 1968. Applicant: SUPERIOR TRUCKING COMPANY, INC., 2770 Peyton Road NW., Atlanta, Ga. 30321. Applicant's representative: Otis E. Stovall, Post Office Box 17050, Atlanta, Ga. 30321. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Particleboard*, from the plantsite of the Weyerhaeuser Co., at or near Adel (Cook County), Ga., to points in Alabama, Arkansas, Connecticut, Delaware, District of Columbia, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Mississippi, Missouri, New Hampshire, New York, New Jersey, North Carolina, Oklahoma, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Vermont, Virginia, West Virginia, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Atlanta, Ga.

No. MC 106644 (Sub-No. 89), filed March 25, 1968. Applicant: SUPERIOR TRUCKING COMPANY, INC., 2770 Peyton Road, NW., Atlanta, Ga. 30321. Applicant's representative: Otis E. Stovall, Post Office Box 17050, Atlanta, Ga. 30321. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Composition board*, from the plantsite of U.S. Plywood-Champion Papers, Inc., at or near Oxford, Miss., to points in Florida, Georgia, Indiana, Kentucky, North Carolina, South Carolina, and

Texas. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Memphis, Tenn.

No. MC 106760 (Sub-No. 91), filed March 21, 1968. Applicant: WHITEHOUSE TRUCKING, INC., 2905 Airport Highway, Toledo, Ohio 43614. Applicant's representative: O. L. Thee, 1925 National Plaza, Tulsa, Okla. 74131. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Prefabricated houses and buildings, prefabricated house and building panels, with parts and accessories*, from Des Moines, Iowa, to points in New Mexico and Utah. NOTE: Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 106760 (Sub-No. 94), filed March 26, 1968. Applicant: WHITEHOUSE TRUCKING, INC., 2905 Airport Highway, Toledo, Ohio 43614. Applicant's representatives: O. L. Thee, 1925 National Plaza, Tulsa, Okla. 74151, and Leonard A. Jaskiewicz, 1155 15th Street NW., Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Ventilators, steel and/or aluminum continuous ridge and/or powered fan type*, from Atlanta, Ga., to points in Minnesota, South Dakota, Nevada, Kansas, Oklahoma, Texas, Florida, New York, Connecticut, Rhode Island, Massachusetts, New Hampshire, Vermont, and Maine. NOTE: Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 106760 (Sub-No. 95), filed March 26, 1968. Applicant: WHITEHOUSE TRUCKING, INC., 2905 Airport Highway, Toledo, Ohio 43614. Applicant's representatives: O. L. Thee, 1925 National Plaza, Tulsa, Okla. 74151 and L. A. Jaskiewicz, Madison Building, 1155 15th Street NW., Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building panels, sections, wallboard, building board, and accessories*, (1) from Chesapeake, Va., to Alabama, Arkansas, Connecticut, Delaware, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Minnesota, Michigan, Mississippi, Missouri, Nebraska, New Jersey, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Virginia, West Virginia, and Wisconsin; (2) from Newark, N.J., to Connecticut, Rhode Island, Massachusetts, New Hampshire, Vermont, and Maine. NOTE: Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 106760 (Sub-No. 96), filed March 26, 1968. Applicant: WHITEHOUSE TRUCKING, INC., 2905 Airport Highway, Toledo, Ohio 43614. Applicant's representative: Leonard A. Jaskiewicz, 1155 15th Street NW., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transport-

ing: *Composition board*, from the plantsite of U.S. Plywood-Champion Papers, Inc., at or near Oxford, Miss., to points in Illinois, Indiana, Missouri, Ohio, and Virginia. NOTE: Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 107002 (Sub-No. 347), filed March 29, 1968. Applicant: MILLER TRANSPORTERS, INC., Post Office Box 1123, U.S. Highway 80 West, Jackson, Miss. 39205. Applicant's representative: John J. Borth, Post Office Box 1123, Jackson, Miss. 39205, and H. D. Miller, Jr. (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry animal and poultry feed and ingredients*, from Memphis, Tenn., to points in Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Missouri, Mississippi, Oklahoma, and Tennessee. NOTE: Applicant states that no duplicating authority is being sought. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 107496 (Sub-No. 653), filed March 29, 1968. Applicant: RUAN TRANSPORT CORPORATION, Keosauqua Way at Third, Post Office Box 855, Des Moines, Iowa 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: *Petroleum products*, in bulk, from the plantsite of the Kanab Pipe Line Co. terminal at or near Le Mars, Iowa, to points in Minnesota, Nebraska, and South Dakota. NOTE: If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 107839 (Sub-No. 123), filed March 21, 1968. Applicant: DENVER-ALBUQUERQUE MOTOR TRANSPORT, INC., 4985 York Street, Post Office Box 16021, Denver, Colo. 80216. Applicant's representative: Marion F. Jones, 420 Denver Club Building, Denver, Colo. 80202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat by-products, and dairy products, and articles distributed by meat packinghouses*, as described in sections A, B, and C of appendix I, *Description in Motor Carrier Certificates*, 61 M.C.C. 766 and 1209 (except commodities in bulk, in tank vehicles, and hides), from Denver, Colorado Springs, Pueblo, and Greeley, Colo., to points in Arizona, California, and Nevada. NOTE: If a hearing is deemed necessary, applicant requests it be held at Denver, Colo., or Los Angeles, Calif.

No. MC 108407 (Sub-No. 8), filed March 29, 1968. Applicant: RUTHIG TRANSPORTATION CORP., 2079 Kennedy Boulevard, Jersey City, N.J. 07305. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J. 07306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wearing apparel*, from Ruthig Transportation Corp. terminal at New York, N.Y., to the John Wanamaker Store,

Wilmington, Del. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or New York, N.Y.

No. MC 109449 (Sub-No. 12), filed March 29, 1968. Applicant: EMIL J. KUJAK, HUBERT I. KUJAK, MARTIN KUJAK, AND FRANK KUJAK, a partnership, doing business as KUJAK BROS. TRANSFER, 352 Junction Street, Winona, Minn. 55987. Applicant's representative: Charles E. Nieman, 1160 Northwestern Bank Building, Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry fertilizer*, from Winona, Minn., to points in Nebraska and points in Adair, Adams, Appanoose, Audubon, Boone, Buena Vista, Calhoun, Carroll, Cass, Cherokee, Clarke, Clay, Crawford, Dallas, Davis, Deatur, Des Moines, Dickinson, Fremont, Greene, Guthrie, Harrison, Henry, Ida, Jefferson, Keokuk, Lee, Louisa, Lucas, Lyon, Madison, Mahaska, Marion, Mills, Monona, Monroe, Montgomery, O'Brien, Osceola, Page, Plymouth, Pocahontas, Polk, Pottawattamie, Ringgold, Sac, Shelby, Sioux, Taylor, Union, Van Buren, Wapello, Warren, Wayne, and Woodbury Counties, Iowa. NOTE: If a hearing is deemed necessary, applicant requests it be held at Minneapolis or St. Paul, Minn.

