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Rules and Regulations

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

The President's Committee on Juvenile Delinquency and Youth Crime

Effective upon publication in the FEDERAL REGISTER, § 6.176, paragraph (a), is added to Part 6 as set out below.

§ 6.176 The President's Committee on Juvenile Delinquency and Youth Crime.

(a) Until July 30, 1964, all positions on the Staff.

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

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] MARY V. WENZEL,
*Executive Assistant to
the Commissioners.*

[F.R. Doc. 62-7706; Filed, Aug. 2, 1962;
8:54 a.m.]

Title 6—AGRICULTURAL CREDIT

Chapter IV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

[1962 C.C.C. Grain Price Support Bulletin 1,
Sup. 1, Barley]

PART 421—GRAINS AND RELATED COMMODITIES

Subpart—1962-Crop Barley Loan and Purchase Agreement Program

CORRECTION

In F.R. Doc. 62-6749 appearing at page 6459 of the issue for Tuesday, July 10, 1962, the following change is made:

1. In § 421.1252(a)(4) the listing of terminal markets starting with the terminal of Kalama should read: "Kalama, Longview, Seattle, Tacoma and Vancouver, Washington Superior, Wisconsin"

(Sec. 4, 62 Stat. 1070, as amended; 15 U.S.C. 714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 105, 401, 63 Stat. 1051, as amended; 15 U.S.C. 714, 7 U.S.C. 1441, 1421)

Effective date: Upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on July 31, 1962.

E. A. JAEENKE,
*Acting Executive Vice President,
Commodity Credit Corporation.*

[F.R. Doc. 62-7715; Filed, Aug. 2, 1962;
8:56 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

[Reg. Docket No. 719; Amdt. 40-37]

PART 40—SCHEDULED INTERSTATE AIR CARRIER CERTIFICATION AND OPERATION RULES

Extension of Period Allowed for Compliance With the Recurrent Training Requirements of Air Carrier Training Programs

Paragraph (b) of § 40.289, Recurrent training, requires that each air carrier shall, at intervals established as part of the training program, but not to exceed 12 months, check the competence of each crewmember and dispatcher with respect to procedures, techniques, and information essential to the satisfactory performance of his duties.

The Federal Aviation Agency has received recommendations that the time interval between competence checks of crewmembers and dispatchers be specified in the same manner as in § 40.302, which permits pilot line and proficiency checks to be given in the month before or following the month in which they are due. Such flexibility will simplify recordkeeping and administration of the crewmember and dispatcher competence check requirements of § 40.289(b) in the same way that the pilot line and proficiency check requirements have been simplified.

The FAA has considered the foregoing recommendations and believes that the requirements with respect to the frequency of crewmember and dispatcher competence checks should be amended to provide the flexibility recommended.

Civil Air Regulations Draft Release No. 61-7, dated April 14, 1961, subject "Qualification and Training Requirements for Pilots Other Than Pilots in Command," proposed, among other matters, to amend Parts 40, 41, and 42 to permit the competence checks of crewmembers and dispatchers to be given at any time during the month preceding or following the month in which they become due.

No adverse comments were received with respect to this particular portion of Draft Release 61-7. Accordingly, since it will permit more efficient administration of air carrier training programs and will not adversely affect safety of the carriers' operations, it is being adopted at this time separately from the other proposals which were included in the draft release. The phrase "not to exceed 12 months" contained in the present regulations and in Draft Release No. 61-7 has been changed to "each 12 months" to make the wording consistent with that of revised Part 41 (27 F.R. 1977), which was circulated as Draft Release No. 60-19 (26 F.R. 12299) prior to its adoption.

The remaining proposals and the comments received thereon are being evaluated by the Agency in conjunction with comments received in response to Draft Release 61-17, "Use of Aircraft Simulators for Pilot Training and Proficiency Checks," and Draft Release 62-9, "Approval of Air Carrier Training Programs."

Interested persons have been afforded an opportunity to participate in the making of this regulation (26 F.R. 3438), and due consideration has been given to all relevant matter presented. Since this regulatory action imposes no additional burden on any person, it may be made effective on less than 30 days' notice.

In consideration of the foregoing, § 40.289(b) of Part 40 of the Civil Air Regulations (14 CFR Part 40, as amended) is hereby amended to read as follows, effective August 3, 1962:

§ 40.289 Recurrent training.

(b) Each air carrier shall, as a part of the training program, check the competence of each crewmember and dispatcher each 12 months with respect to procedures, techniques, and information essential to the satisfactory performance of his duties. The competence check may be given at any time during the month preceding or following the month in which it becomes due. The effective date of the check, if given within the preceding or following month, shall be the same as if given within the month in which it became due. Where the check of the pilot in command or second in command requires actual flight, such check shall be considered to have been met by the checks accomplished in accordance with §§ 40.302 and 40.305, respectively.

(Secs. 313(a), 601, 604; 72 Stat. 752, 775, 778; 49 U.S.C. 1354, 1421, 1424)

Issued in Washington, D.C., on July 30, 1962.

N. E. HALABY,
Administrator.

[F.R. Doc. 62-7670; Filed, Aug. 2, 1962;
8:45 a.m.]

[Reg. Docket No. 719; Amdt. 41-45]

PART 41—CERTIFICATION AND OPERATION RULES FOR CERTIFICATED ROUTE AIR CARRIERS ENGAGING IN OVERSEAS AND FOREIGN AIR TRANSPORTATION AND AIR TRANSPORTATION WITHIN HAWAII AND ALASKA

Extension of Period Allowed for Compliance With the Recurrent Training Requirements of Air Carrier Training Programs

Paragraph (b) of § 41.53g, Recurrent training, requires that each air carrier shall, at intervals established as part of the training program, but not to exceed

12 months, check the competence of each crewmember and dispatcher with respect to procedures, techniques, and information essential to the satisfactory performance of his duties.

The Federal Aviation Agency has received recommendations that the time interval between competence checks of crewmembers and dispatchers be specified in the same manner as in § 41.53j, which permits pilot line and proficiency checks to be given in the month before or following the month in which they are due. Such flexibility will simplify recordkeeping and administration of the crewmember and dispatcher competence check requirements of § 41.53g in the same way that the pilot line and proficiency check requirements have been simplified.

The FAA has considered the foregoing recommendations and believes that the requirements with respect to the frequency of crewmember and dispatcher competence checks should be amended to provide the flexibility recommended.

Civil Air Regulations Draft Release No. 61-7, dated April 14, 1961, subject "Qualification and Training Requirements for Pilots Other Than Pilots in Command," proposed, among other matters, to amend Parts 40, 41, and 42 to permit the competence checks of crewmembers and dispatchers to be given at any time during the month preceding or following the month in which they become due.

No adverse comments were received with respect to this particular portion of Draft Release 61-7. Accordingly, since it will permit more efficient administration of air carrier training programs and will not adversely affect safety of the carriers' operations, it is being adopted at this time separately from the other proposals which were included in the draft release. The phrase "not to exceed 12 months" contained in the present regulations and in Draft Release No. 61-7 has been changed to "each 12 months" to make the wording consistent with that of revised Part 41 (27 F.R. 1977), which was circulated as Draft Release No. 60-19 (26 F.R. 12299) prior to its adoption. The remaining proposals and the comments received thereon are being evaluated by the Agency in conjunction with comments received in response to Draft Release 61-17, "Use of Aircraft Simulators for Pilot Training and Proficiency Checks," and Draft Release 62-9, "Approval of Air Carrier Training Programs."

Interested persons have been afforded an opportunity to participate in the making of this regulation (26 F.R. 3438), and due consideration has been given to all relevant matter presented. Since this regulatory action imposes no additional burden on any person, it may be made effective on less than 30 days' notice.

In consideration of the foregoing, § 41.53g(b) of Part 41 of the Civil Air Regulations (14 CFR Part 41, as amend-

ed) is hereby amended to read as follows, effective August 3, 1962:

§ 41.53g Recurrent training.

(b) Each air carrier shall, as a part of the training program, check the competence of each crewmember and dispatcher each 12 months with respect to procedures, techniques, and information essential to the satisfactory performance of his duties. The competence check may be given at any time during the month preceding or following the month in which it becomes due. The effective date of the check, if given within the preceding or following month, shall be the same as if given within the month in which it became due. Where the check of the pilot in command or second in command requires actual flight, such check shall be considered to have been met by the checks accomplished in accordance with §§ 41.53j and 41.53k, respectively.

(Secs. 313(a), 601, 604; 72 Stat. 752, 775, 778; 49 U.S.C. 1354, 1421, 1424)

Issued in Washington, D.C., on July 30, 1962.

N. E. HALABY,
Administrator.

[F.R. Doc. 62-7671; Filed, Aug. 2, 1962; 8:45 a.m.]

[Reg. Docket No. 719; Amdt. 42-41]

PART 42—IRREGULAR AIR CARRIER AND OFF-ROUTE RULES

Extension of Period Allowed for Compliance With the Recurrent Training Requirements of Air Carrier Training Programs

Paragraph (b) of § 42.45f, Recurrent training, requires that each air carrier shall, at intervals established as part of the training program, but not to exceed 12 months, check the competence of each crewmember with respect to procedures, techniques, and information essential to the satisfactory performance of his duties.

The Federal Aviation Agency has received recommendations that the time interval between competence checks of crewmembers be specified in the same manner as in § 42.44a, which permits proficiency checks to be given in the month before or following the month in which they are due. Such flexibility will simplify recordkeeping and administration of the crewmember competence check requirements of § 42.45f in the same way that the proficiency check requirements have been simplified.

The FAA has considered the foregoing recommendations and believes that the requirements with respect to the frequency of crewmember competence checks should be amended to provide the flexibility recommended.

Civil Air Regulations Draft Release No. 61-7, dated April 14, 1961, subject "Qualification and Training Requirements for Pilots Other Than Pilots in

Command," proposed, among other matters, to amend Parts 40, 41, and 42 to permit the competence checks of crewmembers and dispatchers to be given at any time during the month preceding or following the month in which they become due.

No adverse comments were received with respect to this particular portion of Draft Release 61-7. Accordingly, since it will permit more efficient administration of air carrier training programs and will not adversely affect safety of the carriers' operations, it is being adopted at this time separately from the other proposals which were included in the draft release. The phrase "not to exceed 12 months" contained in the present regulations and in Draft Release No. 61-7 has been changed to "each 12 months" to make the wording consistent with that of revised Part 41 (27 F.R. 1977), which was circulated as Draft Release No. 60-19 (26 F.R. 12299) prior to its adoption. The remaining proposals and the comments received thereon are being evaluated by the Agency in conjunction with comments received in response to Draft Release 61-17, "Use of Aircraft Simulators for Pilot Training and Proficiency Checks," and Draft Release 62-9, "Approval of Air Carrier Training Programs."

Interested persons have been afforded an opportunity to participate in the making of this regulation (26 F.R. 3438), and due consideration has been given to all relevant matter presented. Since this regulatory action imposes no additional burden on any person, it may be made effective on less than 30 days' notice.

In consideration of the foregoing, § 42.45f(b) of Part 42 of the Civil Air Regulations (14 CFR Part 42, as amended) is hereby amended to read as follows, effective August 3, 1962:

§ 42.45f Recurrent training.

(b) Each air carrier shall, as a part of the training program, check the competence of each crewmember each 12 months with respect to procedures, techniques, and information essential to the satisfactory performance of his duties. The competence check may be given at any time during the month preceding or following the month in which it becomes due. The effective date of the check, if given within the preceding or following month, shall be the same as if given within the month in which it became due. Where the check of the pilot in command or second in command requires actual flight, such check shall be considered to have been met by the checks accomplished in accordance with §§ 42.44(a) (2) and 42.44(a) (3), respectively.

(Secs. 313(a), 601, 604; 72 Stat. 752, 775, 778; 49 U.S.C. 1354, 1421, 1424)

Issued in Washington, D.C., on July 30, 1962.

N. E. HALABY,
Administrator.

[F.R. Doc. 62-7672; Filed, Aug. 2, 1962; 8:45 a.m.]

Chapter III—Federal Aviation Agency

SUBCHAPTER C—AIRCRAFT REGULATIONS

[Reg. Docket No. 1311; Amdt. 472]

PART 507—AIRWORTHINESS DIRECTIVES

Vertol 107-2 Helicopters

Pursuant to the authority delegated to me by the Administrator (25 F.R. 6489), an airworthiness directive was adopted on July 20, 1962, and made effective immediately because of the safety emergency involved as to all known United States operators of Vertol Model 107-2 helicopters. The directive requires inspection of the rotor shaft assembly and replacement of any cracked parts, as well as replacement of the mixing gearbox collector gear.

Since it was found that immediate corrective action was required in the interest of safety, 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 Vertol Model 107-2 helicopters by individual telegrams dated July 20, 1962. These conditions still exist and the airworthiness directive is hereby published in the FEDERAL REGISTER as an amendment to § 507.10(a) of Part 507 (14 CFR Part 507), to make it effective as to all persons:

VERTOL. Applies to all Model 107-2 helicopters, Serial Numbers 2 and up. Compliance required as indicated.

As a result of fatigue cracks which have occurred in service on the aft rotor vertical drive shaft and a fatigue failure of the mixing gearbox collector gear during bench testing, accomplish the following:

(a)(1) Remove rotor blades, hub, rotor controls and slider guide. Inspect aft rotor shaft assembly P/N 107D3011 and forward rotor shaft assembly P/N 107D1210, for indications of cracks prior to the accumulation of 150 hours' time in service and reinspect thereafter at intervals not exceeding 25 hours' time in service.

(2) Penetrant inspect per MIL-I-6866 the entire circumference of each drive shaft below the spline section including the shoulder and relief undercut area. Shafts with crack indications shall be removed from service.

(3) Replace shafts with new shafts prior to the accumulation of 200 hours total time in service.

(b) At not more than 150 hours total time in service or 8 hours of gearbox cumulative single engine time, whichever occurs first, retire from service collector gear P/N 107D2066-4 (shot peened). If replacement gear is same part number, same retirement time applies. If improved design gear P/N 107D2066-10 is installed, the above retirement time does not apply. If P/N 107D2066-10 gear is installed change mixing gearbox P/N to 107D2003-10. Recording of accumulated single engine time is to be continued. (Vertol Service Bulletins Nos. 107-3 and 107-2 cover these same subjects.)

This amendment shall become effective upon publication in the FEDERAL REGISTER for all persons except those to whom it was made effective immediately by telegram dated July 20, 1962.

(Sec. 313(a), 601, 603; 72 Stat. 752, 775, 776; 49 U.S.C. 1354(a), 1421, 1423)

Issued in Washington, D.C., on July 30, 1962.

G. S. MOORE,
Acting Director,
Flight Standards Service.

[F.R. Doc. 62-7673; Filed, Aug. 2, 1962; 8:46 a.m.]

SUBCHAPTER E—AIR NAVIGATION REGULATIONS

[Airspace Docket No. 62-CE-48]

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

Alteration of Control Zone

The purpose of this amendment to § 601.2505 of the regulations of the Administrator is to alter the time of designation of the Oshkosh, Wis., control zone.

The effective hours of the Oshkosh control zone are from 0600 to 2200 hours local time, daily. Control tower service at the Oshkosh Airport is currently offered during these hours. A survey of the air traffic movements at the Oshkosh Airport by the Federal Aviation Agency has shown that considerably more activity is occurring between 2200 to 2300 hours than between 0600 to 0700 hours. A change in the hours of operation of the control tower from 0700 to 2300 hours local time, daily, in conformance with the periods of greatest airport activity would be in the best public interest. Therefore, action is taken herein to redesignate the effective hours of the Oshkosh control zone from 0700 to 2300 hours local time, daily.

Since this amendment is minor in nature, and imposes no additional burden on any person, notice and public procedure hereon are unnecessary and it may be made effective immediately.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 12582), the text of § 601.2505 (27 F.R. 3539, 5423) is amended to read: "Within a 5-mile radius of the Winnebago County Airport, Oshkosh, Wis. (latitude 43°59'20" N., longitude 88°33'15" W.), and within 2 miles either side of the Oshkosh VOR 176° radial extending from the 5-mile radius zone to 8 miles S of the VOR, from 0700 to 2300 hours local time, daily."

This amendment shall become effective upon the date of publication in the FEDERAL REGISTER.

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

Issued in Washington, D.C., on July 27, 1962.

W. THOMAS DEASON,
Assistant Chief,
Airspace Utilization Division.

[F.R. Doc. 62-7674; Filed, Aug. 2, 1962; 8:46 a.m.]

[Airspace Docket No. 62-EA-47]

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

Alteration of Control Zone and Control Area Extension

The purpose of these amendments to § 601.2375 and § 601.1147 of the regulations of the Administrator is to alter the description of the Islip, N.Y., control zone and the New York, N.Y., control area extension.