No. MC 111941 (Sub-No. 12), filed March 27, 1968. Applicant: PIERCETON TRUCKING COMPANY, INC., Laketon, Ind. 46943. Applicant's representative: Alki E. Scopelitis, 511 Fidelity Building, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Prefabricated steel and materials, equipment, and supplies* used in the installation and erection of prefabricated steel when moving at the same time and in the same vehicle with prefabricated steel, from Muncie, Ind., to points in Illinois, Indiana, Kentucky, Michigan, Ohio, and Wisconsin, and (2) *precast concrete and materials, equipment, and supplies* used in the installation and erection of precast concrete when moving at the same time and in the same vehicle with precast concrete, from Indianapolis, Ind., to points in New York, Pennsylvania, Wisconsin, and Iowa. NOTE: If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind., or Chicago, Ill.

No. MC 111956 (Sub-No. 15) (Clarification), filed March 5, 1968, published in FEDERAL REGISTER issue of March 21, 1968, and republished as clarified this issue. Applicant: SUWAK TRUCKING COMPANY, a corporation, 1105-15 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: (1) *Glass containers, caps, stoppers, and covers*, from points in McKean County, Pa., to points in that part of Indiana on and north of U.S. Highway 40; the Lower Peninsula of Michigan and that part of Ohio on and west of a line beginning

at Portsmouth, Ohio, thence over U.S. Highway 23 to Marion, Ohio, and thence over Ohio Highway 4 to Sandusky, and (2) *materials, equipment, and supplies* used in the manufacture, packing, and shipping of glass containers, caps, stoppers, and covers, on return. NOTE: The purpose of this republication is to add "Pa." to the words McKean County. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Pittsburgh, Pa.

No. MC 112617 (Sub-No. 248), filed March 26, 1968. Applicant: LIQUID TRANSPORTERS, INC., Post Office Box 5135, Cherokee Station, Louisville, Ky. 50205. Applicant's representative: L. A. Jaskiewicz, 600 Madison Building, 1155 15th Street NW., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Uranium hexafluoride*, in bulk, in steel cylinders, from Metropolis, Ill., to Oak Ridge, Tenn., and Portsmouth, Ohio, and *empty steel cylinders*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held in Washington, D.C., at a joint hearing with Southern Tank Lines, Inc., and Davis Transport, Inc.

No. MC 113267 (Sub-No. 194), filed March 25, 1968. Applicant: CENTRAL & SOUTHERN TRUCK LINES, INC., 312 West Morris Street, Caseyville, Ill. Applicant's representative: Harry Ross, 848 Warner Building, Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Candy and confectionery products*; (2) *advertising materials, including premium merchandise, moving in mixed loads with candy and confectionery products*; and (3) *materials, and supplies used in manufacture, sale, and distribution of candy and confectionery products*, between the plantsites and storage facilities of Reed Candy Co. at or near Campbellsville, Ky., on the one hand, and, on the other, points in Alabama, Florida, Georgia, Indiana, Michigan, Mississippi, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, Arkansas, Illinois, Iowa, Kansas, Louisiana, Minnesota, Missouri, Nebraska, Oklahoma, Texas, and Wisconsin. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky.

No. MC 113678 (Sub-No. 296) (Amendment), filed October 30, 1967, published in FEDERAL REGISTER issue November 16, 1967, and republished as amended this issue. Applicant: CURTIS, INC., 770 East 51st Avenue, Denver, Colo. 80216. Applicant's representative: Duane W. Acklie, Post Office Box 2028, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packing-houses*, (1) from Luverne, Minn., to points in North Carolina, South Carolina, Georgia, and Florida, and (2) from Sioux City, Fort Dodge, and Dennison, Iowa, to points in North Carolina and South Carolina. NOTE: The purpose of this republication is to add No. (1)

above. If a hearing is deemed necessary, applicant requests it be held at Sioux City, Iowa, or Omaha, Nebr.

No. MC 113828 (Sub-No. 140), filed March 26, 1968. Applicant: O'BOYLE TANK LINES, INCORPORATED, 4848 Cordell Avenue, Washington, D.C. 20014. Applicant's representative: William P. Sullivan, Federal Bar Building West, 1819 H Street NW., Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic materials*, in bulk, from Perryville, Md., to points in Alabama, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Kentucky, Maine, Maryland, Michigan, Massachusetts, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 113843 (Sub-No. 139), filed March 25, 1968. Applicant: REFRIGERATED FOOD EXPRESS, INC., 316 Summer Street, Boston, Mass. 02110. Applicant's representative: Jack H. Blanshan, 29 South La Salle Street, Chicago, Ill. 02110. 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 plantsite and/or cold storage facilities utilized by Wilson & Co., Inc., at or near Logansport, Ind., to points in Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, and Vermont, restricted to the transportation of Wilson & Co., Inc., traffic originating at the above-specified plantsite and/or cold storage facilities and destined to the above-specified destinations. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 114045 (Sub-No. 311), filed March 25, 1968. Applicant: TRANSCOLD EXPRESS, INC., Post Office Box 5842, Dallas, Tex. 75222. Applicant's representative: R. L. Moore (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat 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 plantsite and/or cold storage facilities utilized by Wilson & Co., Inc., at or near Logansport, Ind., to points in Mississippi, Tennessee, Louisiana, Arkansas, Oklahoma, Texas, and New Mexico, restricted to the transportation of Wilson & Co., Inc., traffic originating at the above-specified plantsite

and/or cold storage facilities and destined to the above-specified destination points. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 114106 (Sub-No. 61), filed March 25, 1968. Applicant: MAYBELLE TRANSPORT COMPANY, a corporation, Post Office Box 573, Lexington, N.C. 27292. Applicant's representative: William P. Sullivan, Federal Bar Building West, 1819 H Street NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Corn syrup, liquid sugar, and blends of corn syrup and liquid sugar*, in bulk, from Atlanta, Ga., to points in North Carolina, and (2) *corn syrup and blends of corn syrup and liquid sugar*, in bulk, from Birmingham and Selma, Ala., to points in Georgia and Tennessee. NOTE: Applicant holds contract carrier authority under MC 115176 (Sub-No. 1) and subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Atlanta, Ga.

No. MC 114211 (Sub-No. 113), filed March 27, 1968. Applicant: WARREN TRANSPORT, INC., 305 Whitney Road, Post Office Box 420, Waterloo, Iowa 50704. Applicant's representative: Charles W. Singer, 33 North Dearborn Street, Suite 1625, Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Agricultural machinery and implements, other than hand, and, parts*, when transported in the same vehicle with such machinery and implements, from Shelbyville, Ill., to points in Missouri, Kansas, Oklahoma, Arkansas, and Texas. NOTE: Applicant indicates tacking possibilities with its presently held authorities. Applicant states that no duplicating authority is being sought. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 115162 (Sub-No. 155), filed March 25, 1968. Applicant: WALTER POOLE, doing business as POOLE TRUCK LINE, Post Office Box 310, Evergreen, Ala. 36401. Applicant's representative: Robert E. Tate, Suite 2023-2028, City Federal Building, Birmingham, Ala. 35203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Composition board*, from the plantsite of U.S. Plywood-Champion Papers, Inc., located at or near Oxford, Miss., to points in Alabama, Florida, Georgia, Illinois, Missouri, and Ohio. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Memphis, Tenn.

No. MC 115311 (Sub-No. 82), filed March 19, 1968. Applicant: J & M TRANSPORTATION CO., INC., Post Office Box 488, Milledgeville, Ga. 31061. Applicant's representatives: Paul M. Daniell and Bill R. Davis, 1600 First Federal Building, Atlanta, Ga. 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over ir-

regular routes, transporting: *Dry fertilizer and dry fertilizer materials*, from Bainbridge, Ga., to points in North Carolina, South Carolina, and Virginia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga., or Little Rock, Ark.

No. MC 115648 (Sub-No. 14), filed March 28, 1968. Applicant: LUTHER LOCK, doing business as LUTHER LOCK TRUCKING, 705 13th Street, Wheatland, Wyo. 82201. Applicant's representative: Ward A. White, Post Office Box 568, Cheyenne, Wyo. 82001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal and poultry feed, and animal and poultry health aids and sanitation products*, from Denver, Colo., to points in Montana and Wyoming east of the Continental Divide and points in Carbon and Sweetwater Counties, Wyo. NOTE: If a hearing is deemed necessary, applicant requests it be held at Cheyenne, Wyo., or Billings, Mont.

No. MC 115841 (Sub-No. 324) (Correction), filed March 11, 1968, published in the FEDERAL REGISTER, issue of March 28, 1968, and republished as corrected this issue. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., 1215 Bankhead Highway West, Post Office Box 1269, Birmingham, Ala. Applicant's representative: C. E. Wesley (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from the plantsite of Kent, Inc., at or near Frankfort, Mich., 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: The purpose of this republication is to reflect the correct spelling of "Kent, Inc.", erroneously shown as "Pent, Inc." in the previous issue. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 116273 (Sub-No. 101) (Correction), filed January 25, 1968, published in FEDERAL REGISTER issue of February 15, 1968, and republished as corrected, this issue. Applicant: D & L TRANSPORT, INC., 3800 South Laramie Avenue, Cicero, Ill. 60650. Applicant's representative: William R. Lavery (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Nitrogen fertilizer solutions, liquid fertilizers, and liquid fertilizer materials* in bulk, in tank vehicles, from Seneca, Ill., and points within 5 miles thereof to points in Indiana, Iowa, Kentucky, Michigan, Missouri, and Wisconsin, restricted to traffic originating at the plantsite and facilities of F. S. Royster Guano Co. and (2) *anhydrous ammonia, nitrogen fertilizer solutions, liquid fertilizers, and liquid fertilizer materials* in bulk, in tank vehicles, from Galesville, Ill., to points in Indiana restricted to traffic originating at the plantsite and facilities of the F. S. Royster Guano Co. NOTE: The purpose

of this republication is to add the restriction in (1) above, inadvertently omitted. Applicant indicates tacking possibilities with its Sub 7 at the Indiana portion of the Chicago commercial zone to Colorado, Wyoming, and portions of Nebraska and South Dakota and with its Sub 6 at Whiting, Ind., to portions of Iowa, Michigan, Missouri, and Wisconsin. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 116325 (Sub-No. 55), filed March 25, 1968. Applicant: JENNINGS BOND, doing business as BOND ENTERPRISES, Post Office Box No. 8, Lutesville, Mo. 63762. Applicant's representative: Jennings Bond (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paper, paper products, paper and pulp mill products and material, equipment, and supplies used or useful in the manufacture and distribution of paper, paper products, paper and pulp mill products* (except in bulk), between the plantsite of the West Virginia Pulp & Paper Co. located near Wickliffe, in Ballard and Carlisle Counties, Ky., and points in Alabama, Arkansas, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Ohio, Oklahoma, Tennessee, Texas, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Nashville, Tenn.

No. MC 116720 (Sub-No. 8), filed March 28, 1968. Applicant: DONALD E. MILLER, 15-A Third Street West, Lemmon, S. Dak. 57638. Applicant's representative: Val M. Higgins, 1000 First National Bank Building, Minneapolis, Minn. 55402. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages, in containers, and supplies, signs and materials* used in the sale thereof, from Milwaukee, Wis., to Aberdeen, S. Dak., under contract with Torrigian Produce Co. If a hearing is deemed necessary, applicant requests it be held at Rapid City or Pierre, S. Dak., or Minneapolis, Minn.

No. MC 116935 (Sub-No. 4), filed March 28, 1968. Applicant: COMMERCIAL FURNITURE DISTRIBUTORS, INC., 46-01 Dell Avenue, North Bergen, N.J. 07047. Applicant's representative: Morton E. Kiel, 140 Cedar Street, New York, N.Y. 10006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Office, institutional, professional and school furniture and furnishings*, from Kearny, N.J., to points in Burlington, Ocean, Monmouth, Mercer, Middlesex, Somerset, Huntendon, Warren, Union, Hudson, Sussex, Essex, Morris, Passaic, and Bergen Counties, N.J., New York, N.Y., points in Nassau, Suffolk, Westchester, Rockland, Orange, and Putnam Counties, N.Y., and points in Fairfield County, Conn. NOTE: No duplicating authority sought. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 117322 (Sub-No. 3), filed March 28, 1968. Applicant: LESTER

NOVOTNY, doing business as CHATFIELD TRUCKING, Chatfield, Minn. 55923. Applicant's representative: Clay R. Moore, 1000 First National Bank Building, Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Butter, powdered milk, powdered milk with additives, dry desert preparations, whey powder, cheese, soy powder, yeast blends, dairy products, and various blends of the above-named products, and the above-named products when transported in the same vehicle with regulated commodities*, from points in Fillmore, Olmsted, Wabasha, Goodhue, Winona, Dodge, Steele, Freeborn, Nicollet, Houston, Mower, Douglas, Pope, and Swift Counties, Minn., and points in Hamlin, Brookings, Lake, Hutchinson, and Kingsbury Counties, S. Dak., to Deerfield, Ill., and points in the Chicago, Ill., commercial zone as defined by the Commission. NOTE: If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 117604 (Sub-No. 8), filed March 29, 1968. Applicant: MEADORS FREIGHT LINE, INC., 1050 Jefferson Street NW., Atlanta, Ga. 30318. Applicant's representative: Archie B. Culbreth, 1273 West Peachtree Street NE., Atlanta, Ga. 30309. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Cartersville and Dalton, Ga., over U.S. Highway 41 serving all intermediate points, and with the right to traverse Interstate Highway 75 between Cartersville and Dalton, Ga., for operating convenience only. NOTE: If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 117815 (Sub-No. 136), filed March 22, 1968. Applicant: PULLEY FREIGHT LINES, INC., 405 Southeast 20th, Des Moines, Iowa 50603. Applicant's representative: Jack H. Blanshan, 29 South La Salle Street, Chicago, Ill. 60603. 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 plantsite and/or cold storage facilities utilized by Wilson & Co., Inc., at or near Logansport, Ind., to points in Illinois, Iowa, Kansas, Minnesota, and Nebraska, restricted to the transportation of Wilson & Co., Inc., traffic originating at the above-specified destinations. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 118159 (Sub-No. 49), filed March 25, 1968. Applicant: EVERETT LOWRANCE, 4916 Jefferson Highway, New Orleans, La. 70121. Applicant's rep-