The Islip control zone and the New York control area extension (§ 601.1147) are designated, in part, with reference to the Hempstead, N.Y., radio range. The Federal Aviation Agency is proposing to decommission this facility as it is no longer required for air traffic control purposes. Therefore, action is taken herein to substitute, as a base reference point, the location of the Islip ILS outer marker for the Hempstead radio range in the description of the Islip control zone and substitute geographical coordinates for the intersection of the southeast course of the Newark, N.J., radio range and the southwest course of the Hempstead radio range in the description of the New York control area extension.

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

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

1. Section 601.2375 (14 CFR 601.2375) is amended to read:

§ 601.2375 Islip, N.Y., control zone.

Within a 5-mile radius of the McArthur Airport, Islip, N.Y. (latitude 40°47'50" N., longitude 73°06'00" W.), and within 2 miles either side of the Islip ILS localizer SW course extending from the 5-mile radius zone to 8.2 miles SW of the OM.

2. Section 601.1147 (14 CFR 601.1147) is amended to read:

§ 601.1147 Control area extension (New York, N.Y.).

That airspace within tangent lines drawn from the circumference of a circle 5-miles in radius centered at latitude 40°18'30" N., longitude 73°45'00" W., to the circumference of a circle 15 miles in radius centered at the INT of the Newark, N.J., RR SE course and the western boundary of the ICAO control area, excluding the portion below 2,000 feet except that airspace which lies within the confines of Federal airways.

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

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

Issued in Washington, D.C., on July 27, 1962.

W. THOMAS DEASON,
Assistant Chief,
Airspace Utilization Division.

[F.R. Doc. 62-7675; Filed, Aug. 2, 1962;
8:46 a.m.]

[Airspace Docket No. 62-WA-59]

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

Alteration of Amendment

On June 19, 1962, there were published in the FEDERAL REGISTER (27 F.R. 5759) amendments to Part 601 of the regulations of the Administrator which revoked some existing reporting points and redesignated the remaining reporting points under a single subpart.

Upon publication of the amendments, it was noted that Chanute, Kans., Oakland, Calif., and St. Johns, Ariz., were inadvertently listed as Chanute, Ill., Oakland, Fla., and St. John, Ariz. in the text of § 601.4101, Ardmore, Okla., Tucson, Ariz., and Wilmington, N.C., were listed as Ardmore, Tex., Tucson, Ariz., and Wilmington, Del. in the text of § 601.4102, and Coghlan Island, Alaska, RBN and Copper Intersection were listed as Coghland Island, Alaska, RBN and Cooper Intersection in the text of § 601.4301. In addition, high altitude reporting points for the Fort Worth Air Route Traffic Control Center area were omitted from § 601.4103. Therefore, action is taken herein to correct these errors.

Since these changes are editorial in nature and impose no additional burden on any person, the effective date of the rule as initially adopted may be retained.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 12582), effective immediately Airspace Docket No. 62-WA-59 (27 F.R. 5759) is modified as follows:

1. In the text of § 601.4101 (27 F.R. 5760) "Chanute, Ill.", "Oakland, Fla." and "St. John, Ariz." are deleted and "Chanute, Kans.", "Oakland, Calif." and "St. Johns, Ariz." are substituted therefor.

2. In the text of § 601.4102 (27 F.R. 5762) "Ardmore, Tex.", "Tucson, Ariz." and "Wilmington, Del." are deleted and "Ardmore, Okla.", "Tucson, Ariz." and "Wilmington, N.C." are substituted therefor.

3. In the text of § 601.4301 (27 F.R. 5765) "Cooper INT: The INT of the Homer, Alaska, 269° and the King Salmon, Alaska, 051° radials." and "Coghlan Island, Alaska, RBN." are deleted and "Copper INT: The INT of the Homer, Alaska, 269° and the King Salmon, Alaska, 051° radials." and "Coghlan Island, Alaska, RBN." are substituted therefor.

4. § 601.4103 (27 F.R. 5764) is amended by adding the following to the text:

Ablene, Tex.
Dallas, Tex.
Oklahoma City, Okla.
Shreveport, La.
Texarkana, Ark.
Waco, Tex.
Wichita Falls, Tex.

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

Issued in Washington, D.C., on July 27, 1962.

W. THOMAS DEASON,
Assistant Chief,
Airspace Utilization Division.

[F.R. Doc. 62-7676; Filed, Aug. 2, 1962;
8:46 a.m.]

Title 21—FOOD AND DRUGS

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

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

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

Ronnel; Addition to List of Cholinesterase-Inhibiting Compounds

No objections having been received on the proposal of the Commissioner of Food and Drugs published in the FEDERAL REGISTER of June 8, 1962 (27 F.R. 5438), with reference to adding ronnel to the list of cholinesterase-inhibiting compounds, and no request having been received for referral of the proposal to an advisory committee: *It is ordered*, That the regulations for tolerances for pesticide chemicals in or on raw agricultural commodities (21 CFR 120.3) be amended, as follows:

§ 120.3 [Amendment]

By adding in alphabetical order, to the list of cholinesterase-inhibiting compounds in paragraph (e)(5) of § 120.3 *Tolerances for related pesticide chemicals*, the item "Ronnel" immediately after the item "Parathion."

This action is taken pursuant to the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 408(e), 68 Stat. 514; 21 U.S.C. 346a(e)), and delegated to the Commissioner by the Secretary (25 F.R. 8625).

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

legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof. All documents shall be filed in quintuplicate.

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

(Sec. 408(e), 68 Stat. 514; 21 U.S.C. 346a(e))

Dated: July 30, 1962.

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

[F.R. Doc. 62-7699; Filed, Aug. 2, 1962;
8:53 a.m.]

PART 121—FOOD ADDITIVES

Subpart D—Food Additives Permitted in Food for Human Consumption

POLYSORBATE 80

The Commissioner of Food and Drugs, having evaluated the data submitted in a petition filed by the Dietene Company, Highway 100 at West Twenty-third Street, Minneapolis 16, Minnesota, and other relevant material, has concluded that the following amendments to § 121.1009 should issue with respect to the food additive polysorbate 80 as a solubilizing and dispersing agent of edible fats in special dietary foods. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (25 F.R. 8625), § 121.1009 of the food additive regulations (21 CFR 121.1009; 27 F.R. 1252) is amended by changing the section heading to delete the chemical name, and changing the words, "edible oils" to "edible fats and oils". As amended the affected portions of § 121.1009 read as follows:

§ 121.1009 Polysorbate 80.

(c) * * *

(6) In special dietary foods, as an emulsifier for edible fats and oils, with directions for use which provide for the ingestion of not more than 360 milligrams of polysorbate 80 per day.

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

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

(Sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. §48(c)(1))

Dated: July 27, 1962.

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

[F.R. Doc. 62-7697; Filed, Aug. 2, 1962;
8:52 a.m.]

Title 24—HOUSING AND HOUSING CREDIT

Subtitle A—Office of the Administrator,
Housing and Home Finance Agency

PART 3—SLUM CLEARANCE AND URBAN RENEWAL

Subpart B—Relocation Payments
Under Section 106(f) of the Housing
Act of 1949, as Amended

MISCELLANEOUS AMENDMENTS

The regulations governing the making of relocation payments under section 106(f) of the Housing Act of 1949, as amended, 42 U.S.C. 1456, prescribed pursuant to that section, as of June 27, 1961 (26 F.R. 5712, June 27, 1961), as amended (26 F.R. 7826, August 23, 1961), are hereby further amended in the following respects:

1. Section 3.105 is amended by adding at the end thereof the following paragraph (e):

(e) *Notice of intention to move.* Except as provided below, no relocation payment shall be made to a business concern unless the LPA has received, at least 30 days but not earlier than 90 days prior to the moving date, written notice from the business concern of its intention to move the property designated generally therein and the date of such intended move, and the business concern has permitted, at all reasonable times, the inspection by or on behalf of the LPA of all such property at the site from which it was removed. For the purpose of this paragraph (e), "moving date" shall mean the date on which the first item of such property is intended to be moved. The LPA may make a relocation payment notwithstanding nonreceipt of such timely notice only if the LPA has determined that there was reasonable cause for the failure of the business concern to give such notice; the LPA has adequately verified the facts pertaining to the move and the requested relocation payment; and (3) HHFA has concurred in such payment.

2. Section 3.110(b) is amended to read as follows:

(b) *Maximum amount—business concerns.* The maximum relocation payment to a business concern, whether for moving expenses or actual direct losses of property, or both, for which reimbursement or compensation is not otherwise made, shall not exceed \$2,000 with respect to moving expenses incurred or

direct losses of property suffered prior to July 12, 1957, or \$2,500 with respect to moving expenses incurred or direct losses of property suffered between July 12, 1957, and September 22, 1959, both dates inclusive, or \$3,000 with respect to moving expenses incurred or direct losses of property suffered on or after September 23, 1959. If the total of the actual moving expenses incurred on or after June 30, 1961, and prior to October 2, 1962, is greater than \$3,000, the maximum relocation payment to a business concern, for which reimbursement or compensation is not otherwise made, shall be the total of such actual moving expenses. If the total of the actual moving expenses incurred on or after October 2, 1962, is greater than \$3,000, the maximum relocation payment to a business concern, for which reimbursement or compensation is not otherwise made, shall be the total of such actual moving expenses or \$25,000, whichever is less.

3. Section 3.110 is amended by adding at the end thereof the following paragraph (d):

(d) *Approval by HHFA—business concerns.* No relocation payment in excess of \$10,000 shall be made without approval by HHFA.

Effective as of the 2d day of October 1962.

WILLIAM L. SLAYTON,
Urban Renewal Commissioner.

[F.R. Doc. 62-7705; Filed, Aug. 2, 1962;
8:54 a.m.]

Title 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans Administration PART 3—ADJUDICATION

Subpart A—Pension, Compensation, and Dependency and Indemnity Compensation

MISCELLANEOUS AMENDMENTS

1. Section 3.551 is revised to read as follows:

§ 3.551 Reduction because of hospitalization.

(a) *General.* Pension, compensation or retirement pay in excess of \$30 monthly is subject to reduction when a veteran who has neither wife, child nor dependent parent is hospitalized, unless the veteran is hospitalized for Hansen's disease. The provisions of this section apply to initial periods of hospitalization and to readmissions following discharge from a prior period of hospitalization. If the veteran is hospitalized for observation and examination, the date treatment began is considered the date of admission. Special rules governing discontinuance of aid and attendance allowance are contained in § 3.552 and for discontinuance of awards for incompetent veterans in § 3.557. The term "hospitalized" in § 3.551 through § 3.556 means:

(1) Hospital treatment in a Veterans Administration hospital or in any hospital at Veterans Administration expense.

(2) Institutional or domiciliary care in a Veterans Administration institution or domiciliary or at Veterans Administration expense.

(b) *Reduction after 6 months.* Pension (except as provided in paragraph (c) of this section, compensation or retirement pay in excess of \$30 monthly for a veteran who has neither wife, child nor dependent parent shall continue at the full monthly rate until the end of the sixth calendar month following the month of admission for hospitalization. The rate payable will be reduced effective the first of the seventh calendar month to \$30 monthly or 50 percent of the amount otherwise payable, whichever is greater. Payment of the amount withheld may be made on termination of hospitalization, as provided in § 3.556. (38 U.S.C. 3203(a)(1))

(c) *Reduction after 2 months.* Where pension is being paid to a veteran under 38 U.S.C. 521 or to a Spanish-American War veteran or an Indian War veteran who was not receiving pension for June 30, 1960, or who elected pension as prescribed by 38 U.S.C. 521 pursuant to 38 U.S.C. 511(c) or 512(a)(3), the pension shall continue at the full monthly rate until the end of the second calendar month (except as provided in paragraph (d) of this section) following the month of admission for hospitalization. The rate payable will be reduced effective the first of the third calendar month to \$30 monthly. Where the veteran has been discharged from a period of hospitalization of not less than 2 full calendar months, the award will be reduced effective the date of readmission. The amount not paid to the veteran may be apportioned for a wife, child or children, as provided in § 3.454(b). (38 U.S.C. 3203(d))

(d) *Computation of period.* In computing the period of hospitalization prior to reduction under paragraph (c) of this section, the period will be extended by reason of time spent on leave, regularly authorized furlough or trial visit, regardless of length after the month of admission. Absence on pass is included as part of the period of hospitalization. For the purposes of paragraph (c) of this section, the veteran will be considered to have been hospitalized for 2 calendar months when he has received a total of 60 days of treatment or care, exclusive of specified absences.

(e) *Readmission.*—(1) *Approved discharge.* Where a veteran has been given an approved discharge or release, readmission the next day to the same or any other Veterans Administration institution begins a new period of hospitalization, except where the veteran was released for purposes of admission to another Veterans Administration institution.

(2) *Unapproved discharge.* When a veteran subject to reduction under paragraph (b) of this section has been discharged or released from a hospital against medical advice or as the result of disciplinary action, reentry within 6

months from the date of prior admission, constitutes a continuation of that period of hospitalization. If such a veteran is readmitted and 6 months or more have elapsed from date of his original admission, his award will be reduced as of the date of readmission. If less than 6 months have elapsed from date of his original admission reduction will not be prior to the first day of the seventh calendar month following the month of his original admission, exclusive of furloughs.

(f) *Proof of dependents.* The veteran will be considered to have neither wife, child nor dependent parent in the absence of satisfactory proof.

(1) For the purposes of paragraph (b) of this section, statements contained in the claims folder concerning the existence of such dependents will be considered a prima facie showing. If the necessary evidence is not received within 60 days after the date of request, the veteran's award will be reduced on the basis of no dependents. The full rate may be authorized from the date of reduction if the necessary evidence is received within 1 year after the date of request.

(2) For the purposes of paragraph (c) of this section, if proof of the existence of a wife or child is not of record apportionment will not be authorized. If the evidence necessary to establish entitlement is received within 1 year after the date of request, the apportioned share may be authorized effective the day following reduction of the veteran's pension.

2. Following § 3.551, a new cross reference is added and one deleted so that the cross references read as follows:

CROSS REFERENCES: Time limits. See § 3.109. Effective dates. See § 3.400(e)(2). Reductions and discontinuances; general. See § 3.500. Incompetents; hospitalized. See § 3.557. Incompetents; resumption. See § 3.558.

3. In § 3.552, paragraph (a), the introductory portion of paragraph (b) preceding subparagraph (1), and paragraphs (d), (h), and (i) are amended to read as follows:

§ 3.552 Adjustment of allowance for regular aid and attendance.

(a) The additional aid and attendance allowance authorized by 38 U.S.C. 314(r) is not payable for any period when the veteran is hospitalized at United States Government expense.

(b) Except as provided in subparagraph (1) of this paragraph, when a veteran is hospitalized, additional pension or increased compensation for regular aid and attendance is not payable. Additional compensation for dependents allowed under § 3.4(b)(2) (38 U.S.C. 315, 335) is payable during hospitalization in addition to the rates authorized by this section. The rates specified will also be increased by amounts authorized by 38 U.S.C. 314(k) based on independently ratable disability, subject to the statutory ceiling on the total amount of compensation payable (\$450 or \$360).

(d) Where entitlement by reason of need for regular aid and attendance is the basis of the monthly rate under 38

U.S.C. 314(1) or the peacetime rate the award will be reduced to the rate payable under 38 U.S.C. 314(s), unless there is entitlement under 38 U.S.C. 314(k). In the latter cases, the basic rate payable is \$272 (or \$218). (38 U.S.C. 314(s))

(h) If, because of blindness, a veteran requires regular aid and attendance, but has better vision than "light perception only" his award under 38 U.S.C. 314(m) (\$359 or \$287) will be reduced while hospitalized to the rate payable under 38 U.S.C. 314(1) (\$309 or \$247).

(i) If the disability meets the requirements of 38 U.S.C. 314(1) the intermediate or next higher rate may be assigned for disability independently ratable at 50 percent or 100 percent. An award based on such entitlement will be reduced to the amount payable under 38 U.S.C. 314(s), unless there is entitlement under 38 U.S.C. 314(k). In the latter cases, the basic rate payable is \$272 (or \$218). (38 U.S.C. 314(s))

4. Section 3.556 is revised to read as follows:

§ 3.556 Adjustment on discharge or release.

(a) *Temporary absence—30 days.* Where a competent veteran whose award was reduced under § 3.551(b) is placed on trial visit status or other authorized absence of 30 days or more, the full monthly rate, excluding any allowance for regular aid and attendance, will be restored effective the date of reduction. The full monthly rate for an incompetent veteran, or for a competent veteran whose pension was reduced under § 3.551(c), will be restored effective the date of departure from the hospital. In all instances, any allowance for regular aid and attendance will be restored effective the date of departure from the hospital. The award will again be reduced, if in order, effective the date of the veteran's return to the hospital. Apportioned awards authorized by § 3.551(c) will be discontinued for the period the full rate is payable to the veteran.