resentative: Harry Ross, 848 Warner Building, Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Candy and confectionery products*; (2) *advertising materials, including premium merchandise*, in mixed loads with candy and confectionery products; and (3) *materials and supplies* used in manufacture, sale, and/or distribution of candy and confectionery products, between plantsites and storage facilities of Reed Candy Co., located at or near Campbellsville, Ky., on the one hand, and, on the other, points in Alabama, Florida, Michigan, Mississippi, Ohio, Tennessee, Virginia, Minnesota, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, Wisconsin, Wyoming, Arizona, Arkansas, California, Colorado, Illinois, Iowa, Kansas, and Louisiana. NOTE: If a hearing is deemed necessary, applicant requests it be held at Louisville or Lexington, Ky.

No. MC 118263 (Sub-No. 2), filed March 25, 1968. Applicant: COLDWAY CARRIERS, INC., Post Office Box 38, Clarksville, Ind. 47131. Applicant's representative: Paul M. Daniell, 1600 First Federal Building, Atlanta, Ga. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts* (except in bulk), from Louisville, Ky., to Washington, D.C., New Orleans, La., and points in Tennessee and Connecticut. NOTE: Applicant holds contract carrier authority in MC 111069 Sub 1, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky.

No. MC 118263 (Sub-No. 3), filed March 25, 1968. Applicant: COLDWAY CARRIERS, INC., Post Office Box 38, Clarksville, Ind. 47131. 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: *Meats, meat products, and meat byproducts*, as described in section A of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except in bulk), from Lexington, Ky., to Chicago, Ill., Cleveland, Ohio, and Detroit, Mich. NOTE: Applicant states that in Docket No. MC 118263 (Sub-No. 1), it has an application pending to convert its existing contract carrier authority under Docket No. MC 111069 to common carrier authority. If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky.

No. MC 118535 (Sub-No. 35) (Amendment), filed November 6, 1967, published in the FEDERAL REGISTER issues of November 23, 1967, December 14, 1967, and republished as amended, this issue. Applicant: JIM TIONA, JR., 803 West Ohio Street, Butler, Mo. 64106. Applicant's representative: Carl V. Kretsinger, 450 Professional Building, Kansas City, Mo. 64106. Authority sought to operate as a

common carrier, by motor vehicle, over irregular routes, transporting: *Fertilizer, fertilizer materials and ingredients, animal and poultry feed, and ingredients thereof, chemicals, wire, twine, posts, and rope*, between Adrian, Amoret, Butler, Passaic, and Rich Hill, Mo., on the one hand, and, on the other, points in Alabama, Colorado, Arkansas, Illinois, Indiana, Louisiana, Michigan, North Dakota, New Mexico, Ohio, Oklahoma, Kansas, Kentucky, Nebraska, Iowa, South Dakota, Texas, Wisconsin, and Tennessee; and, on and along the Gulf of Mexico extending from Mobile, Ala., to Brownsville, Tex., including Mobile, Ala., and Brownsville, Tex., and ports of entry on and along the International Boundary line between the United States and Mexico, located in Texas, to Adrian, Amoret, Butler, Passaic, and Rich Hill, Mo. NOTE: The purpose of this republication is to reflect changes in the commodity description and territorial scope of the application. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 118831 (Sub-No. 55), filed March 28, 1968. Applicant: CENTRAL TRANSPORT, INCORPORATED, Box 5044, Highpoint, N.C. Applicant's representative: E. Stephen Heisley, Transportation Building, Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, from the plantsite and storage facilities of Reichhold Chemicals, Inc., at or near Charlotte, N.C., to points in the United States (except Alaska and Hawaii), restricted to traffic originating at Reichhold Chemicals, Inc., plantsite. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Atlanta, Ga.

No. MC 118989 (Sub-No. 18), filed March 25, 1968. Applicant: CONTAINER TRANSIT, INC., 5223 South Ninth Street, Milwaukee, Wis. 53221. Applicant's representative: Richard A. Heilprin, Post Office Box 941, Madison, Wis. 53701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *container parts*, (2) *materials and supplies* used in the manufacture and distribution of containers, and (3) *containers*, between points in South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, Texas, Tennessee, Kentucky, Indiana, Missouri, Ohio, Virginia, West Virginia, Arkansas, Oklahoma, Illinois, Minnesota, Kansas, and Nebraska. NOTE: Applicant states it would tack the proposed authority with its Sub 3 wherein it holds authority to conduct operations in Illinois, Iowa, Minnesota, Missouri, and Wisconsin. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Chicago, Ill.

No. MC 119531 (Sub-No. 83), filed March 20, 1968. Applicant: DIECKBRADER EXPRESS, INC., 5391 Wooster Road, Cincinnati, Ohio 45226. Applicant's representative: Charles W. Singer, 33 North Dearborn Street, Suite 1625, Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor

vehicle, over irregular routes, transporting: *Containers and devices* used in shipping thereof, between Alton, Ill., on the one hand, and, on the other, points (and the commercial zones thereof), in Kentucky and Tennessee. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 119689 (Sub-No. 10), filed March 28, 1968. Applicant: BROWN BROTHERS EXPRESS, INC., Post Office Box 568, Ledgewood, N.J. 07852. Applicant's representative: Chester A. Zyblut, 1522 K Street NW., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid latex and plastics, synthetic* (other than liquid), in bulk, from Perryville, Md., to points in Alabama, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 119765 (Sub-No. 15), filed March 26, 1968. Applicant: HENRY G. NELSEN, INC., 1548 Locust Street, Avoca, Iowa. Applicant's representative: Joseph M. Scanlan, 111 West Washington Street, Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 MCC 209 and 766 (except hides and commodities in bulk, in tank vehicles), from the plantsite and/or cold storage facilities utilized by Wilson & Co., Inc., at or near Logansport, Ind., to points in Illinois, Iowa, Kansas, and Nebraska, restricted to the transportation of Wilson & Co., Inc., traffic originating at the above-specified plantsite and/or cold storage facilities and destined to the above-specified destination points. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 120645 (Sub-No. 2), filed March 26, 1968. Applicant: GERALD L. PETERSEN AND ADELINE M. PETERSEN, a partnership, doing business as DAVID CITY TRANSFER, David City, Nebr. Applicant's representative: Donald E. Leonard, Box 2028, 605 South 14th, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment), (1) between Omaha and David City, Nebr., from Omaha over Alternate U.S. Highway 30 to junction Nebraska Highway 15, and thence over Nebraska Highway 15 to David City, and return over the same route, serving all inter-