(b) *Temporary absence—less than 30 days.* A temporary absence of less than 30 days, including the day of departure, will not require adjustment of the award. This includes furlough, trial visit or similar approved absence. Any allowance for regular aid and attendance for such periods will be authorized after the veteran has been discharged from the hospital.

(c) *Adjustment based on need.* Where an award of pension was reduced under § 3.551(c), the full rate covering absences of less than 30 days may be restored, subject to prior payments, prior to discharge from hospitalization at the request of the Director of the hospital, center or domiciliary, where this action is necessary to meet the veteran's financial needs, if he has been hospitalized for more than 6 months and the periods of absence exceed a total of 30 days.

(d) *Unapproved discharge.* When a competent veteran is given a disciplinary discharge or is discharged against medical advice, the full rate will be restored effective the date of release from the

hospital. Payment of any amount withheld under § 3.551(b) will not be authorized until the expiration of 6 months after termination of hospitalization unless the prior release is changed to an approved release. However, amounts not paid under paragraph (c) of this section covering absences of less than 30 days where the award was reduced under § 3.551(c) will be authorized immediately.

(e) *Approved discharge.* When a veteran, either competent or incompetent, is given an approved discharge or release, the full rate, including any allowance for regular aid and attendance will be restored effective the date of release from the hospital, subject to prior payments. The award will be based on the most recent rating and, where the award was reduced under § 3.551(b), will include, in the case of a competent veteran, any amounts withheld because of hospitalization. The amount withheld for an incompetent veteran will not be authorized until the expiration of 6 months following a rating of competency by the Veterans Administration or 6 months following removal of legal disability, whichever is later. Any institutional award will be discontinued effective date of last payment, as provided in § 3.501(f). Where an apportionment was made under § 3.551(c), the apportionment will be discontinued effective the day preceding the date of the veteran's release from the hospital, unless an overpayment would result. In the excepted cases, the awards to the veteran and apportionee will be adjusted as of date of last payment.

(f) *Types of discharges.* A discharge or release is considered as approved if it is granted because of completion of bed occupancy care or having received maximum hospital benefit. A disciplinary discharge in lieu of an enforced furlough or for other reasons and a discharge against medical advice are considered unapproved.

5. Following § 3.556, the cross reference "Release from hospital. See § 3.668" is deleted.

6. In § 3.557, paragraphs (b) and (d) are amended to read as follows:

§ 3.557 Incompetents; estate over \$1,500 and hospitalized.

(b) Effective December 1, 1959, where a veteran:

(1) Is rated incompetent by the Veterans Administration by reason of mental illness, and

(2) Has neither wife nor child, and

(3) Is hospitalized by the United States or any political subdivision, with or without charge, and

(4) Has an estate, derived from any source, which equals or exceeds \$1,500,

further payments of pension, compensation or emergency officers' retirement pay will not be made, except as provided in paragraph (d) of this section, until the estate is reduced to \$500. If the veteran is hospitalized for observation and examination, the date treatment began is considered the date of admission.

(d) (1) Payment of pension, compensation or emergency officers' retirement pay to a veteran subject to the provisions of paragraph (b) of this section will be discontinued November 30, 1959, or the end of the month, whichever is later, in which evidence is received showing that the veteran does not have a wife or child and that his estate equals or exceeds \$1,500. All or any part of the benefit not paid to the veteran may be apportioned for his dependent parents on the basis of need as determined by the Chief Attorney. If the veteran is not hospitalized by the Veterans Administration there may be paid out of any remaining amounts so much of the pension, compensation or emergency officers' retirement pay as equals the amount charged to the veteran for his current care and maintenance in the institution in which treatment or care is furnished him, but not more than the amount determined to be the proper charge.

(2) For the purposes of this section and § 3.558 date of receipt of evidence that the estate is \$1,500 or more, or is reduced to \$500, means the first date such evidence was received in any office of the Veterans Administration. (38 U.S.C. 3203(b) (2), (3))

7. Following § 3.557, four new cross references are added so that the revised cross references read as follows:

CROSS REFERENCES: Veterans disability pension. See § 3.454(c). Reductions and discontinuances; general. See § 3.500. Reductions and discontinuances; veterans. See § 3.501. Amounts withheld or not paid incompetent veteran. See § 3.1007. Estate \$1,500. See § 13.108 of this chapter. Report of income and assets. See § 13.109 of this chapter.

8. Section 3.558 is revised to read as follows:

§ 3.558 Resumption; incompetents \$1,500 estate cases.

(a) Where payment has been discontinued by reason of § 3.557(b), it will not be resumed during hospitalization except as provided in paragraph (b) of this section until proper notice has been received showing the estate is reduced to \$500 or less. Payments will not be made for any period prior to the first day of the month in which the notice is received.

(b) Payments for the veteran will be resumed and apportionment awards discontinued under the applicable provisions of § 3.556 (a), (d), and (e) upon authorized leave from the hospital for 30 days or more or an authorized or unau-

thorized discharge or release. Care and maintenance payments to an institution will not be made for any period the veteran is not receiving such care and maintenance.

(c) Any amount not paid because of the provisions of § 3.557 will be awarded 6 months following a rating of competency by the Veterans Administration or 6 months following removal of legal disability, whichever is later. (38 U.S.C. 3203(b) (2), (3))

9. Following § 3.558, the cross reference "Release from hospital. See § 3.668" is deleted.

10. Section 3.668 is revoked.

§ 3.668 Release from hospital. [Revoked]

11. Immediately following § 3.668, the cross reference "Adjustment on discharge or release. See § 3.556" is deleted. (72 Stat. 1114; 38 U.S.C. 210)

These regulations are effective August 3, 1962.

[SEAL]

W. J. DRIVER,
Deputy Administrator.

[F.R. Doc. 62-7707; Filed, Aug. 2, 1962; 8:54 a.m.]

Proposed Rule Making

DEPARTMENT OF LABOR

Wage and Hour Division

[29 CFR Parts 613, 687, 699]

[Administrative Order No. 564]

INDUSTRY COMMITTEES FOR VARIOUS INDUSTRIES IN PUERTO RICO

Appointment to Investigate Conditions and Recommend Minimum Wages; Notice of Hearings

Pursuant to section 5 of the Fair Labor Standards Act of 1938 (29 U.S.C. 205), Reorganization Plan No. 6 of 1950 (3 CFR 1949-53 Comp., p. 1004), and 29 CFR Part 511, I hereby appoint Industry Committee No. 54-A for the Textile and Textile Products Industry in Puerto Rico; Industry Committee No. 54-B for the Hosiery Industry in Puerto Rico; and Industry Committee No. 54-C for the Straw, Hair, and Related Products Industry in Puerto Rico.

The definitions of the industries for which industry committees are appointed by this order are set forth below.

The Textile and Textile Products Industry in Puerto Rico is defined as:

The preparation of textile fibers, including the ginning and compressing of cotton; the manufacture of batting, wadding, and filling; the manufacture, including dyeing and finishing of yarn, cordage, twine, felt, woven and knitted fabrics, and lace-machine products, from cotton, jute, sisal, coir, maguay, silk, rayon, nylon, wool or other vegetable, animal, or synthetic fiber, or from mixtures of these fibers; and the manufacture of blankets, textile bags, mattresses, quilts, pillows, hairnets, oilcloth and artificial leather containing a textile base, woven carpets and rugs, and hooked or punched rugs and carpeting: *Provided, however*, That the industry shall not include the chemical manufacturing of synthetic fiber and such related processing of yarn as is conducted in establishments manufacturing synthetic fiber; and *Provided, further*, That the industry shall not include any of the activities defined and described in 29 CFR, Parts 699.2(a) and 699.2(g).

The Hosiery Industry in Puerto Rico is defined as:

The manufacture and processing of full-fashioned and seamless hosiery, including, among other processes, the knitting, seaming, looping, dyeing, clocking, and all phases of finishing hosiery, but not including the manufacture or processing of yarn or thread.

The Straw, Hair, and Related Products Industry in Puerto Rico is defined as:

The manufacture of products made wholly or chiefly of straw, raffia, sisal, maguay, palm leaves, rushes, grasses, hair, hair bristles, feathers, and similar

materials: *Provided, however*, That the industry shall not cover products or activities included in the artificial flower, decoration, and party favor industry (29 CFR Part 688), the button, jewelry, and lapidary work industry (29 CFR Part 616), the children's dress and related products industry (29 CFR Part 610), the men's and boys' clothing and related products industry (29 CFR Part 615), the shoe and related products industry (29 CFR Part 601), or the textile and textile products industry (29 CFR Part 699).

Pursuant to section 8 of the Fair Labor Standards Act of 1938 (29 U.S.C. 208), Reorganization Plan No. 6 of 1950 (3 CFR 1949-53 Comp., p. 1004), and 29 CFR Part 511, I hereby:

(a) Convene each of the above-appointed industry committees;

(b) Refer to each of these industry committees the following: (1) The question of the minimum rate or rates of wages to be fixed for the industry with which it is concerned for employees who are engaged in commerce or in the production of goods for commerce, and (2) the question of the minimum rate or rates of wages to be fixed for any employees covered by the Act by reason of the Fair Labor Standards Amendments of 1961;

(c) Give notice of the hearing to be held by each of them at the times and places indicated below. Each industry committee shall investigate conditions in its industry, and each industry committee, or any authorized subcommittee thereof, shall hear such witnesses and receive such evidence as may be necessary or appropriate to enable the committee to perform its duties and functions under the aforementioned Act.

Industry Committee No. 54-A shall meet in executive session to commence its investigation at 10:00 a.m. on September 10, 1962, in the office of the Wage and Hour and Public Contracts Divisions, United States Department of Labor, seventh floor, Condominio San Alberto Building, 1200 Ponce de Leon Avenue, Santurce, Puerto Rico, and shall commence its hearing at 2:00 p.m. on the same date at the same place. Following this hearing Industry Committees Nos. 54-B and 54-C shall meet *seriatim* at the same place at hours designated by the committee chairmen to conduct their investigation and to hold their hearings.

Each industry committee shall recommend to the Administrator of the Wage and Hour and Public Contracts Divisions of this Department the highest minimum wage rates (in the case of question (1) referred to the committee, not exceeding the minimum wage rate of \$1.15 prescribed in paragraph (1) of section 6(a) of the Act, and in the case of question (2) referred to the committee, not exceeding the minimum wage rate of \$1.00 prescribed in section 6(b) of the Act) which it determines, having due

regard to economic and competitive conditions, will not substantially curtail employment in the industry and will not give any industry in Puerto Rico a competitive advantage over any industry in the United States outside of Puerto Rico, the Virgin Islands and American Samoa.

Whenever any industry committee finds that a higher minimum wage may be determined for employees engaged in certain activities or in the manufacture of certain products in an industry than may be determined for other employees in that industry, the committee shall recommend such reasonable classifications within that industry as it determines to be necessary for the purpose of fixing for each classification the highest minimum wage rate that can be determined for it under the principles set forth herein which will not give a competitive advantage to any group in the industry. No classification shall be made, however, and no minimum wage rate shall be fixed solely on a regional basis or on the basis of age or sex. In determining whether there should be classifications within an industry, in making such classifications, and in determining the minimum wage rates for such classifications, each industry committee shall consider, among other relevant factors, the following: (1) Competitive conditions as affected by transportation, living, and production costs; (2) wages established for work of like or comparable character by collective labor agreements negotiated between employers and employees by representatives of their own choosing; and (3) wages paid for work of like or comparable character by employers who voluntarily maintain minimum wage standards in the industry.

The Administrator shall prepare an economic report for the industry committee containing such data as he is able to assemble pertinent to the matters referred to the committees. Copies of each such report may be obtained at the national and Puerto Rican offices of the United States Department of Labor as soon as they are completed and prior to the hearings. Each industry committee shall take official notice of the facts stated in the economic report to the extent that they are not refuted at the hearings.

The procedure of industry committees shall be governed by 29 CFR, Part 511. As a prerequisite to participation in the hearings, interested persons shall file prehearing statements containing the data specified in 29 CFR 511.8 not later than September 1, 1962.

Signed at Washington, D.C., this 27th day of July 1962.

ARTHUR J. GOLDBERG,
Secretary of Labor.

[F.R. Doc. 62-7681; Filed, Aug. 2, 1962; 8:48 a.m.]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 948]

IRISH POTATOES GROWN IN
COLORADO—AREA NO. 3Notice of Proposed Expenses and
Rate of Assessment

Notice is hereby given that the Secretary of Agriculture is considering the approval of the expenses and rate of assessment hereinafter set forth which were recommended by the area committee for Area No. 3 established pursuant to Marketing Agreement No. 97, as amended, and Order No. 948, as amended (7 CFR Part 948), regulating the handling of Irish potatoes grown in the State of Colorado and issued under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674).

Consideration will be given to any data, views, or arguments pertaining thereto which are filed with the Director, Fruit and Vegetable Division, Agricultural Marketing Service, United States Department of Agriculture, Washington 25, D.C., not later than 15 days following publication of this notice in the FEDERAL REGISTER. The proposals are as follows:

§ 948.239 Expenses and rate of assessment.

(a) The reasonable expenses that are likely to be incurred by the area committee for Area No. 3, established pursuant to Marketing Agreement No. 97 and Order No. 948, both as amended, to enable such committee to perform its functions pursuant to the provisions of aforesaid amended agreement and order during the fiscal period ending May 31, 1963, will amount to \$3,125.00.

(b) The rate of assessment to be paid by each handler in Area No. 3 pursuant to Marketing Agreement No. 97 and Order No. 948, both as amended, shall be \$0.00125 per hundredweight of potatoes handled by him as the first handler thereof during said fiscal period.

(c) Terms used in this section shall have the same meaning as when used in Marketing Agreement No. 97, as amended, and this part.

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

Dated: July 31, 1962.

FLOYD F. HEDLUND,
Director, Fruit and Vegetable
Division, Agricultural Mar-
keting Service.

[F.R. Doc. 62-7713; Filed, Aug. 2, 1962;
8:55 a.m.]

[7 CFR Part 958]

ONIONS GROWN IN CERTAIN DESIG-
NATED COUNTIES IN IDAHO AND
MALHEUR COUNTY, OREGONNotice of Proposed Expenses and
Rate of Assessment

Notice is hereby given that the Secretary of Agriculture is considering the

approval of the expenses and rate of assessment hereinafter set forth, which were recommended by the Idaho-Eastern Oregon Onion Committee, established pursuant to the Marketing Agreement No. 130 and Marketing Order No. 958 (7 CFR Part 958).

This marketing program regulates the handling of onions grown in designated counties in Idaho and Malheur County, Oregon, and is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674).

Consideration will be given to any data, views, or arguments pertaining thereto which are filed with the Director, Fruit and Vegetable Division, Agricultural Marketing Service, United States Department of Agriculture, Washington 25, D.C., not later than 15 days following publication of this notice in the FEDERAL REGISTER.

The proposals are as follows:

§ 958.206 Expenses and rate of assessment.

(a) The reasonable expenses that are likely to be incurred by the Idaho-Eastern Oregon Onion Committee, established pursuant to the Marketing Agreement No. 130 and Order No. 958, to enable such committee to perform its functions, pursuant to provisions of the aforesaid marketing agreement and order, during the fiscal period beginning July 1, 1962, and ending June 30, 1963, will amount to \$4,991.00.

(b) The rate of assessment to be paid by each handler shall be three-tenths of one cent (\$0.003) per hundredweight of onions handled by him as the first handler thereof during said fiscal period.

(c) Terms used in this section shall have the same meaning as when used in the said marketing agreement and order.

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

Dated: July 31, 1962.

FLOYD F. HEDLUND,
Director, Fruit and Vegetable
Division, Agricultural Mar-
keting Service.

[F.R. Doc. 62-7714; Filed, Aug. 2, 1962;
8:56 a.m.]

DEPARTMENT OF HEALTH, EDU-
CATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 121]

FOOD ADDITIVES

Notice of Filing of Petition

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 867) has been filed by Hercules Powder Company, Inc., 910 Market Street, Wilmington 99, Delaware, proposing the issuance of a regulation to provide for the safe use of the polymer of bis(chloromethyl) oxetane as an article or component of articles intended for use in producing, manufacturing, pack-

ing, processing, preparing, treating, packaging, transporting, or holding food.

Dated: July 27 1962.