mediate points between junction Alternate U.S. Highway 30 and Nebraska Highway 79, and David City, and (2) between David City and Lincoln, Nebr., from David City over Nebraska Highway 15 to junction U.S. Highway 34, and thence over U.S. Highway 34 to Lincoln, and return over the same route, serving no intermediate points; and serving the off-route points of Ulysses, Dwight, Bee, Garland, and Staplehurst, Nebr., in connection with the routes described in (1) and (2) above. NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha or Lincoln, Nebr.

No. MC 120737 (Sub-No. 3), filed March 21, 1968. Applicant: STAR DELIVERY & TRANSFER, INC., 948 North Fifth Avenue, Canton, Ill. 61520. Applicant's representative: Chester J. Claudon, 121 West Elm Street, Canton, Ill. 61520. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Agricultural implements, agricultural machinery, tractors* (tractors with or without attachments and/or parts), except commodities because of size or weight require the use of special equipment, between the plantsites or warehouses of International Harvester Co. located at Louisville, Ky., on the one hand, and, on the other, points in Mason, Fulton, Peoria, McDonough, Sangamon, McLean, Brown, Schuyler, and Morgan Counties, Ill., and (2) *agricultural implements parts*, between the plantsites or warehouses of International Harvester Co. located at Milwaukee and Waukesha, Wis., on the one hand, and, on the other, points in Fulton County, Ill. NOTE: Applicant indicates tacking the proposed authority with its existing authority serving between points within a 50-mile radius of Pottstown, Ill., on the one hand, and, on the other, Chicago, Rock Island, East St. Louis, and Moline, Ill. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill. and Springfield, Ill., or Indianapolis, Ind.

No. MC 123490 (Sub-No. 6), filed March 26, 1968. Applicant: CHIP CARRIERS, INC., 1217 South 24th Street, Omaha, Nebr. 68108. Applicant's representative: Einar Viren, 904 City National Bank Building, Omaha, Nebr. 68102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Chips, twists, and puffs*, from Wooster, Ohio, to points in Iowa, and Missouri, under contract with Frito-Lay, Inc., of Dallas, Tex. NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr. or Dallas, Tex.

No. MC 123634 (Sub-No. 4), filed March 21, 1968. Applicant: K. N. DISTRIBUTORS, INC., 31 West 34th Street, New York, N.Y. Applicant's representative: Arthur J. Piken, 160-16 Jamaica Avenue, Jamaica, N.Y. 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 locations of S. Klein Department Stores, Inc., its subsidiaries and concessionaires located at the stores and warehouses in

New York, Yonkers, East Farmingdale, Commack, West Hempstead, Hicksville, New Hyde Park, and Valley Stream, N.Y.; Newark, Woodbridge, and Wayne Township, N.J.; Philadelphia and points in Marple Township, Pa.; Greenbelt, Md.; Boston, Mass.; and Alexandria, Va., under contract with S. Klein Department Stores, Inc., of New York, N.Y. NOTE: Applicant states this instant application is intended to add the new store locations of Mid-Island Shopping Center, Hicksville, N.Y., and to correct the prior grant of authority reading "Wayne, N.J." to read Wayne Township, N.J., the store location being at the intersection of Route 23 and 46 in Wayne Township, N.J. Applicant consents to revocation of the existing authority under MC 123634 Sub No. 3 upon a grant of authority as requested herein. Applicant states that no duplicating authority is being sought. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 123673 (Sub-No. 1), filed March 28, 1968. Applicant: GILLEN TRUCKING COMPANY, a corporation, 174 Dawson Street, SW., Warren, Ohio 44483. Applicant's representative: Richard H. Brandon, 79 East State Street, Columbus, Ohio 43215. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Non-ferrous castings*, from Warren, Ohio to Ashland, Ky., and (2) *non-ferrous scrap* from Ashland, Ky. to Warren, Ohio, under contract with Trumbull Bronze Co., Warren, Ohio. NOTE: If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 124692 (Sub-No. 52), filed March 29, 1968. Applicant: SAMMONS TRUCKING, Post Office Box 933; Missoula, Mont. 59801. Applicant's representative: Frank G. Eney (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building materials, gypsum and gypsum products*, from Fort Dodge, Iowa, to points in Colorado, Montana, and Wyoming. NOTE: If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa or Chicago, Ill.

No. MC 124774 (Sub-No. 74), filed March 26, 1968. Applicant: CARAVELLE EXPRESS, INC., Post Office Box 384, Norfolk, Nebr. 68701. Applicant's representative: Richard A. Peterson, Post Office Box 806; Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles), from the plantsite and/or cold storage facilities utilized by Wilson & Co., Inc., at or near Logansport, Ind., to points in Colorado, Nebraska, Kansas, Missouri, and Iowa, restricted to the transportation of Wilson & Co., Inc., traffic originating at the above-specified plantsite and/or storage facilities and

destined to the above-specified destination points. NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 125777 (Sub-No. 123), filed March 28, 1968. Applicant: JACK GRAY TRANSPORT, INC., 4600 East 15th Avenue, Gary, Ind. 46403. Applicant's representative: Carl L. Steiner, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pig iron*, in dump vehicles, from Chicago, Ill. to points in Arkansas. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 126039 (Sub-No. 6), filed March 24, 1968. Applicant: MORGAN TRANSPORTATION SYSTEM, INC., U.S. Highways 6 and 15, New Paris, Ind. 46553. Applicant's representative: Walter F. Jones, Jr., 601 Chamber of Commerce Building, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paper, paper products, and materials and supplies used in the manufacturing, sales, and distribution thereof*, between Columbus, Ind., on the one hand, and, on the other, points in Kentucky, Missouri, Illinois, Ohio, Michigan, and Indiana. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 126555 (Sub-No. 7), filed March 27, 1968. Applicant: UNIVERSAL TRANSPORT, INC., Post Office Box 268, Rapid City, S. Dak. 57701. Applicant's representative: John H. Lewis, The 1650 Grant Street Building, Denver, Colo. 80203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lime and limestone products* (except cement), from Rapid City, S. Dak., to points in Nebraska east of U.S. Highway 281. NOTE: If a hearing is deemed necessary, applicant requests it be held at Rapid City, S. Dak.