J. K. KIRK,
Assistant Commissioner
of Food and Drugs.

[F.R. Doc. 62-7689; Filed, Aug. 2, 1962;
8:49 a.m.]

[21 CFR Part 121]

FOOD ADDITIVES

Notice of Filing of Petition

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 866) has been filed by Food Machinery and Chemical Corporation, 161 East Forty-second Street, New York 17, New York, proposing the amendment of paragraph (b)(3)(viii)(a) of § 121.2514 *Resinous and polymeric coatings* by adding thereto the new item "Epoxy polybutadiene."

Dated: July 27, 1962.

J. K. KIRK,
Assistant Commissioner
of Food and Drugs.

[F.R. Doc. 62-7690; Filed, Aug. 2, 1962;
8:50 a.m.]

[21 CFR Part 121]

FOOD ADDITIVES

Notice of Filing of Petition

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 876) has been filed by Hercules Powder Company, Inc., 910 Market Street, Wilmington 99, Delaware, proposing the amendment of § 121.2506 *Industrial starch-modified* to provide for the use of industrial starch modified by treatment with not more than 3.0 percent propylene oxide and 4.0 percent beta-diethylamino-ethylchloride hydrochloride, individually or in combination.

Dated: July 27, 1962.

J. K. KIRK,
Assistant Commissioner
of Food and Drugs.

[F.R. Doc. 62-7691; Filed, Aug. 2, 1962;
8:50 a.m.]

[21 CFR Part 121]

FOOD ADDITIVES

Notice of Filing of Petition

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 856) has been filed by Rohm and Haas Company, Washington Square, Philadelphia 5, Pennsylvania, proposing the issuance of a regulation to provide for the safe use of the following substances as components of emulsion coat-

ings for paper and paperboard intended for use in food packaging and processing:

Copolymers of the following monomers:
Acrylic acid and its methyl, ethyl, and butyl esters.
Itaconic acid.
Methacrylic acid and its methyl and ethyl esters.
Vinyl acetate.
Vinylidene chloride.
Ammonium persulfate.
tert-Butyl hydroperoxide.
p-tert-Octylphenoxypolyethoxyethanol (40 mols ethylene oxide).
Sodium lauryl sulfate.

Dated: July 27, 1962.

J. K. KIRK,
Assistant Commissioner
of Food and Drugs.

[F.R. Doc. 62-7692; Filed, Aug. 2, 1962;
8:50 a.m.]

[21 CFR Part 121]

FOOD ADDITIVES

Notice of Filing of Petition

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 865) has been filed by Norden Laboratories, Inc., Lincoln 1, Nebraska, proposing the issuance of a regulation to provide for the safe use of virginiamycin in oil for the treatment of mastitis in milk-producing animals.

Dated: July 27, 1962.

J. K. KIRK,
Assistant Commissioner
of Food and Drugs.

[F.R. Doc. 62-7693; Filed, Aug. 2, 1962;
8:50 a.m.]

[21 CFR Part 121]

FOOD ADDITIVES

Notice of Filing of Petition

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 871) has been filed by Dawe's Laboratories, Inc. 4800 South Richmond Street, Chicago 32, Illinois, proposing the issuance of a regulation to provide for the safe use of choline xanthate as a source of choline in poultry feeds.

Dated: July 27, 1962.

J. K. KIRK,
Assistant Commissioner
of Food and Drugs.

[F.R. Doc. 62-7694; Filed, Aug. 2, 1962;
8:51 a.m.]

[21 CFR Part 121]

FOOD ADDITIVES

Notice of Filing of Petition

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 893) has been filed by Merck

Chemical Division, Merck and Company, Inc., Rahway, New Jersey, proposing the amendment of § 121.210 of the food additive regulations to permit the use of from 10 grams to 50 grams of chlortetracycline per ton of amprolium-medicated chicken and turkey feeds for growth promotion.

Dated: July 27, 1962.

J. K. KIRK,
Assistant Commissioner
of Food and Drugs.

[F.R. Doc. 62-7695; Filed, Aug. 2, 1962;
8:51 a.m.]

[21 CFR Part 121]

FOOD ADDITIVES

Notice of Filing of Petition

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 875) has been filed by General Electric Company, Silicone Products Department, Waterford, New York, proposing the amendment of § 121.2514 *Resinous and polymeric coatings* to provide for the use of tin oleate and dibutyltin dilaurate as catalysts for curing the silicone polymers described under § 121.2514(b)(3) (xxviii).

Dated: July 27, 1962.

J. K. KIRK,
Assistant Commissioner
of Food and Drugs.

[F.R. Doc. 62-7696; Filed, Aug. 2, 1962;
8:51 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Part 507]

[Reg. Docket No. 1318]

CANADAIR MODEL CL-44D4 AIRCRAFT

Proposed Airworthiness Directive

Pursuant to the authority delegated to me by the Administrator (14 CFR Part 405), notice is hereby given that the Federal Aviation Agency has under consideration a proposal to amend Part 507 of the regulations of the Administrator to include an airworthiness directive requiring installation of a high pressure turbine bearing scavenge oil temperature indicating system in Canadair CL-44D4 aircraft incorporating Rolls Royce Tyne engines. This will permit detection of reductions in oil flow before failure of the high pressure turbine bearing.

Interested persons may participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should be submitted in duplicate to the Docket Section of the Federal Aviation Agency, Room A-103, 1711 New York Avenue NW., Washington, 25, D.C. All communications received on or before Sept. 4, 1962, will be considered by the Administrator before taking action on the proposed rule. The proposals contained in this notice may be changed in

light of comments received. All comments submitted will be available in the Docket Section for examination by interested persons at any time. This proposal will not be given further distribution as a draft release.

This amendment is proposed under the authority of sections 313(a), 601, and 603 of the Federal Aviation Act of 1958 (72 Stat. 752, 775, 776; 49 U.S.C. 1354(a), 1421, 1423).

In consideration of the foregoing, it is proposed to amend § 507.10(a) of Part 507 (14 CFR Part 507), by adding the following airworthiness directive:

CANADAIR. Applies to all Model CL-44D4 aircraft equipped with Rolls Royce Tyne engines.

Compliance required within the next 350 hours' time in service after the effective date of this AD.

To preclude bearing failure resulting from sludge deposited in oil ways which feed the high pressure turbine bearing, accomplish the following:

(a) Install high pressure turbine bearing scavenge oil temperature indicating system in accordance with Rolls Royce Modification 959 (Service Bulletin Ty 72-384) and Canadair Service Information Circular No. 216-CL44D4.

(b) If the oil flow through the scavenge line has not been checked within 100 hours prior to the installation of the temperature indicating system specified in (a), check the oil flow in accordance with the procedures outlined in sections 2A and 2B of Rolls Royce Alert Service Bulletin No. A-Ty 79-15 at the time the temperature indicating system is installed.

(c) Appropriate changes to the airplane flight manual shall be made covering the applicable provisions of section 2D of Service Bulletin A-Ty 79-15 regarding feathering of an engine if the turbine bearing scavenge oil corrected temperature exceeds 180° C. during cruise.

(d) When the oil temperature indicating system is installed per paragraph (a) the inspections required in AD 62-9-2 as amended, may be discontinued.

Issued in Washington, D.C., on July 27, 1962.

G. S. MOORE,
Acting Director,
Flight Standards Service.

[F.R. Doc. 62-7668; Filed, Aug. 2, 1962;
8:45 a.m.]

[14 CFR Part 507]

[Reg. Docket No. 1319]

BOEING MODELS 707 AND 720 SERIES AIRCRAFT

Proposed Airworthiness Directive

Pursuant to the authority delegated to me by the Administrator (14 CFR Part 405), notice is hereby given that the Federal Aviation Agency has under consideration a proposal to amend Part 507 of the regulations of the Administrator to include an airworthiness directive requiring modification of the flight control systems of Boeing Models 707 and 720 Series aircraft.

Interested persons may participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should be submitted in duplicate to the Docket Section of the

Federal Aviation Agency, Room A-103, 1711 New York Avenue NW., Washington 25, D.C. All communications received on or before September 4, 1962, will be considered by the Administrator before taking action on the proposed rule. The proposals contained in this notice may be changed in light of comments received. All comments submitted will be available in the Docket Section for examination by interested persons at any time. This proposal will not be given further distribution as a draft release.

This amendment is proposed under the authority of sections 313(a), 601, and 603 of the Federal Aviation Act of 1958 (72 Stat. 752, 775, 776; 49 U.S.C. 1354(a), 1421, 1423).

In consideration of the foregoing, it is proposed to amend § 507.10(a) of Part 507 (14 CFR Part 507), by adding the following airworthiness directive:

BOEING. Applies to Models 707 and 720 Series aircraft.

Compliance with certain service bulletins pertaining to the Model 707 and Model 720 flight control systems is considered necessary to provide for the continuing safety and reliability of operation of those aircraft models. Accordingly, the aircraft models listed below shall be inspected and/or modified within the compliance times and in accordance either with the service bulletins as indicated or with equivalent methods approved by the Chief, Engineering and Manufacturing Branch, FAA Western Region. Aircraft modified in accordance with later FAA approved revisions of the service bulletins listed below will be considered to have complied with the appropriate provisions of this AD.

(a) Compliance required within the next 400 hours' time in service following the effective date of this AD:

Modification	Model	Service Bulletin No.
1. Stabilizer trim actuator auxiliary brake retaining nut.....	707 and 720	984

(b) Compliance required within the next 650 hours' time in service following the effective date of this AD:

Modification	Model	Service Bulletin No.
1. Rudder pedal pushrod attachment.....	707	337
2. Inboard aileron tab nose weight attaching screws.....	707	860
3. Spoiler and emergency flap switch placard installation.....	707 and 720	1182A

¹ Placard arrangement per BAC Drawing No. 10 6024-621 (Type I) is an approved equivalent.

(c) Compliance required within the next 2,700 hours' time in service following the effective date of this AD:

Modification	Model	Service Bulletin No.
1. Bearing retainer installation for center and inboard hinges for inboard aileron tab.	707	307 (R-1) and 307 (R-1)A.
2. Guard installation for chain in stabilizer trim unit.	707	655 and 655B.
3. Flap drive torque tube guard installation in wheel well area.	707	680 and 680A.

Modification	Model	Service Bulletin No.
4. Rudder control input stop modification and directional bushing replacement.	707	735 (R-1).
5. Replacement of stabilizer trim actuator.	707 and 720	889.
6. Flap takeoff warning switch relocation.	707 and 720	1016 (R-1) and 1016 (R-1) O.
7. Stabilizer trim actuator brake unlock gear ball bearing adapter addition.	707 and 720	1128 and 1128A.
8. Stabilizer trim actuator brake pawl spring.	707 and 720	1287.
9. Stabilizer trim actuator motor replacement.	707	1247.
10. Emergency flap switch installation.	707 and 720	1251.
11. Outboard spoiler shutoff valve consolidation.	707 and 720	1336 (R-1) and 1336 (R-1) B.
12. Inboard aileron centering spring cartridge.	707 and 720	1344.
13. Control wheel stabilizer trim switch installation.	707 and 720	1410 and 1410B.
14. Rudder power control unit replacement, "Extension Sleeve Revision."	707 and 720	1479 (R-1) Part I only.
15. Rudder pressure control valve bypass installation.	707 and 720	1482 (R-1).
16. Replacement of spoiler hydraulic system shutoff valve.	707 and 720	1484.
17. Replacement of rudder hydraulic system solenoid valve.	707 and 720	1490 (R-1).
18. Rudder control centering spring cable modification.	707 and 720	1625.
19. Rudder control centering spring cable guard installation.	707 and 720	1680 and 1680A.

¹ Modification per BAC Drawing No. 10-3255 is an approved equivalent.

Issued in Washington, D.C., on July 27, 1962.

GEORGE C. PRILL,
Director,
Flight Standards Service.

[F.R. Doc. 62-7669; Filed, Aug. 2, 1962; 8:45 a.m.]

[14 CFR Part 601]

[Airspace Docket No. 62-SW-12]

CONTROLLED AIRSPACE

Alteration of Proposal Designating Transition Area

In a notice of proposed rule making published in the FEDERAL REGISTER on May 22, 1962 (27 F.R. 4812), it was stated that the Federal Aviation Agency proposed to designate a transition area at Borger, Tex. A floor of 7,000 feet MSL was proposed for this transition area.

Subsequent to the publication of the notice, a review of the holding airspace requirements at the Borger Intersection indicates that the controlled airspace floor of the proposed transition area should be lowered to 1,200 feet above the surface. This would provide protection for aircraft in DME holding patterns at lower altitudes at the Borger Intersection.

Accordingly, the notice is hereby amended to propose that the Borger transition area be designated to extend upward from 1,200 feet above the surface within 12 miles northwest and 8 miles southeast of the Amarillo, Tex., VORTAC 038° True radial extending from

24 miles northeast to 56 miles northeast of the VORTAC.

In order to provide interested persons time to adequately evaluate this proposal, as modified herein, and an opportunity to submit additional written data, views or arguments, the date for filing such material will be extended to August 30, 1962.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator (14 CFR 409.13), I hereby give notice that the time within which comments will be received for consideration on Airspace Docket No. 62-SW-12 is extended to August 30, 1962. Communications should be submitted in triplicate to the Assistant Administrator, Southwest Region, Attn: Chief, Air Traffic Division, Federal Aviation Agency.

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

Issued in Washington, D.C., on July 27, 1962.

W. THOMAS DEASON,
Assistant Chief,
Airspace Utilization Division.

[F.R. Doc. 62-7677; Filed Aug. 2, 1962; 8:47 a.m.]

[14 CFR Part 601]

[Airspace Docket No. 62-SW-30]

CONTROL ZONE

Proposed Alteration

Pursuant to the authority delegated to me by the Administrator (14 CFR 409.13), notice is hereby given that the Federal Aviation Agency is considering an amendment to § 601.2211 of the regulations of the Administrator, the substance of which is stated below.

The Beeville, Texas, control zone is designated within a 5-mile radius of NAAS Chase Field, and within 2 miles either side of the 139° bearing from Chase Field extending from the 5-mile radius zone to 8 miles south of Chase Field.

The Federal Aviation Agency has under consideration the alteration of the Beeville control zone by revoking the control zone extension based on the 139° bearing from Chase Field and designating extensions within 2 miles either side of the NAAS Chase TACAN 129° and 321° True radials extending from the 5-mile radius zone to 7 miles southeast and northwest of the TACAN; and within 2 miles either side of the NAAS Chase VOR 349° True radial extending from the 5-mile radius zone to 8 miles north of the VOR. The proposed control zone extensions would provide protection for aircraft executing prescribed TACAN and VOR instrument approach procedures at Chase Field, and would eliminate the requirement for the control zone extension based on the 139° bearing from Chase Field.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Assistant Administrator, Southwest Region, Attn:

Chief, Air Traffic Division, Federal Aviation Agency, P.O. Box 1689, Fort Worth 1, Tex. All communications received within forty-five days after publication of this notice in the *FEDERAL REGISTER* will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

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

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

Issued in Washington, D.C., on July 27, 1962.

W. THOMAS DEASON,
Assistant Chief,
Airspace Utilization Division.

[F.R. Doc. 62-7678; Filed, Aug. 2, 1962;
8:47 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 3]

[Docket No. 13852, RM-102, RM-188;
FCC 62-870]

TELEVISION BROADCAST STATIONS, AUGUSTA, BANGOR, CALAIS AND PRESQUE ISLE, MAINE

Table of Assignments

1. In a Report and Order (FCC 61-522) released on April 24, 1961, in this rule making proceeding the Commission amended § 3.606 of the rules by reserving for educational use Channel 10 in Augusta and Channel 10 in Presque Isle, and by reassigning Channel 7 from Calais to Bangor, Maine. After considering petitions for reconsideration of that part of the order pertaining to Channel 7, we released a Memorandum Opinion and Order (FCC 62-66) on January 12, 1962, assigning Channel 7 to Calais instead of Bangor. Petitions for stay were filed, a study of which led to our releasing on February 26, 1962, an "Order of Stay and Further Notice of Proposed Rule Making" (FCC 62-227) in which the aforementioned order assigning Channel 7 to Calais was stayed and comments were invited on a proposal to leave that channel in Bangor and assign Channel 3 to Calais with no educational reservation.

2. We pointed out in the latter document that since both Bangor and Calais are within 250 miles of the U.S.-Canadian border the proposal would require concurrence of Canadian authorities in accordance with the U.S.-Canadian Agreement of 1952. Such concurrence has been sought, but the two countries have been unable to reach agreement on the matter.

3. An alternative plan suggested by Canadian authorities would assign Channel 13 to Calais (instead of Channel 3) provided that the transmitter site for such an assignment is located in Zone I of the United States and that it is at least 170 miles from Station CJBR-TV-1, Edmundston, New Brunswick.

4. Since this plan appears to be worthy of exploration, we desire to give parties to this proceeding an opportunity to examine it and comment thereon. Accordingly, comments and reply comments are invited upon the following proposal:

City	Channel No.
Bangor, Maine	2-, 5+, 7-, *16-
Calais, Maine	13-, 20-

It is understood that the assignment of Channel 7 to Bangor and of Channel 13 to Calais would be subject to the Working Arrangement under the U.S.-Canadian Agreement with limitation of Channel 7 at Bangor toward Station CHLT-TV, Sherbrooke, Quebec, and limitation of Channel 13 at Calais toward Station CJBR-TV-1, Edmundston, New Brunswick, as indicated in paragraph 3, above.

5. By inviting comments on this proposal we do not pass judgment on any proposals now pending before us in this proceeding nor do we intend to affect the present order of stay herein. At such time as comments and reply comments have been received on the instant proposal, the Commission will evaluate the record before it and make a decision that might involve assignment of Channel 3, or Channel 7 or Channel 13 to Calais or some other appropriate action in the public interest.

6. Authority for the adoption of the amendments proposed herein is contained in sections 4 (i) and (j), 303 and 307(b) of the Communications Act of 1934, as amended.

7. Pursuant to applicable procedures set out in § 1.213 of the Commission rules, interested parties may file comments on or before August 31, 1962, and reply comments on or before September 10, 1962. All submissions by parties to this proceeding or by persons acting in behalf of such parties must be made in written comments, reply comments, or other appropriate pleadings.

8. In accordance with the provisions of § 1.54 of the rules, an original and 14 copies of all written comments and statements shall be furnished the Commission.

Adopted: July 25, 1962.

Released: July 30, 1962.

FEDERAL COMMUNICATIONS
COMMISSION,
BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 62-7717; Filed, Aug. 2, 1962;
8:56 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[17 CFR Part 240]

[Release 34-6864]

GENERAL RULES AND REGULATIONS, SECURITIES EXCHANGE ACT OF 1934

Notice of Proposed Rule Making

Notice is hereby given that the Securities and Exchange Commission has under consideration a proposal to adopt Rule 10b-9 (§ 240.10b-9) under the Securities Exchange Act of 1934. The proposed rule would make it unlawful to represent that a security is offered or sold on an "all-or-none" basis unless the offering is made on the condition that unless a definite number of units of the security are sold at a specified price within a specified time and the total amount due is received by the seller the amount due to the purchaser will be promptly refunded to him.

Section 10(b) of the Act makes it unlawful for any person to use or employ, in connection with the purchase or sale of any security, any manipulative or deceptive device or contrivance in contravention of any rule which the Commission prescribes as necessary or appropriate in the public interest or for the protection of investors.

It has come to the attention of the Commission that some persons distributing securities have been representing that securities are being offered on an "all-or-none" basis when, because of ambiguities in the contractual arrangement, it is not clear whether the conditions have been met if the underwriter finds persons who agree to purchase all of the securities within the specified time, but he is unsuccessful in collecting payment for all of the securities. It is the purpose of the proposed rule to prohibit any person from making any representation to the effect that the security is being offered on an "all-or-none" basis unless it is clear that the amount due to the purchaser is to be refunded to him unless all of the securities being offered are sold and the seller receives the total amount due to him in connection with the distribution.

The text of the proposed rule, which would be adopted pursuant to the provisions of the Securities Exchange Act of 1934, and particularly sections 10(b) and 23(a) thereof, § 240.10b-9 would be substantially as follows: "It shall constitute a 'manipulative or deceptive device or contrivance', as used in section 10(b) of the Act, for any person, directly or indirectly, in connection with the offer or sale of any security, to make any representation to the effect that the security is being offered or sold on an 'all-or-none' basis unless the security is part of an offering or distribution being made on the condition that all or a specified amount of the amount paid for any such security will be promptly refunded to the purchaser if a definite number of units of the security is not sold at a specified price within a speci-

fied time and the total amount due to the seller is not received by him by a specified date."

All interested persons are invited to submit their views and comments in writing on the proposed rule on or before August 31, 1962.

All such communications will be available for public inspection.

By the Commission.

ORVAL L. DuBOIS,
Secretary.

JULY 30, 1962.

[F.R. Doc. 62-7682; Filed, Aug. 2, 1962;
8:48 a.m.]

Notices

DEPARTMENT OF DEFENSE

Office of the Secretary COMPTROLLER OFFICE OF CIVIL DEFENSE

Amendment to Delegation of Administrative Authorities for Civil Defense Functions

References: (a) E.O. 10952, dated July 20, 1961, assigning Civil Defense responsibilities to the Secretary of Defense and others; (b) Department of Defense Organizational Statement, Assistant Secretary of Defense (Civil Defense), filed September 13, 1961 (26 F.R. 8604).

Subparagraph (e) of Paragraph 2. *Comptroller, Office of Civil Defense, Delegation of Administrative Authorities for Civil Defense Functions*, filed January 30, 1962 (27 F.R. 903), is amended by deleting the last sentence reading, "This authority cannot be re-delegated."

This amendment is effective immediately.

Dated this 28th day of July 1962.

STEWART L. PITTMAN,
Assistant Secretary of
Defense, Civil Defense.

[F.R. Doc. 62-7704; Filed, Aug. 2, 1962;
8:54 a.m.]

DEPARTMENT OF COMMERCE

Bureau of International Programs

[Case No. 305]

EGON WILHELM BRAUN ET AL.

Order Temporarily Denying Export Privileges

In the matter of Egon Wilhelm Braun, Wielandstrasse 32, Hamburg-Eilbeck, Federal Republic of Germany; Georges Anton de Puoz, Haldenbachstrasse 10, Zurich, Switzerland; and Gerhard William Grund, Bundesallee 48 A, West Berlin-Wilmersdorf, Germany; respondents; Case No. 305.

By letter dated May 9, 1962 the above-named respondents were charged by the Director, Investigations Staff, Bureau of International Programs, with violations of the U.S. Export Control Act of 1949, as amended, and regulations issued thereunder. The charges relate to the improper diversion by respondents of commodities of U.S. origin to a Soviet bloc customer. A copy of the charging letter was duly served on each respondent. The respondents Braun and Grund have failed to file answers to the charges, as required by the regulations, and they are considered to be in default. The respondent de Puoz has filed a reply to the charges and, for reasons given, has requested an extension of time until Sep-

tember 1, 1962, within which to file an answer and present evidence. It is hereby found that the respondent de Puoz has presented good cause for the extension requested, and such request is hereby granted.

In accordance with § 382.11(b) (2) of the regulations under the Export Control Act, the Director, Investigations Staff, Bureau of International Programs, has now requested that a temporary order be issued against each of the respondents denying to each of them export privileges pending the completion of compliance proceedings. The matter was referred to the Compliance Commissioner and he, being fully advised of the matters, has reported thereon and made his recommendation that such application be granted. It appears from the report and evidentiary material presented that the respondents acting in concert knowingly diverted and caused to be diverted beryllium, a strategic material of U.S. origin to a Soviet bloc customer.

On the basis of the record concerning the request for the issuance of a temporary denial order, I find: (1) That administrative proceedings are pending against the above-named respondents for violations of regulations relating to export control; (2) that it is reasonably necessary to protect the public interest pending final disposition of the compliance proceedings that the respondents be denied export privileges.

Accordingly, it is hereby ordered:

(1) The respondents, their agents and employees, are hereby denied all privileges of participating directly or indirectly in any manner, form, or capacity in any exportation of any commodity or technical data from the United States to any foreign destination, including Canada. Without limitation of the generality of the foregoing, participation in an exportation shall include and prohibit respondents' participation (a) as a party to or representative of a party to any validated export license application; (b) in the obtaining or using of any validated or general export license or other export control document; (c) in the receiving, ordering, buying, selling, delivering, or disposing of any commodities and technical data in whole or in part exported or to be exported from the United States; and (d) in the financing, forwarding, transporting, or other serving of exports from the United States.

(2) Such denial of export privileges shall apply not only to each of said respondents, but also to any other person, firm, corporation, or business organization with which any respondent may be now or hereafter related by ownership, affiliation, control, position of responsibility, or other connection in the conduct of trade or services connected therewith.

(3) This order shall take effect forthwith and shall remain in effect until the

completion of administrative compliance proceedings which are now pending, unless sooner modified or vacated.

(4) No person, firm, corporation, or other business organization, within the United States or elsewhere, and whether or not engaged in trade relating to exports from the United States, without prior disclosure of the facts to, and specific authorization from the Bureau of International Programs shall directly or indirectly in any manner, form, or capacity (a) apply for, obtain, transfer, or use any license, shipper's export declaration, bill of lading, or other export control document relating to any exportation of commodities or technical data from the United States, or (b) order, receive, buy, sell, use, deliver, dispose of, finance, transport, forward, or otherwise service or participate in an exportation from the United States, or in a re-exportation of any commodity or technical data exported from the United States, with respect to which any of the persons or companies within the scope of paragraphs (1) and (2) hereof may receive any benefit or have any interest or participation of any kind or nature, direct or indirect.

(5) A certified copy of this order shall be served upon the respondents.

(6) In accordance with the provisions of § 382.11(c) of the Export Regulations, any respondent may move at any time to vacate or modify this Temporary Denial Order by filing an appropriate motion therefor, supported by evidence, with the Compliance Commissioner and may request oral hearing thereon, which, if requested, shall be held before the Compliance Commissioner at Washington, D.C., at the earliest convenient date.

Dated: July 31, 1962.

FORREST D. HOCKERSMITH,
Director, Office of Export Control.

[F.R. Doc. 62-7710; Filed, Aug. 2, 1962;
8:55 a.m.]

Office of the Secretary ASSISTANT SECRETARY FOR ADMINISTRATION

Delegation of Authority

The material appearing at 26 F.R. 12044-12045 of December 15, 1961, is superseded by the following:

Pursuant to the authority vested in the Secretary of Commerce by Reorganization Plan No. 5 of 1950, there is hereby delegated to the Assistant Secretary of Commerce for Administration the authority to process policy issuances of the Department of Commerce for publication in the FEDERAL REGISTER.

Dated: July 24, 1962.

LUTHER H. HODGES.

[F.R. Doc. 62-7700; Filed, Aug. 2, 1962;
8:53 a.m.]

[Dept. Order No. 109 (Rev.); Amdt. 1]

BUREAU OF PUBLIC ROADS**Organization and Functions**

The following amendment to the order was issued by the Secretary of Commerce on July 9, 1962. The material appearing at 26 F.R. 12536-12539 of December 27, 1961, is amended as follows:

This amendment establishes an Office of Right-of-Way and Location and an Office of Audit and Investigations in the Bureau of Public Roads. Accordingly, Department Order No. 109 (Revised) of December 6, 1961, is hereby amended as follows:

Section 2 is amended by:

1. Substituting in 2.04 2(1) the title "Project Coordination Division" for "Route and Project Coordination Division."
2. Deleting 2.04 2(4) and the title "Right-of-Way Division."
3. Renumbering 2.04 2 (5), (6), and (7) as 2.04 2 (4), (5), and (6).
4. Deleting 2.04 6(7) and the title "Project Examining Division."
5. Add a new 2.04 9 and the title "Office of Right-of-Way and Location."
6. Add a new 2.04 10 and the title "Office of Audit and Investigations."
7. Renumber the current 2.04 9 "Field Organization" as 2.04 11 "Field Organization."

Section 6, *Functions of the Office of Engineering*, is amended to read: "The Office of Engineering is responsible for performing all functions relating to the programing, design, and construction of projects on the Federal-aid primary and secondary highway systems, and the Interstate System, and to the maintenance of roads on such systems. The Office of Engineering includes the divisions listed under Section 2.04, above, which divisions plan, implement, and supervise activities relating to (1) annual programs of projects proposed by the States; (2) development of Federal-aid highway design criteria and standards for the location and geometric and structural design of highways, including pavement and base design, highway signing and lighting, aerial surveying and photogrammetry, and roadside development; (3) development of design criteria, standards, policies and practices for bridges, tunnels and incidental structures of Federal-aid highways, including hydraulic and hydrological design features; (4) engineering supervision of construction and maintenance phases of Federal-aid highway programs, including development of standards of performance and improvements thereof for use of States in Federal-aid highway construction and maintenance projects; (5) administration of training and promotion activities relating to the secondary roads programs of the States; and (6) development of cost estimates on the National System of Interstate and Defense Highways, engineering analysis of comprehensive data on the progress of the System, and preparation of reports relating thereto."

Section 7, *Functions of the Office of Research*, is amended as follows: Delete item (6) and renumber current items (7) and (8) as (6) and (7).

No. 150—3

Section 10, *Functions of the Office of Administration* is amended as follows:

1. In item (1)(c) delete the word "auditing."
2. Delete item (6).

Add a new Section 13 to read as follows:

SEC. 13. *Functions of the Office of Right-of-Way and Location.* The Office of Right-of-Way and Location is responsible for performing all engineering and operational functions relating to (1) determination of specific route locations for Federal-aid Interstate, primary, and secondary systems; and the extensions of such systems into urban areas; (2) acquisition of rights-of-way for Federal-aid highway projects, including administration of utilities matters pertaining to right-of-way; (3) development of standards and minimum requirements for use of States in right-of-way acquisition, utilization and administration; and (4) review of State laws relating to right-of-way.

Add a new Section 14 to read as follows:

SEC. 14. *Functions of the Office of Audits and Investigations.* The Office of Audit and Investigations is responsible for (1) audit of State's claim for reimbursement of the Federal share of the cost of approved highway projects; (2) comprehensive audit of all of the Bureau's activities and programs to (a) promote orderly and effective administration and prosecution of Federal-aid highway programs, proper and judicious expenditure of highway funds, and safeguards to Federal Government interests with respect to Federal highway programs, and (b) determine compliance with laws and with established Public Roads policies, regulations, engineering standards, approved specifications and operating procedures; (3) review and evaluation of State and Bureau administrative and accounting practices and procedures to determine the adequacy and effectiveness of management controls; (4) investigating reports or information from any source alleging irregularity, fraud, land speculation, collusion, impropriety of action on the part of Public Roads employees, State Highway personnel, or others; or any other violation of or noncompliance with requirements of legislation and administrative rules and regulations pertaining to the highway programs administered by the Bureau of Public Roads; and (5) reporting the findings of these reviews and making such recommendations as may be appropriate to the Federal Highway Administrator for his use in determining the action to be taken in the correction of deficiencies or unsatisfactory conditions.

The Director, Office of Audit and Investigation shall report directly to the Federal Highway Administrator and control all activities of the field auditors, including the preparation of performance ratings, transfers, promotions, scope of audit program and work assignments. However, division and regional auditors shall be responsible to division and regional engineers for compliance with local administrative regulations.

Renumber current sections 13 and 14 as sections 15 and 16.

In the renumbered section 15.022 delete the words "and auditing" in the last line.

Effective date: July 9, 1962.

HERBERT W. KLOTZ,
Assistant Secretary
for Administration.

[F.R. Doc. 62-7701; Filed, Aug. 2, 1962; 8:53 a.m.]

[Dept. Order No. 117 (Rev.) Amdt. 1]

MARITIME ADMINISTRATION**Organization and Functions**

The following amendment to the order was issued by the Secretary of Commerce on July 10, 1962. The material appearing at 27 F.R. 3637-3641 of April 17, 1962 is amended as follows:

Department Order No. 117 (Revised) of April 9, 1962, section 2.02 is amended to read as follows:

SEC. 2. *Establishment and Organization.* .02 *Maritime Subsidy Board.* There is hereby established within the Maritime Administration a Maritime Subsidy Board which performs the functions described in Sections 4 and 6 hereof. The Board is composed of the Maritime Administrator, the Deputy Maritime Administrator and the General Counsel of the Maritime Administration, and in the case of a vacancy in the Board or the absence or disability of one of its members the Comptroller shall act as a member of the Maritime Subsidy Board, each of whom while serving as a member of the Maritime Subsidy Board acts pursuant to direct authority from the Secretary of Commerce and exercises judgment independently of authority otherwise delegated to the Maritime Administrator. The Maritime Administrator or the Acting Maritime Administrator serves as Chairman of the Maritime Subsidy Board. The concurring votes of two members shall be sufficient for the disposition of any matter which may come before the Board."

Effective date: June 25, 1962.

HERBERT W. KLOTZ,
Assistant Secretary
for Administration.

[F.R. Doc. 62-7702; Filed, Aug. 2, 1962; 8:54 a.m.]

[Dept. Order No. 134 (Rev.)]