No. MC 127042 (Sub-No. 22), filed March 25, 1968. Applicant: HAGEN, INC., 4120 Floyd Boulevard, Sioux City, Iowa 51108. Applicant's representative: Jack H. Blanshan, 29 South La Salle Street, Chicago, Ill. 60603. 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), from the plantsite and cold storage facilities utilized by Wilson & Co., Inc., at or near Logansport, Ind., to points in Illinois, Iowa, Minnesota, Nebraska, North Dakota, and South Dakota, restricted to the transportation of Wilson & Co., Inc., traffic originating at the above specified plantsite and cold storage facilities and destined to the above-specified destinations. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 127833 (Sub-No. 5), filed March 28, 1968. Applicant: T. L. MYD-LAND TRUCK LINES, INC., 928 Bridge City Avenue, Bridge City, La. 70094. Applicant's representative: Martin Sterenbuch, 1819 H Street, N.W., Washington, D.C. 20006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Non-alcoholic beverages* in cans, from Gretna, La., to Andalusia, Ala., De Funiak Springs, Niceville, and Panama City, Fla., under a continuing contract or contracts with The Louisiana Coca-Cola Bottling Co., Ltd., of New Orleans, La. NOTE: Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at New Orleans, La.

No. MC 128273 (Sub-No. 31), filed March 25, 1968. Applicant: MIDWESTERN EXPRESS, INC., Post Office Box 189, Fort Scott, Kans. 66701. Applicant's representative: Harry Ross, 848 Warner Building, Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Candy and confectionery products*, (2) *advertising materials, including premium materials*, in mixed loads with (1) above; and (3) *materials and supplies used in manufacture, sale and/or distribution of* (1) above, between plantsites and storage facilities of Reed Candy Co. at or near Campbellsville, Ky., on the one hand, and, on the other, points in Alabama, Connecticut, Florida, Georgia, Indiana, Massachusetts, Michigan, Mississippi, New Jersey, New York, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, Arizona, Arkansas, California, Colorado, Idaho, Illinois, Iowa, Kansas, Louisiana, Minnesota, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, Wisconsin, and Wyoming. NOTE: If a hearing is deemed necessary, applicant requests it be held at Louisville or Lexington, Ky.

No. MC 129086 (Sub-No. 4), filed March 27, 1968. Applicant: SPENCER TRUCKING CORPORATION, Route 1, Box 223, Keyser, W. Va. 26726. Applicant's representative: Charles E. Creager, Post Office Box 81, Winchester, Va. 22601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Limestone*, from Keyser and Riverton, W. Va., to Beryl, W. Va. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 129386 (Sub-No. 2), filed March 27, 1968. Applicant: REESE, REESE & SHERMAN, INC., 233 Orchard Lane, Billings, Mont. 59101. Applicant's representative: R. F. Hibbs, Post Office Box 1321, Billings, Mont. 59103. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats*, fresh, salted, cooked, cured or preserved, from Billings, Mont., to points in California, Nevada, Oregon, Utah, and Washington. NOTE: If a hearing is deemed necessary, applicant requests it be held at Billings, Mont.

No. MC 129407, filed March 29, 1968. Applicant: JOHN WICKIZER, JR., Rural Delivery No. 2, Kingsley, Pa. Applicant's representative: Kenneth R. Davis, 1106 Dartmouth Street, Scranton, Pa. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Lumber and wooden pallets*, from Susquehanna, Wyoming, and Bradford, Pa., to points in New York, New Jersey, Connecticut, Massachusetts, and Rhode Island, under contract with Brunges Lumber Co. NOTE: If a hearing is deemed necessary, applicant requests it be held at Binghamton, N.Y.

No. MC 129685 (Sub-No. 1), filed March 28, 1968. Applicant: WILLIAM R. GOULD, doing business as GOULD'S VAN & STORAGE, 2084 Lapham Drive, Modesto, Calif. Applicant's representative: Daniel W. Baker, 405 Montgomery Street, San Francisco, Calif. 94104. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used household goods*, between points in Merced, Stanislaus, Tuolumne, and Mariposa Counties, Calif., restricted to shipments having an immediately prior or subsequent out-of-State line-haul movement by rail, motor, water, or air and moving on through bills of lading of forwarders, operating under the section 402(b)(2) exemption. NOTE: If a hearing is deemed necessary, applicant requests it be held at San Francisco, Calif.

No. MC 129723 (Sub-No 2), filed March 29, 1968. Applicant: LAND TRUCK LINES, INC., Route 2, Box 15A, Albertville, Ala. Applicant's representative: John W. Cooper, 1301 City Federal Building, Birmingham, Ala. 35203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wooden boxes*, assembled and knocked down, and *wooden pallets*, from the plantsite of United Wooden Container Co., at or near Albertville, Ala., to points in Texas, Oklahoma, Louisiana, Tennessee, and Illinois. NOTE: If a hearing is deemed necessary, applicant requests it be held at Birmingham, Ala. or Chattanooga, Tenn.

No. MC 129731, filed February 28, 1968. Applicant: JOSEPH J. CUVA, doing business as JOE CUVA TRUCKING, 32 Brittin Street, Madison, N.J. 07940. Applicant: Edward A. Shine, 331 Main Street, Chatham, N.J. 07940. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Granite blocks*, between points in Connecticut, Delaware, Maryland, Massachusetts, New Jersey, New York, Pennsylvania, Rhode Island, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Newark, N.J., or Philadelphia, Pa.

No. MC 129761 (Sub-No. 2), filed March 27, 1968. Applicant: HOWARD MAULFAIR, doing business as H & H TRUCKING CO., 36 Union Place, North Arlington, N.J. 07032. Applicant's representative: Robert B. Pepper, 297 Academy Street, Jersey City, N.J. 07306.

Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Baseboard heating and parts thereof, radiators, hot water or steam, with or without air filters, enclosed in cabinets or housings*, in cartons, from the plantsite and warehouse of Fedders Corp., Trenton, N.J. to New York, N.Y. and points in Long Island, N.Y., under contract with Fedders Corp. NOTE: If a hearing is deemed necessary, applicant requests it be held at Newark, N.J.

No. MC 129765 (Sub-No. 1), filed March 26, 1968. Applicant: C & B CORP., 300 Essex Street, Lawrence, Mass. Applicant's representative: John F. Curley, 33 Broad Street, Boston, Mass. 02109. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise as is dealt in by wholesale, retail, chain grocery, food business houses, and discount stores (except commodities in bulk)*, from sites of the Essex Warehouse, Inc., at Lawrence, Mass., to points in Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont, under a continuing contract with Essex Warehouse, Inc., of Lawrence, Mass. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 129786, filed March 22, 1968. Applicant: THE TRUMBO TRUCKING CO., a corporation, Post Office Box 743, Route No. 1, Centralia, Ill. 62801. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Dresses and piece goods*, from Centralia, Ill., to Kansas City, Mo., under contract with Centralia Apparel, Inc., and Gay Gibson, Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Springfield, Ill.