ASSISTANT SECRETARY OF COMMERCE FOR ADMINISTRATION**Organization and Functions**

The following order was issued by the Secretary of Commerce, effective June 26, 1962, and supersedes the material appearing at 26 F.R. 12047-12048 of December 15, 1961.

SECTION 1. *Purpose.* The purpose of this order is to define the authorities, responsibilities, and duties of the Assistant Secretary of Commerce for Administration.

SEC. 2. Administrative designation. Pursuant to the authority vested in the Secretary of Commerce, the position of Assistant Secretary of Commerce, established by Section 304 of Public Law 471, 83d Congress, 2d Session, approved July 2, 1954, is hereby designated as Assistant Secretary of Commerce for Administration.

SEC. 3. Delegation of authority. .01 Pursuant to the authority vested in the Secretary of Commerce by Reorganization Plan No. 5 of 1950, the Assistant Secretary of Commerce for Administration is hereby authorized to perform the functions and to exercise the authority of the Secretary of Commerce on all matters of administration and management within the Department of Commerce.

.02 The Assistant Secretary of Commerce for Administration may redelegate the authority conferred herein, with such conditions and limitations as he deems appropriate, to any officer or employee of the Department of Commerce.

SEC. 4. Organization of Office of Assistant Secretary of Commerce for Administration. The Office of the Assistant Secretary of Commerce for Administration shall comprise:

Assistant Secretary of Commerce for Administration.
Deputy Assistant Secretary of Commerce for Administration.
Office of Administrative Operations.
Office of Budget and Management.
Office of Personnel Management.
Office of Publications Management.
Office of Investigations and Security.
Office of Emergency Readiness Planning.
Office of Internal Audit.

The Appeals Board for the Department of Commerce shall, for administrative purposes, be deemed to be a part of the Office of the Assistant Secretary of Commerce for Administration.

SEC. 5. Duties and responsibilities of the Assistant Secretary of Commerce for Administration. .01 The Assistant Secretary of Commerce for Administration is the principal deputy and adviser to the Secretary of Commerce on all matters of administration and management and is the chief officer of the Department on such matters.

.02 The Deputy Assistant Secretary of Commerce for Administration shall be the principal assistant to the Assistant Secretary of Commerce for Administration and shall assume the full responsibility of the Assistant Secretary during the latter's absence.

.03 The Assistant Secretary of Commerce for Administration shall:

1 Prescribe the Department's policies, regulations, and programs with respect to all administrative and management activities and shall direct their execution;

2 Perform all other functions and exercise all other powers, authorities, and discretions vested in the Secretary with respect to administrative and management matters as delegated to the Assistant Secretary of Commerce for Administration by this or any other order;

3 Provide for the direction and supervision of all staff service offices in the Office of the Secretary;

4 In collaboration with other Secretarial officers and officers of the primary organization units of the Department, define the basic objectives, programs, functions, relationships, and plans of organization of the Department;

5 Develop and carry out defense mobilization programs for Government continuity and civil defense; and

6 Carry out such duties and responsibilities as the Secretary of Commerce may assign.

.04 More specifically, but not by way of limitation, the Assistant Secretary of Commerce for Administration shall:

1 Prescribe the policies and programs and provide departmental leadership for the following major activities of the Department:

(1) Budget planning and administration.

(2) Management research and planning.

(3) Organization planning.

(4) Personnel administration.

(5) Internal audit program.

(6) Administrative operations and services.

(7) Publications program.

(8) Security program.

(9) Civil defense program.

2. Be responsible for and direct the evaluation of all the Department's programs and activities in terms of efficiency of management and economy of operations with a view to improving management and effecting economies in operations;

3. Be responsible for and direct all activities of the Department relating to interdepartmental coordination of administrative and management matters;

4. Serve as the representative of, and upon designation as the alternate to, the Secretary of Commerce on all committees, boards, commissions, services, and organizations constituted with authority or responsibilities in the fields of administration and management; and

5. Develop and provide for the execution of (1) plans to insure continuity of essential functions of the Department in event of attack upon the United States, and (2) civil defense plans and programs covering facilities and self-protection, and civil defense assistance.

SEC. 6. Saving provision. .01 This order supersedes Department Order No. 134 (Revised) of October 11, 1961. References in other orders to the title "Assistant Secretary of Commerce for Administration and Public Affairs" or "Executive Assistant to the Secretary" shall be construed to mean Assistant Secretary of Commerce for Administration.

.02 All orders, delegations of authority and other actions heretofore issued or taken by the Assistant Secretary of Commerce for Administration and Public Affairs or Executive Assistant to the Secretary and in effect immediately prior to the effective date of this order shall remain in full force and effect until

hereafter amended or revoked under appropriate authority.

Effective date: June 26, 1962.

HERBERT W. KLOTZ,
Assistant Secretary
for Administration.

[F.R. Doc. 62-7703; Filed, Aug. 2, 1962; 8:54 a.m.]

DEPARTMENT OF LABOR

Wage and Hour Division

CERTIFICATES AUTHORIZING EMPLOYMENT OF LEARNERS AT SPECIAL MINIMUM RATES

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938 (52 Stat. 1060, as amended, 29 U.S.C. 201 et seq.), the regulations on employment of learners (29 CFR Part 522), and Administrative Order No. 561 (27 F.R. 4001) the firms listed in this notice have been issued special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rates otherwise applicable under section 6 of the Act. The effective and expiration dates, occupations, wage rates, number or proportion of learners, learning periods, and the principal product manufactured by the employer for certificates issued under general learner regulations (§§ 522.1 to 522.9) are as indicated below. Conditions provided in certificates issued under special industry regulations are as established in these regulations.

Apparel Industry Learner Regulations (20 CFR 522.1 to 522.9, as amended, and 29 CFR 522.20 to 522.25, as amended).

The following learner certificates were issued authorizing the employment of 10 percent of the total number of factory production workers for normal labor turnover purposes. The effective and expiration dates are indicated.

Albert of Arizona, Inc., 234 South Extension Road, Mesa, Ariz.; effective 7-18-62 to 7-17-63; 10 percent of the total number of factory production workers engaged in the production of underwear and sleepwear from woven fabrics for normal labor turnover purposes (women's woven lingerie).

Bestform Foundations of Pa., Inc., Baumer and Cherry Streets, Johnstown, Pa.; effective 8-3-62 to 8-2-63 (brassieres, girdles, and corselettes).

Butler Garment Co., 422 South McKean Street, Butler, Pa.; effective 7-16-62 to 7-15-63 (women's blouses).

Edinburg Manufacturing Corp., Edinburg, Va.; effective 7-20-62 to 7-19-63 (infants' and children's dresses, shirts, and pants).

The Foster Co., Greenville, Ala.; effective 7-23-62 to 7-22-63 (men's pants).

Holly Hill Dress Corp., Holly Hill, S.C.; effective 7-20-62 to 7-19-63 (children's dresses).

Hortex Manufacturing Co., Inc., 100 South Cotton, El Paso, Tex.; effective 7-27-62 to 7-26-63 (boys' single pants).

Johnnye Manufacturing Co., Fourth and Walnut, Albion, Ill.; effective 7-19-62 to 7-18-63 (ladies' dresses).

LaCrosse Sportswear Corp., LaCrosse, Va.; effective 7-20-62 to 7-19-63 (knitted sport shirts).

L'Aiglon Apparel, Inc., Lurgan Avenue, Shippensburg, Pa.; effective 7-16-62 to 7-16-63 (ladies' dresses).

Lee County Mills, Inc., Leesburg, Ga.; effective 7-23-62 to 7-22-63 (ladies' and children's underwear).

Moyer Co., Commerce and Walnut Streets, Youngstown, Ohio; effective 7-19-62 to 7-18-63 (men's slacks).

Royal Manufacturing Co., Inc., Washington, Ga.; effective 7-22-62 to 7-21-63; 10 percent of the total number of factory production workers engaged in the production of men's and boys' woven sport shirts for normal labor turnover purposes (men's and boys' woven sport shirts).

Seamprufe, Inc., McAlester, Okla.; effective 7-17-62 to 7-16-63; 10 percent of the total number of factory production workers engaged in the production of ladies' woven underwear for normal labor turnover purposes (ladies' woven underwear).

Toby Manufacturing Co., Inc., 620-6 Franklin Avenue, Essex-Baltimore, Md.; effective 8-4-62 to 8-3-63 (work pants).

Tropical Garment Manufacturing Co., 2508 Ivy Street, Tampa, Fla.; effective 7-20-62 to 7-19-63 (men's and boys' shirts and vests).

Weatherbee Coats, Inc., 461 East Federal Street, Youngstown, Ohio; effective 7-30-62 to 7-29-63 (ladies' rainwear).

Wilson Shirt Co., 2804 Wilco Avenue, Augusta, Ga.; effective 7-24-62 to 7-23-63 (men's shirts and pants).

The following learner certificates were issued for normal labor turnover purposes. The effective and expiration dates and the number of learners authorized are indicated.

Altamont Garment Co., North Third and Division Streets, Altamont, Ill.; effective 7-20-62 to 7-19-63; 10 learners (boys' trousers).

A. Brash & Sons, Inc., 110 South Hanover Street, Baltimore, Md.; effective 7-23-62 to 7-22-63; 10 learners (men's and boys' outdoor jackets).

Calico Lane Dress Co., Inc., 9 School Street, Jermyn, Pa.; effective 8-1-62 to 7-31-63; five learners (women's dresses).

F & F Outerwear, Inc., 312 Penn Avenue, Scranton, Pa.; effective 7-19-62 to 7-18-63; five learners (men's and boys' outdoor type coats).

Miller & Co., 1549 Lawrence Street, Denver, Colo.; effective 7-20-62 to 7-19-63; 10 learners (men's and ladies' western shirts).

Nahas of Texas, Inc., 10 Second Street SW, Paris, Tex.; effective 7-23-62 to 7-22-63; 10 learners (children's blouses, whole and half slips).

So-Rite Lingerie, Bright Building, Keyser, W. Va.; effective 7-31-62 to 7-30-63; 10 learners (ladies' pajamas and house dusters).

Wildwood Clothing Co., Inc., 112 East Schellenger Avenue, Wildwood, N.J.; effective 8-1-62 to 7-31-63; 10 learners (ladies' sportswear—slacks and shorts).

The following learner certificates were issued for plant expansion purposes. The effective and expiration dates and the number of learners authorized are indicated.

Butler Garment Co., 422 South McKean Street, Butler, Pa.; effective 7-16-62 to 1-15-63; 60 learners (women's blouses).

Charleston Manufacturing Co., Stark Industrial Park, Charleston Heights, S.C.; effective 7-25-62 to 1-24-63; 35 learners (ladies' dresses).

Columbo Garment Co., 158 West Harrison Street, Columbus, Wis.; effective 7-17-62 to 1-16-63; 10 learners (ladies' slacks).

Ralston-Harwood Manufacturing Corp., Marion, Va.; effective 7-17-62 to 1-16-63; 20 learners (men's and boys' woven pajamas).

Metro Pants Co., Bridgewater, Va.; effective 7-16-62 to 1-15-63; 12 learners (boys', juniors' and men's pants).

Ridgely Manufacturing Co., Ridgely, Tenn.; effective 7-19-62 to 1-18-63; 25 learners (outdoor quilt-lined jackets).

Hosiery Industry Learner Regulations (29 CFR 522.1 to 522.9, as amended, and 29 CFR 522.40 to 522.43, as amended).

Adams-Millis Corp., Bodenhamer Street, Kernersville, N.C.; effective 7-20-62 to 7-19-63; 5 percent of the total number of factory production workers for normal labor turnover purposes (seamless).

Mayo Knitting Mill, Inc., Tarboro, N.C.; effective 7-22-62 to 7-21-63; 5 percent of the total number of factory production workers for normal labor turnover purposes (seamless hosiery).

Knitted Wear Industry Learner Regulations (29 CFR 522.1 to 522.9, as amended, and 29 CFR 522.30 to 522.35, as amended).

Albert of Arizona, Inc., 234 South Extension Road, Mesa, Ariz.; effective 7-18-62 to 7-17-63; 5 percent of the total number of factory production workers engaged in the production of underwear and sleepwear from knitted fabric for normal labor turnover purposes (ladies' knitted lingerie).

Movie Star of Ellenville, Ellenville, Miss.; effective 7-30-62 to 7-29-63; 5 percent of the total number of factory production workers for normal labor turnover purposes (ladies' slips, pants, petticoats).

Royal Manufacturing Co., Inc., Washington, Ga.; effective 7-22-62 to 7-21-63; 5 percent of the total number of factory production workers engaged in the production of men's and boys' woven shorts for normal labor turnover purposes (men's and boys' woven shorts).

Seamprufe, Inc., McAlester, Okla.; effective 7-17-62 to 7-16-63; 5 percent of the total number of factory production workers engaged in the production of ladies' knitted underwear for normal labor turnover purposes (slips and lingerie).

Regulations Applicable to the Employment of Learners (29 CFR 522.1 to 522.9, as amended).

Horace Small Manufacturing Co., Cap Division, 1319 Lewis Street, Nashville, Tenn.; effective 7-19-62 to 1-18-63; 25 learners for plant expansion purposes, in the occupation of sewing machine operator for a learning period of 240 hours at the rate of not less than \$1.00 an hour (uniform caps).

The following learner certificates were issued in Puerto Rico to the companies hereinafter named. The effective and expiration dates, learner rates, occupations, learning periods, and the number or proportion of learners authorized to be employed, are as indicated.

Semiconductor Industries, Inc., 611 Carpenter Road, Santurce, P.R.; effective 7-9-62 to 1-8-63; 120 learners for plant expansion purposes, in the occupation of assembler; solderer for a learning period of 480 hours at the rates of 89 cents an hour for the first 240 hours and 99 cents an hour for the remaining 240 hours (shooting games, megaphones, amplifiers, walkie-talkies, fish callers, and tape recorders).

Star Kist Caribe, Inc., Marina Station, Mayaguez, P.R.; effective 7-5-62 to 1-4-63; 50 learners for plant expansion purposes, in the occupation of tuna fish cleaner and packer for a learning period of 160 hours at the rates of 87 cents an hour for the first 80 hours and \$1.01 an hour for the remaining 80 hours (canned tuna fish and byproducts).

Each learner certificate has been issued upon the representations of the employer

which, among other things, were that employment of learners at special minimum rates is necessary in order to prevent curtailment of opportunities for employment, and that experienced workers for the learner occupations are not available. The certificates may be annulled or withdrawn, as indicated therein, in the manner provided in Part 528 of Title 29 of the Code of Federal Regulations. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of 29 CFR 522.9.

Signed at Washington, D.C., this 26th day of July 1962.

ROBERT G. GRONEWALD,
Authorized Representative
of the Administrator.

[F.R. Doc. 62-7708; Filed, Aug. 2, 1962; 8:54 a.m.]

CERTIFICATES AUTHORIZING EMPLOYMENT OF FULL-TIME STUDENTS WORKING OUTSIDE OF SCHOOL HOURS IN RETAIL OR SERVICE ESTABLISHMENTS AT SPECIAL MINIMUM WAGES

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938 (52 Stat. 1060, as amended, 29 U.S.C. 201 et seq.), the regulations on employment of full-time students (29 CFR Part 519), and Administrative Order No. 561 (27 F.R. 4001) the establishments listed in this notice have been issued special certificates authorizing the employment of full-time students working outside of school hours at hourly wage rates lower than the minimum wage rates otherwise applicable under section 6 of the Act. The effective and expiration dates, type of establishment and total number of employees of the establishment are as indicated below. Pursuant to § 519.6(b) of the regulations, the minimum certificate rates are not less than 85 percent of the minimum applicable under section 6 of the Fair Labor Standards Act.

The following certificates were issued pursuant to 29 CFR 519.6 (c) and (g) providing for an allowance not to exceed the proportion of the total number of hours worked by full-time students at rates below \$1.00 an hour to the total number of hours worked by all employees in the establishment during the base period, or 10 percent, whichever is lesser, in occupations of the same general classes in which the establishment employed full-time students at wages below \$1.00 an hour in the base period.

Region III

W. T. Grant Co., 1541 Lehigh Street, Allentown, Pa.; effective 6-26-62 to 6-25-63 (variety store; 43 employees).

W. T. Grant Co., 260 Delaware Avenue, Palmerton, Pa.; effective 6-29-62 to 6-28-63 (variety store; 32 employees).

W. T. Grant Co., 108 West Fourth Street, Williamsport, Pa.; effective 7-10-62 to 7-9-63 (variety store; 37 employees).

W. T. Grant Co., 2541 East Market Street, York, Pa.; effective 6-26-62 to 6-25-63 (variety store; 41 employees).

McCrory Stores, 117 North Howard Street, Baltimore, Md.; effective 7-10-62 to 7-9-63 (variety store; 66 employees).

McCrory-McLellan Stores, 609 Edgmont Avenue, Chester, Pa.; effective 6-10-62 to 6-9-63 (variety store; 32 employees).

McCrory-McLellan Stores, 1205-7-9 Market Street, Philadelphia 7, Pa.; effective 6-10-62 to 6-9-63 (variety store; 63 employees).

McCrory-McLellan Stores, 644 Penn Street, Reading, Pa.; effective 6-29-62 to 6-28-63 (variety store; 24 employees).

McCrory-McLellan Stores, 47-35 West Main Street, Waynesboro, Pa.; effective 6-10-62 to 6-9-63 (variety store; 33 employees).

G. C. Murphy Co. (#51), 518-20 Chartiers Street, McKees Rock, Pa.; effective 6-10-62 to 6-9-63 (variety store; 22 employees).

F. W. Woolworth Co., 247 Seneca Street, Oil City, Pa.; effective 6-27-62 to 6-26-63 (variety store; 22 employees).

F. W. Woolworth Co., 427 Lacka Avenue, Scranton, Pa.; effective 6-29-62 to 6-28-63 (variety store; 72 employees).

Region IV

S. H. Kress & Co., 1900 Third Avenue North, Birmingham, Ala.; effective 6-10-62 to 6-9-63 (variety store; 76 employees).

Region V

S. S. Kresge Co. (#240), Cleveland, Ohio; effective 7-10-62 to 7-9-63 (variety store; 21 employees).

J. J. Newberry Co., Lima, Ohio; effective 7-10-62 to 7-9-63 (variety store; 29 employees).

Region VI

Kohl's Food Stores, Brookfield, Inc., 2315 North 124th Street, Milwaukee 10, Wis.; effective 6-29-62 to 6-9-63 (food store; 92 employees).

Kohl's Food Stores, Burleigh, Inc., 4623 West Burleigh Street, Milwaukee 10, Wis.; effective 6-29-62 to 6-9-63 (food store; 84 employees).

Kohl's Food Stores, Capitol, Inc., 5500 West Capitol Drive, Milwaukee 10, Wis.; effective 6-29-62 to 6-9-63 (food store; 125 employees).

Kohl's Food Stores, Forest Home, Inc., 7530 West Forest Home Avenue, Milwaukee 10, Wis.; effective 6-29-62 to 6-9-63 (food store; 76 employees).

Kohl's Food Stores, Fox Point, Inc., 6940 North Santa Monica Boulevard, Milwaukee 10, Wis.; effective 6-29-62 to 6-9-63 (food store; 51 employees).

Kohl's Food Stores, Hadley, Inc., 2777 North Teutonia Avenue, Milwaukee 10, Wis.; effective 6-29-62 to 6-9-63 (food store; 50 employees).

Kohl's Food Stores, Holton, Inc., 3334 North Holton Street, Milwaukee 10, Wis.; effective 6-29-62 to 6-9-63 (food store; 67 employees).

Kohl's Food Stores, Lisbon, Inc., 9210 West Lisbon Avenue, Milwaukee 10, Wis.; effective 6-29-62 to 6-9-63 (food store; 80 employees).

Kohl's Food Stores, Loomis, Inc., 3555 South 27th Street, Milwaukee 10, Wis.; effective 6-29-62 to 6-9-63 (food store; 112 employees).

Kohl's Food Stores, 1301 West Forest Home Avenue, Milwaukee 10, Wis.; effective 6-29-62 to 6-9-63 (food store; 62 employees).

Kohl's Food Stores, North Co., 8616 West North Avenue, Milwaukee 10, Wis.; effective 6-29-62 to 6-9-63 (food store; 96 employees).

Kohl's Food Stores, Oakland, Inc., 4145 North Oakland Avenue, Milwaukee 10, Wis.; effective 6-29-62 to 6-9-63 (food store; 88 employees).

Kohl's Food Stores, Oklahoma, Inc., 5801 West Oklahoma Avenue, Milwaukee 10, Wis.; effective 6-29-62 to 6-9-63 (food store; 64 employees).

Kohl's Food Stores, Port Road, Inc., 5656 North Port Washington Road, Milwaukee 10,

Wis.; effective 6-29-62 to 6-9-63 (food store; 84 employees).

Kohl's Food Stores, Teutonia, Inc., 3723 North Teutonia Avenue, Milwaukee 10, Wis.; effective 6-29-62 to 6-9-63 (food store; 41 employees).

Kohl's Food Stores, Vilet, Inc., 3824 West Vilet Street, Milwaukee 10, Wis.; effective 6-29-62 to 6-9-63 (food store; 35 employees).

Kohl's Food Stores, W. Allis, Inc., 7546 West Greenfield Avenue, Milwaukee 10, Wis.; effective 6-29-62 to 6-9-63 (food store; 30 employees).

S. S. Kresge Co. (#387), 216 East Broadway, Centralia, Ill.; effective 7-2-62 to 6-9-63 (variety store; 25 employees).

S. S. Kresge Co. (#168), 622 St. Germain Street, St. Cloud, Minn.; effective 7-2-62 to 6-9-63 (variety store; 25 employees).

McCrory-McLellan-Green Stores, 116 M. Washington, Green Bay, Wis.; effective 6-25-62 to 6-9-63 (variety store; 16 employees).

Nelsner Brothers, Inc. (#26), 417 Main Street, Evansville, Ind.; effective 7-2-62 to 6-9-63 (variety store; 37 employees).

Skinner, Chamberlain & Co., Inc., 225 South Broadway, Albert Lea, Minn.; effective 7-10-62 to 6-9-63 (department store; 73 employees).

Region VII

C. R. Anthony Co. (#11), Liberal, Kans.; effective 7-9-62 to 7-8-63 (department store; 10 employees).

Hested's Store (#719), 216 West Third Street, Grand Island, Nebr.; effective 6-11-62 to 6-10-63 (variety store; 13 employees).

F. W. Woolworth Co. (#247), 18-22 North Tejon Street, Colorado Springs, Colo.; effective 6-26-62 to 6-25-63 (variety store; 47 employees).

Region VIII

C. R. Anthony Co. (#165), 1228 Grape Street, Abilene, Tex.; effective 7-9-62 to 7-8-63 (department store; 12 employees).

C. R. Anthony Co. (#62), Big Spring, Tex.; effective 7-9-62 to 7-8-63 (department store; 25 employees).

C. R. Anthony Co. (#20), Borger, Tex.; effective 7-9-62 to 7-8-63 (department store; 19 employees).

C. R. Anthony Co. (#40), Elk City, Okla.; effective 7-16-62 to 7-15-63 (department store; 12 employees).

C. R. Anthony Co. (#66), Enid, Okla.; effective 7-9-62 to 7-8-63 (department store; 11 employees).

C. R. Anthony Co. (#161), Hobbs, N. Mex.; effective 7-9-62 to 7-8-63 (department store; 18 employees).

C. R. Anthony Co. (#187), Lubbock, N. Mex.; effective 7-9-62 to 7-8-63 (department store; 13 employees).

C. R. Anthony Co. (#170), 340 East Side Boulevard, Muskogee, Okla.; effective 7-16-62 to 7-15-63 (department store; 17 employees).

C. R. Anthony Co. (#103), 3436 SW. 29th, Oklahoma City, Okla.; effective 7-9-62 to 7-8-63 (department store; 22 employees).

C. R. Anthony Co. (#61), Victoria, Tex.; effective 7-12-62 to 7-11-63 (department store; 15 employees).

C. R. Anthony Co. (#84), Dumas, Tex.; effective 7-9-62 to 7-8-63 (department store; 11 employees).

Food Mart (#26), Box 578, Carrizozo, N. Mex.; effective 7-10-62 to 7-9-63 (food store; six employees).

Food Mart (#29), 4430 Marsalis, Dallas, Tex.; effective 7-10-62 to 7-9-63 (food store; 28 employees).

Food Mart (#30), 2366 Oates Drive, Dallas, Tex.; effective 7-10-62 to 7-9-63 (food store; 20 employees).

Food Mart (#34), 4511 McKinney, Dallas, Tex.; effective 7-10-62 to 7-9-63 (food store; 31 employees).

Food Mart (#31), 910 Delaware, Alamogordo, N. Mex.; effective 7-10-62 to 7-9-63 (food store; 10 employees).

Food Mart (#36), 2639 West Davis, Dallas, Tex.; effective 7-10-62 to 7-9-63 (food store; 22 employees).

Food Mart (#37), 201 Keist Village, Dallas, Tex.; effective 7-10-62 to 7-9-63 (food store; 33 employees).

Food Mart (#41), 4311 Live Oak, Dallas, Tex.; effective 7-10-62 to 7-9-63 (food store; 28 employees).

Food Mart (#23), 524 South Stanton, El Paso, Tex.; effective 7-10-62 to 7-9-63 (food store; 10 employees).

Food Mart (#24), 7444 Gateway Boulevard, El Paso, Tex.; effective 7-10-62 to 7-9-63 (food store; 16 employees).

Food Mart (#27), 303 South Stanton, El Paso, Tex.; effective 7-10-62 to 7-9-63 (food store; eight employees).

Food Mart (#2), 3204 Camp Bowie, Fort Worth, Tex.; effective 7-10-62 to 7-9-63 (food store; 13 employees).

Food Mart (#3), 3724 Decatur, Fort Worth, Tex.; effective 7-10-62 to 7-9-63 (food store; 14 employees).

Food Mart (#4), 3107 Hemphill, Fort Worth, Tex.; effective 7-10-62 to 7-9-63 (food store; 17 employees).

Food Mart (#5), 2005 North Main, Fort Worth, Tex.; effective 7-10-62 to 7-9-63 (food store; 13 employees).

Food Mart (#7), 2001 Eighth Avenue, Fort Worth, Tex.; effective 7-10-62 to 7-9-63 (food store; 16 employees).

Food Mart (#38), 805 East Seminary, Fort Worth, Tex.; effective 7-10-62 to 7-9-63 (food store; 21 employees).

Food Mart (#39), 2406 Azle, Fort Worth, Tex.; effective 7-10-62 to 7-9-63 (food store; 13 employees).

Food Mart (#42), 202 Orchard Hills, Garland, Tex.; effective 7-10-62 to 7-9-63 (food store; 21 employees).

Food Mart (#32), 300 West Hurst Boulevard, Hurst, Tex.; effective 7-10-62 to 7-9-63 (food store; 20 employees).

Food Mart (#35), 100 Village Center, Irving, Tex.; effective 7-10-62 to 7-9-63 (food store; 20 employees).

Food Mart (#30), Main and Picacho, Las Cruces, N. Mex.; effective 7-10-62 to 7-9-63 (food store; 20 employees).

Food Mart (#29), West Second, Roswell, N. Mex.; effective 7-10-62 to 7-9-63 (food store; 33 employees).

Food Mart (#31), 310 South Main, Weatherford, Tex.; effective 7-10-62 to 7-9-63 (food store; 16 employees).

T. G. & Y. Stores Co., d/b/a T. G. & Y. Stores Co. (#174), 1219 South 34th Street, Fort Smith, Ark.; effective 7-9-62 to 7-8-63 (variety store; 16 employees).

Region IX

C. R. Anthony Co., 5050 West Indian School Road, Phoenix, Ariz.; effective 7-6-62 to 7-5-63 (department store; 15 employees).

S. H. Kress & Co., 1117 Fort Street, Honolulu, Hawaii; effective 7-5-62 to 7-4-63 (variety store; 142 employees).

Willow Variety, Inc., d/b/a T.G. & Y. Stores Co., 5020 West Indian School Road, Phoenix, Ariz.; effective 7-11-62 to 7-10-63 (variety store; 19 employees).

Region X

Big Star Discount Food Center, 2398 Ross-ville Boulevard, Chattanooga, Tenn.; effective 6-11-62 to 6-10-63 (food store; 63 employees).

Hofheimer's, Inc., Newmarket Shopping Center, Newport News, Va.; effective 7-5-62 to 7-4-63 (shoe store; 25 employees).

Hofheimer's, Inc., 3215 Washington Avenue, Newport News, Va.; effective 7-5-62 to 7-4-63 (shoe store; 16 employees).

Hofheimer's, Inc., 7531 Granby Street, Norfolk, Va.; effective 7-5-62 to 7-4-63 (shoe store; 39 employees).

Hofheimer's, Inc., 325 Granby Street, Norfolk, Va.; effective 7-5-62 to 7-4-63 (shoe store; 65 employees).

Hofheimer's, Inc., 127 Church Street, Norfolk, Va.; effective 7-5-62 to 7-4-63 (shoe store; 10 employees).

Hofheimer's, Inc., 90 Janaf Shopping Center, Norfolk, Va.; effective 7-5-62 to 7-4-63 (shoe store; 24 employees).

Hofheimer's, Inc., 3920 George Washington Highway, Portsmouth, Va.; effective 7-5-62 to 7-4-63 (shoe store; eight employees).

Hofheimer's, Inc., 228 High Street, Portsmouth, Va.; effective 7-5-62 to 7-4-63 (shoe store; 18 employees).

Hofheimer's, Inc., 1120 Fredrick Boulevard, Portsmouth, Va.; effective 7-5-62 to 7-4-63 (shoe store; 25 employees).

Hofheimer's, Inc., 300 East Broad Street, Richmond, Va.; effective 7-5-62 to 7-4-63 (shoe store; 10 employees).

Hofheimer's, Inc., 7021 Three Chopt Road, Richmond, Va.; effective 7-5-62 to 7-4-63 (shoe store; 15 employees).

Hofheimer's, Inc., 3120 West Cary Street, Richmond, Va.; effective 7-5-62 to 7-4-63 (shoe store; 14 employees).

Hofheimer's, Inc., 417 East Broad Street, Richmond, Va.; effective 7-5-62 to 7-4-63 (shoe store; 30 employees).

Hofheimer's, Inc., 305 South Jefferson Street, Roanoke, Va.; effective 7-5-62 to 7-4-63 (shoe store; 10 employees).

Lerner Shops Store (#124), 12-14 North Sycamore Street, Petersburg, Va.; effective 7-6-62 to 7-5-63 (apparel store; 21 employees).

Rose's 5-10-25 Store, Barracks Road Shopping Center, Charlottesville, Va.; effective 6-30-62 to 6-29-63 (variety store; 40 employees).

Sterling's-Airways, Inc., 2240 Lamar Avenue, Memphis, Tenn.; effective 6-10-62 to 6-9-63 (variety store; 24 employees).

The following certificates were issued to establishments coming into existence after May 1, 1960, under paragraphs (c), (d), (g), and (h) of § 519.6 of 29 CFR Part 519. The certificates permit the employment of full-time students at rates below \$1.00 an hour in the classes of occupations listed, and provide for limitations on the percentage of full-time student hours of employment at rates below \$1.00 an hour to total hours of employment of all employees. The percentage limitations vary from month to month between the minimum and maximum figures indicated.

Bonifay Shopworth Store, Inc., 226 North Waukesha Street, Bonifay, Fla.; effective 7-14-62 to 7-13-63; bag boy, carry-out; between 9.2 percent and 9.9 percent (food store; 12 employees).

Colonial Stores, Inc., 5756 Brainerd Road, Chattanooga 11, Tenn.; effective 7-12-62 to 7-11-63; bagger, carry-out, clerk, checker; between 6.9 percent and 10 percent (food store; 17 employees).

Colquitt Piggly Wiggly, Inc., 209 West College Street, Colquitt, Ga.; effective 7-14-62 to 7-13-63; bag boy, carry-out; between 9.2 percent and 9.8 percent (food store; 10 employees).

Evergreen Piggly Wiggly, Inc., 2-6 Cooper Street, Evergreen, Ala.; effective 7-14-62 to 7-13-63; bag boy, carry-out; between 9.5 percent and 10 percent (food store; 17 employees).

Graceville Piggly Wiggly, Inc., Cotton Street, Graceville, Fla.; effective 7-14-62 to 7-13-63; bag boy, carry-out; between 9.1 percent and 9.9 percent (food store; 15 employees).

Jupiter (#4533), 2330 North Front Street, Philadelphia 33, Pa.; effective 7-14-62 to 7-13-63; sales clerk; 10 percent each month (variety store; 17 employees).

Jupiter Discount Store, 101 First Avenue East, Newton, Iowa; effective 7-14-62 to 7-13-63; sales clerk; between 0 and 5.1 percent (variety store; 12 employees).

K-Mart, 108 South Adams Street, Peoria, Ill.; effective 7-14-62 to 7-13-63; sales clerk; between 3.9 percent and 10 percent (variety store; 67 employees).