No. MC 129787 (Sub-No. 2), filed March 25, 1968. Applicant: JOHN NOTO AND SALVATORE NOTO, a partnership doing business as NOTO BROS., 760 Hawkins Avenue, Lake Ronkonkoma, N.Y. 11779. Applicant's representative: George A. Olsen, Tonnele Avenue, Jersey City, N.J. 07306. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel*, in coil and flat forms, from piers in New York Harbor, as defined by the Commission, to points in Nassau, Suffolk, and Westchester Counties, N.Y., and Fairfield and New Haven Counties, Conn. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y. or Washington, D.C.

No. MC 129793, filed March 22, 1968. Applicant: CHARLES BEAUMONT, Post Office Box 126, Lawrence (Washington County), Pa. 15055. Applicant's representative: Henry M. Wick, Jr. 2310 Grant Building, Pittsburgh, Pa. 15055. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Building materials, equipment and supplies, appliances, furniture*, between points in Washington County, Pa., on the one hand, and, on the other, points in Ohio on and east of U.S. Highway 23 and points in West

Virginia on and north of U.S. Highway 33, under contract with Z & L Builders Supplies, doing business as Woodcraft Industries and Z & L Lumber Co. of Atlasburg. NOTE: If a hearing is deemed necessary, applicant requests it be held at Pittsburgh, Pa.

No. MC 129795, filed March 25, 1968. Applicant: A J. R. TRUCKING, INC., 2707 Preble Avenue, Pittsburgh, Pa. 15233. Applicant's representative: Arthur J. Diskin, 806 Frick Building, Pittsburgh, Pa. 15219. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Machinery, forgings, steel bar stock, structural steel, and materials and supplies* used in the manufacture of forgings, (1) between the plantsites of Allegheny Drop Forge Co., Pittsburgh, Pa., Riverside Terminal Co., Pittsburgh, Pa., and Jones Structural Steel Co., Ravenna, Ohio, and (2) between plantsites in (1) above, and points in Ohio, Indiana, Illinois, Michigan, West Virginia, New York, New Jersey, and Pennsylvania, under continuing contracts with Allegheny Drop Forge Co. and its subsidiaries, Riverside Terminal Co. and Jones Structural Steel Co. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C. or Pittsburgh, Pa.

No. MC 129796, filed March 25, 1968. Applicant: J. B. PRIEL, LTD., 401 Witney Avenue South, Saskatoon, Saskatchewan, Canada. Applicant's representative: F. G. Dickson, Retailers Trust Building, 3d Avenue and 22d Street, Saskatoon, Saskatchewan, Canada. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Treated posts and poles*, from ports of entry on the International Boundary Line between the United States and Canada located in Montana and North Dakota, to points in Montana, North Dakota, South Dakota, and Minnesota, under contract with L & M Wood Products, Ltd. NOTE: If a hearing is deemed necessary, applicant requests it be held at Billings, Mont. or Bismarck, N. Dak.

No. MC 129799, filed March 27, 1968. Applicant: RONALD L. KLINE, Rural Delivery No. 1, Winfield, Pa. 17889. Applicant's representative: Christian V. Graf, 407 North Front Street, Harrisburg, Pa. 17101. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Rubatex Vinyl material*, from Bedford, Va. to Northumberland, Pa., under a continuing contract with Resilite Sports Products, Inc., of Northumberland, Pa. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C. or Harrisburg, Pa.

No. MC 129800, filed March 27, 1968. Applicant: KENVIL MOTOR EXPRESS, INC., Post Office Box 473, Legewood, N.J. 07852. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J. 07306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, in piggyback containers, between Croxton Yards and Port Morris, N.J., on the one hand, and, on the other, points in Passaic, Morris,

Sussex, and Warren Counties, N.J., restricted to shipments having a subsequent or prior movement by railroad. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C. or New York, N.Y.

No. MC 129801, filed March 27, 1968. Applicant: GAIL TRUCKING CO., INC., Verona, Pa. 15147. Applicant's representative: Henry M. Wick, Jr., 2310 Grant Building, Pittsburgh, Pa. 15219. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Furniture, materials, equipment and supplies* used in the manufacture, sale, or distribution of furniture, between Pittsburgh, Pa., Aurora, Chicago, and West Chicago, Ill., on the one hand, and, on the other, points in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, 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, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia, under contract with Haskell, Inc., Riteform, Inc., Haskell Manufacturing Co., Inc., and Bentson Manufacturing Co., Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C. or Pittsburgh, Pa.

No. MC 129802, filed March 28, 1968. Applicant: GAIL R. KALDENBERG, doing business as ABC CARTAGE, Des Moines, Iowa. Applicant's representative: William L. Fairbank, 610 Hubbell Building, Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment)*, between Des Moines and Leon, Iowa, (a) from Des Moines over U.S. Highway 69 to Leon, Iowa, and return over the same route serving no intermediate points, and (b) from Des Moines over Interstate Highway 35 to junction with U.S. Highway 34, thence over U.S. Highway 34 to U.S. Highway 69 and thence over U.S. Highway 69 to Leon, Iowa, and return over the same route serving no intermediate points. NOTE: If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

MOTOR CARRIERS OF PASSENGERS

No. MC 120083 (Sub-No. 7), filed March 28, 1968. Applicant: LINCOLN COACH LINES, 1008 Lincoln Highway West, Post Office Box 369, Irwin, Pa. 15642. Applicant's representative: James W. Hagar, 100 Pine Street, Post Office Box 432, Harrisburg, Pa. 17108. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in the same vehicle with passengers, in special operations, in round-trip tours, beginning and ending at points in Allegheny County, Pa., and extending to points in the United States (including

Alaska but excluding Hawaii). NOTE: If a hearing is deemed necessary, applicant requests it be held at Pittsburgh, Pa.

No. MC 129776, filed March 19, 1968. Applicant: TWIN CITY COACH COMPANY, INC., Route No. 1, Box 125-A, Portsmouth, Va. 23703. Applicant's representative: Henry E. Ketner, 1208 State Planters Bank Building, Richmond, Va. 23219. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in charter operations, beginning and ending at Norfolk and Portsmouth, Va., and points in that part of Nansemond County, Va., located east of the Nansemond River Bridge, and on and north of U.S. Highway 17 and extending to points in New York, New Jersey, Pennsylvania, Delaware, Maryland, North Carolina, South Carolina, Georgia, Florida, and Washington, D.C. NOTE: If a hearing is deemed necessary, applicant requests it be held at Norfolk or Richmond, Va.

No. MC 129798, filed March 26, 1968. Applicant: ELIZABETH W. TAYLOR, 742 Dover Street, Marion, Va. 24354. Applicant's representative: John H. Tate, Jr., Merion, Va. 24354. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage, and express*, between the site of the Brunswick Corp., Marion, Va. and points in Virginia and Tennessee, under contract with Brunswick Corp. NOTE: If a hearing is deemed necessary, applicant requests it be held at Abingdon or Roanoke, Va.

FREIGHT FORWARDERS OF PROPERTY

No. FF-330 (Amendment), HOME-PACK TRANSPORT, INC., Freight Forwarder. Application filed November 22, 1965, published in the FEDERAL REGISTER issue of December 9, 1965, and republished as amended this issue. Applicant: HOME-PACK TRANSPORT, INC., 57-48 49th Street, Maspeth, N.Y. Applicant's representative: Edward M. Alfano, 2 West 45th Street, New York, N.Y. 10036. Authority sought under Part IV of the Interstate Commerce Act, as a freight forwarder in interstate or foreign commerce, in the forwarding of (a) *household goods* as defined by the Commission in 17 M.C.C. 467, (b) *used automobiles and* (c) *unaccompanied baggage*, between points in the United States, including Alaska and Hawaii. NOTE: The purpose of this republication is to reflect a change in part (a) of the commodity description. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

APPLICATION IN WHICH HANDLING WITHOUT ORAL HEARING HAS BEEN REQUESTED

No. MC 50544 (Sub-No. 62), filed March 13, 1968. Applicant: THE TEXAS AND PACIFIC MOTOR TRANSPORT COMPANY, a corporation, 210 North 13th Street, St. Louis, Mo. 63103. Applicant's representative: Robt. S. Davis (same address as applicant). Authority

sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* in service which is supplemental and auxiliary to the rail service of the Missouri Pacific Railroad Co., between New Orleans, La., and Anchorage, La., from New Orleans over U.S. Highway 90 to junction Louisiana Highway 18, thence over Louisiana Highway 18 to junction Louisiana Highway 1, near Donaldsonville, La., thence over Louisiana Highway 1 to Louisiana Highway 76, thence over Louisiana Highway 76 to junction Louisiana Highway 415, thence over Louisiana Highway 415 to Anchorage, and return over the same route, serving no intermediate points. NOTE: Applicant is a wholly owned subsidiary of the Texas and Pacific Railway Co., which in turn is controlled by the Missouri Pacific Railroad Co. Applicant presently holds operating authority as a *common carrier* by motor vehicle, between New Orleans and Anchorage, La. (which is in the Baton Rouge commercial zone), but its service is limited to that which is supplemental and auxiliary to the Texas and Pacific Railway Co. By this application, applicant seeks authority, in addition to handle freight in substituted motor for rail service auxiliary and supplemental to that of the Missouri Pacific Railroad Co., to enable the latter to continue substituted service by motor between New Orleans and Baton Rouge. Applicant indicates that the Illinois Central Railroad Co. presently is providing this motor service under its certificate to conduct motor carrier operations in No. MC-86779 (Sub-No. 17), which provides that the service authorized therein shall be auxiliary or supplemental to that of the Illinois Central Railroad Co., and to that of the New Orleans, Texas & Mexico Railway Co. (Guy A. Thompson, Trustee). The application indicates further that the latter has been merged into the Missouri Pacific Railroad Co., and that the Illinois Central Railroad Co. has given notice that it will cease handling Missouri Pacific traffic after July 1, 1968. Filed with the application is a request by the Illinois Central Railroad Co. that the portion of its certificate in No. MC 86779 (Sub-No. 17) be canceled insofar as it authorizes service for the New Orleans, Texas & Mexico Railway Co. (Guy A. Thompson, Trustee), now part of the Missouri Pacific Railroad Co.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 68-4261; Filed, Apr. 10, 1968;
8:45 a.m.]

[Notice 121]

MOTOR CARRIER TRANSFER PROCEEDINGS

APRIL 8, 1968.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations pre-

scribed thereunder (49 CFR Part 1132), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-70221. By order of March 29, 1968, the Transfer Board approved the transfer to Beverly Storage Co., Inc., New York, N.Y., of a portion of the operating rights in certificate No. MC-95021 (Sub-No. 2) issued April 26, 1962, to Bay Ridge Vans, Inc., Brooklyn, N.Y., authorizing the transportation of household goods, as defined by the Commission, over irregular routes, between New York, N.Y. (except points in Nassau County, N.Y., within the New York, N.Y., commercial zone), on the one hand, and, on the other, points in Delaware, Maryland, and the District of Columbia. Alvin Altman, 1776 Broadway, New York, N.Y. 10019, attorney for applicants.

No. MC-FC-70222. By order of March 29, 1968, the Transfer Board approved the transfer to Dave Cohen, Bronx, N.Y., of a portion of the operating rights in certificate No. MC-95021 (Sub-No. 2) issued April 26, 1962, to Bay Ridge Vans, Inc., Brooklyn, N.Y., authorizing the transportation of household goods, as defined by the Commission, over irregular routes, between New York, N.Y. (except points in Nassau County, N.Y., within the New York, N.Y., commercial zone), on the one hand, and, on the other, points in Massachusetts, Connecticut, Rhode Island, New Jersey, Pennsylvania, and New York (except points in Nassau and Suffolk Counties, N.Y.). Alvin Altman, 1776 Broadway, New York, N.Y. 10019, attorney for applicants.

No. MC-FC-70223. By order of March 29, 1968, the Transfer Board approved the transfer to Hume Moving & Storage, Inc., Brooklyn, N.Y., of a portion of the operating rights in certificate No. MC-95021 (Sub-No. 2) issued April 26, 1962, to Bay Ridge Vans, Inc., Brooklyn, N.Y., authorizing the transportation of household goods, as defined by the Commission, over irregular routes, between points in Nassau and Suffolk Counties, N.Y., on the one hand, and, on the other, points in Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Delaware, Pennsylvania, Maryland, and the District of Columbia. Alvin Altman, 1776 Broadway, New York, N.Y. 10019, attorney for applicants.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 68-4338; Filed, Apr. 10, 1968;
8:49 a.m.]

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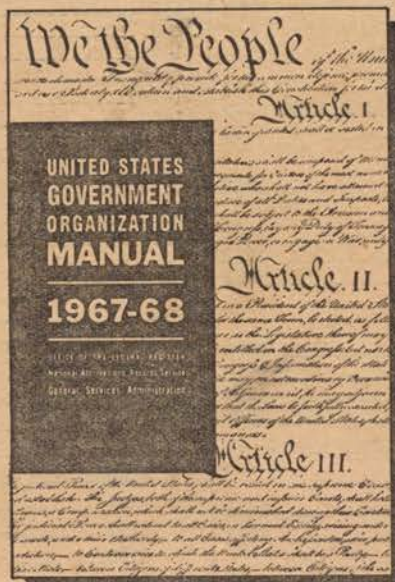
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