Marianna Piggly Wiggly, Inc., n/e West Lafayette Street, Marianna, Fla.; effective 7-14-62 to 7-13-63; bag boy, carry-out; between 8.9 percent and 9.7 percent (food store; 21 employees).

McCrory-McLellan-Green Stores (#337), Jackson Heights Plaza, Murfreesboro, Tenn.; effective 7-10-62 to 7-9-63; selling, porter, clerk; between 1.8 percent and 10 percent (variety store; 32 employees).

Neisner Brothers, Inc. (#184), 1101 Eighth Avenue, Palmto, Fla.; effective 7-14-62 to 7-13-63; sales clerk, stock clerk, porter; between 9.8 percent and 10 percent (variety store; 24 employees).

J. J. Newberry Co. (#559), 400 North Main Street, Mitchell, S. Dak.; effective 7-12-62 to 7-11-63; sales clerk, stock clerk, office clerk; between 6.1 percent and 10 percent (variety store; 82 employees).

Rayless Department Store, 232 South Elm Street, Greensboro, N.C.; effective 7-13-62 to 7-12-63; clerical, selling, stock-work, marking, janitorial; between 9.9 percent and 10 percent (department store; 14 employees).

Sam Glass Minimax, Inc., 2000 North 10th, McAllen, Tex.; effective 7-10-62 to 7-9-63; carry-out, bagger, porter; between 8.9 percent and 10 percent (food store; 37 employees).

F. W. Woolworth Co. (#2476), 5840 South Pulaski Road, Chicago 29, Ill.; effective 7-10-62 to 7-9-63; sales clerk; 10 percent each month (variety store; 41 employees).

F. W. Woolworth Co., 2545-55 East 79th Street, Chicago 49, Ill.; effective 7-9-62 to 7-8-63; sales clerk; 10 percent each month (variety store; 65 employees).

F. W. Woolworth Co., 39 Meadowview Center, Kankakee, Ill.; effective 7-9-62 to 7-8-63; sales clerk; between 4.1 percent and 10 percent (variety store; 27 employees).

F. W. Woolworth Co., 200 East Sangamon Avenue, Rantoul, Ill.; effective 7-10-62 to 7-9-63; sales clerk; stock clerk; between 2.5 percent and 10 percent (variety store; 32 employees).

F. W. Woolworth Co. (#2551), Southern Plaza Shopping Center, 4200 South East Street, Indianapolis, Ind.; effective 7-6-62 to 7-5-63; sales clerk; between 6.7 percent and 10 percent (variety store; 65 employees).

F. W. Woolworth Co., Perry Hall Shopping Center, 4327 Joppa Road, Baltimore, Md.; effective 7-10-62 to 7-9-63; sales clerk; between 7.1 percent and 10 percent (variety store; 34 employees).

F. W. Woolworth Co. (#2585), Reisterstown Road Plaza, 6550 Reisterstown Rd., Baltimore, Md.; effective 7-7-62 to 7-6-63; sales clerk; between 6.0 percent and 10 percent (variety store; 31 employees).

F. W. Woolworth Co., Reisterstown Shopping Center, 11933 Reisterstown Rd., Reisterstown, Md.; effective 7-7-62 to 7-6-63; sales clerk; between 6.0 percent and 10 percent (variety store; 20 employees).

F. W. Woolworth Co. (#1085), 201 South Front Street, Dowagiac, Mich.; effective 7-14-62 to 7-13-63; sales clerk; between 8.4 percent and 10 percent (variety store; 20 employees).

F. W. Woolworth Co., Crest Plaza Shopping Center, 1500 Cedar Crest Blvd., Allentown, Pa.; effective 7-12-62 to 7-11-63; sales clerk, stock clerk; between 2.2 percent and 10 percent (variety store; 34 employees).

F. W. Woolworth Co., Plymouth Square Shopping Center, Ridge Avenue and Butler Pike, Conshohocken, Pa.; effective 7-7-62 to 7-6-63; sales clerk; between 8.4 percent and 10 percent (variety store; 35 employees).

F. W. Woolworth Co., Duquesne Village Shopping Center, 1868 Homeville Road, Duquesne, Pa.; effective 7-7-62 to 7-6-63;

sales clerk, stock clerk; between 2.3 percent and 10 percent (variety store; 16 employees).

F. W. Woolworth Co., Colonial Park Shopping Center, U.S. Route 22 and Colonial Road, Harrisburg, Pa.; effective 7-9-62 to 7-8-63; sales clerk, stock clerk; between 0 and 10 percent (variety store; 26 employees).

F. W. Woolworth Co., Knights-Haven Shopping Center, Knights Road and Woodhaven Avenue, Philadelphia, Pa.; effective 7-7-62 to 7-6-63; sales clerk, stock clerk; between 2.3 percent and 10 percent (variety store; 27 employees).

F. W. Woolworth Co., Keyser Oak Shopping Center, 1700 North Keyser, Scranton, Pa.; effective 7-9-62 to 7-8-63; sales clerk; between 3.9 percent and 10 percent (variety store; 34 employees).

F. W. Woolworth Co., 160a South Oak Cliff Shopping Center, Dallas 16, Tex.; effective 7-9-62 to 7-8-63; sales clerk; between 0 and 10 percent (variety store; 65 employees).

Each certificate has been issued upon the representations of the employer which, among other things, were that employment of full-time students at special minimum rates is necessary to prevent curtailment of opportunities for employment, and the hiring of full-time students at special minimum rates will not tend to displace full-time employees. The certificates may be annulled or withdrawn, as indicated therein, in the manner provided in Part 528 of Title 29 of the Code of Federal Regulations. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of 29 CFR 519.9.

Signed at Washington, D.C., this 25th day of July 1962.

ROBERT G. GRONEWALD,
Authorized Representative
of the Administrator.

[F.R. Doc. 62-7709; Filed, Aug. 2, 1962; 8:54 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Public Health Service

LICENSED BIOLOGICAL PRODUCTS

Notice is hereby given that pursuant to section 351 of the Public Health Service Act, as amended (42 U.S.C. 262), and regulations issued thereunder (42 CFR Part 73), the following establishment license and product license actions have been taken from April 16, 1962, to July 15, 1962, inclusive. These lists are supplementary to the lists of licensed establishments and products in effect on April 15, 1962, published on June 8, 1962, in 27 F.R. 5440.

ESTABLISHMENT LICENSES ISSUED

Establishment	License No.	Date
Scientific Blood Bank, Inc., Chicago, Ill.	345	May 29, 1962
Ohio Valley Blood Service, Inc., Evansville, Ind.	346	June 15, 1962
Aurora Area Blood Bank, Aurora, Ill.	223	July 11, 1962

applies to applications for new stations or any modifications of existing services or facilities that were dismissed with prejudice. Section 1.309(b) provides that applications filed by the same class of station in the same area will not be considered until final disposition of an appeal taken upon denial of the original application. The original application that Edina claims is the basis for the applicability of § 1.309 to the Tedesco application was an application for assignment of license and permit of Station WMIN, St. Paul, Minnesota; thus, the Tedesco application is not one for a new station or a modification of facilities. Section 1.309(a) therefore, would not be applicable. Section 1.309(b) must be read in pari materia with § 1.309(a) of the rules, thus limiting its applicability to proposals for new stations or modifications of existing stations. The petition must be denied.

3. KRLD, in its petition, and supplement thereto, claims standing because the proposed operation of Edina will cause objectionable interference to its nighttime operation in violation of § 3.182 of the Commission's rules. The Edina application as amended, indicates on the basis of the proposed maximum expected operating values of radiation in pertinent directions toward the nighttime secondary service area of Station KRLD, that adequate protection would be afforded. However, in consideration of the wide angle suppression proposed towards KRLD, a grant of the Edina Corporation proposal will be appropriately conditioned upon the submission of a study, based upon anticipated variations in phase and magnitude of currents in the individual antenna towers, with the application for a license, to clearly indicate that the inverse distance field strength at one mile can be maintained within the maximum expected operating values of radiation specified on the radiation pattern.

4. The proposals of Edina Corporation and Tedesco, Inc., would receive nighttime interference affecting more than 10 percent of the population within their normally protected primary service areas; but both comply with the exception contained in § 3.28(d)(3) of the Commission's rules in that both proposals would provide the first standard broadcast nighttime service to Edina and Bloomington, Minnesota, respectively, provided that for the provisions of said § 3.28(d)(3), the listed cities are determined to be separate communities. A contingent § 3.28(d)(3) issue is included.

5. On February 14, 1962, the Commission designated for hearing in Docket No. 14528 (FCC 62-187) an application for a new standard broadcast station at Chisholm, Minnesota on the following issue, *inter alia*, "To determine whether Nicholas and Victor J. Tedesco have 'trafficked' or attempted to 'traffick' in broadcast authorization."; and a grant of the application of Tedesco, Inc., should be appropriately conditioned on the outcome of the proceedings in said Docket No. 14528.

6. The following additional matters are to be considered in connection with the issues specified below:

a. The subject applications are mutually exclusive.

b. A substantial question exists as to whether the operation proposed by Edina Corporation represents sound engineering practice in that a portion of the city of Edina is located in the area of maximum signal suppression.

c. The RSS nighttime limitation contour of the Edina Corporation proposal does not appear to serve all of the city sought to be served as required by section 3.188 of the Commission's rules.

d. It has yet to be determined whether the antenna system proposal by Edina Corporation would constitute a menace to air navigation.

e. The aerial site photographs submitted by Tedesco, Inc., are of insufficient clarity to determine whether the proposed antenna system would be reasonably free of deleterious effects from nearby structures.

f. A substantial question exists as to whether the proposals of Edina Corporation and Tedesco, Inc., are designed to serve the Minneapolis-St. Paul area rather than Edina and Bloomington respectively, and it must initially be determined whether or not a choice can be made between the subject applications on the basis of the criteria set forth in section 307(b) of the Communications Act of 1934. If a choice cannot be made on the aforementioned basis then the determination will be made on the basis of a comparative issue.

g. Victor J. Tedesco and his brother Nicholas, hereinafter referred to as the Tedesco brothers, are President and Vice President respectively and together own 28.6 percent of the subject applicant's voting stock. The Tedesco brothers are also officers, directors and stockholders of the licensees of Station WIXK, New Richmond, Wisconsin and Station KCUE, Red Wing, Minnesota. Together the Tedesco brothers own 45 and 40 percent of the voting stock of the aforementioned stations. Stations WIXK and KCUE are located approximately 45 miles from Bloomington, Minnesota and both of their normally protected service areas (0.5 mv/m contours) are almost entirely enclosed by the 0.5 mv/m contour of the instant proposal. There is also substantial overlap of the 2 mv/m contours. Due to the proximity of Bloomington, Minnesota, New Richmond, Wisconsin, and Red Wing, Minnesota, it will be necessary to determine the hearing ordered below whether a grant of the instant application would be in contravention of § 3.35(a) of the Commission's rules. In addition to the overlap situation, a substantial question exists regarding the geographical concentration of the broadcast interests of the Tedesco brothers within a radius of 280 miles of Minneapolis-St. Paul. Their holdings, including the instant proposal are as follows:

Per- cent interest	Call	Location	Power
28.6	BP-15151	Depre, Wis.....	1 kw, 10 kw- L.S.
28.6	BP-15272	Bloomington, Minn.	10 kw, 50 kw- L.S.
28.6	KWKY..	Des Moines, Iowa.	1 kw.
100.0	BP-14416	Chisholm, Minn.	5 kw.
40.0	KCUE...	Red Wing, Minn.	1 kw.
45.0	WIXK...	New Richmond, Wis.	5 kw.
100.0	KFNF...	Shenandoah, Iowa.	500 w, 1 kw- L.S.

Accordingly, in considering the Bloomington proposal and § 3.35 of the rules, it appears appropriate to consider the size, extent and location of the areas served and to be served, the extent of the overlap involved; the number of persons residing within the overlap area; the classes of stations involved; the extent of other competitive service to the areas in question; the extent to which the stations will rely on the same revenue and program sources; the nature of the programming that the stations will present with particular reference to the needs of the communities they are designated to serve; the advertising practices of the stations; the source of program material and talent for each station; and such other facts as will tend to demonstrate that the overlap and/or concentration of control involved will or will not be in contravention of § 3.35 of the Commission's rules.

h. The operations proposed by Edina Corporation and Tedesco, Inc., meet the criteria of § 1.351 of the Commission's rules, as amended January 31, 1962.

i. In view of the outstanding proposed rule making proceeding, Docket No. 14419, with respect to presunrise operation Class II and III stations with daytime facilities, and grant of the application of Tedesco, Inc., in this proceeding should be appropriately conditioned.

7. In view of the foregoing, the Commission is unable to make the statutory finding that a grant of the subject applications would serve the public interest, convenience, and necessity, and is of the opinion that the applications must be designated for hearing in a consolidated proceeding on the issues set forth below:

It is ordered, That, pursuant to section 309(e) of the Communications Act of 1934, as amended, the instant applications are designated for hearing in a consolidated proceeding, at a time and place to be specified in a subsequent Order, upon the following issues:

1. To determine the areas and populations which would receive primary service from the proposed operations of Edina Corporation and Tedesco, Inc., and the availability of other primary service to such areas and populations.

2. To determine whether a portion of the city sought to be served by the proposal of Edina Corporation is in an area of maximum signal suppression, and, if so whether the proposed directional antenna system represents good engineering.

ing practice, especially in light of the normally expected wide variations, in signal strength occurring in null areas of directional pattern.

3. To determine whether, for the purposes of § 3.28(d) (3), Bloomington, Minnesota, and Edina, Minnesota, are separate communities.

4. To determine, in the event it is concluded pursuant to Issue No. 3, that Bloomington, Minnesota, and Edina, Minnesota, are not separate communities as contemplated by § 3.28(d) (3) of the Commission's rules, whether the interference received by each instant proposal from any of the proposals herein and any existing stations would affect more than ten percent of the population within its normally protected primary service area in contravention of § 3.28(d) (3) of the Commission's rules, and, if so, whether circumstances exist which would warrant a waiver of said section.

5. To determine whether a grant of the instant proposal of Tedesco, Inc., would be in contravention of the provisions of § 3.35(a) of the Commission rules with respect to multiple ownership of standard broadcast stations.

6. To determine whether a grant of the instant proposal of Tedesco, Inc., would be in contravention of § 3.35(b) of the Commission rules with respect to concentration of control.

7. To determine whether there is a reasonable possibility that the tower height and location proposed by Edina Corporation would constitute a menace to air navigation.

8. To determine whether the instant proposal of Edina Corporation would provide coverage of the city sought to be served, as required by § 3.188 of the Commission rules, and, if not, whether circumstances exist which would warrant a waiver of said section.

9. To determine the transmitter site proposed by Tedesco, Inc., is satisfactory with particular regard to any conditions that may exist in the vicinity of the antenna system which would distort the proposed antenna pattern.

10. To determine in light of § 307(b) of the Communications Act of 1934, as amended, which of the instant proposals would provide a fair, efficient and equitable distribution of radio services.

11. To determine, in the event it is concluded that a choice between the instant applications should not be based solely on considerations relating to section 307(b), which of the operations proposed in the above-captioned applications would better serve the public interest in the light of the evidence adduced pursuant to the foregoing issues and the record made with respect to the significant differences between the applicants as to:

a. The background and experience of each having a bearing on the applicant's ability to own and operate the proposed station.

b. The proposals of each of the instant applicants with respect to the management and operation of the proposed station.

c. The programming service proposed in each of the instant applications.

12. To determine, in the light of the evidence adduced pursuant to the fore-

going issues which if either, of the instant applications should be granted.

It is further ordered, That the Petition for Reconsideration filed by Edina Corporation is hereby denied.

It is further ordered, That the Petition to Deny filed by the Times Herald Printing Company is granted to the extent indicated above and is denied in all other respects.

It is further ordered, That the Federal Aviation Agency is made a party to the proceeding.

It is further ordered, That in the event of a grant of the application of Edina Corporation, the construction permit shall be conditioned as follows:

Permittee shall submit a study, based upon anticipated variations in phase and magnitude of current in the individual antenna towers, with the application for a license, to clearly indicate that the inverse distance field intensity at one mile can be maintained within the maximum expected operating values (M.E.O.V.) of radiation specified on the radiation pattern.

This authorization is subject to compliance by permittee with any applicable procedures of the Federal Aviation Agency.

It is further ordered, That, in the event of a grant of the application of Tedesco, Inc., the construction permit shall contain the following conditions:

Pending a final decision in Docket No. 14419 with respect to presurise operation with daytime facilities, the present provisions of § 3.87 of the Commission rules are not extended to this authorization, and such operation is precluded.

Final action with respect to this application shall be withheld until disposition action is taken with respect to the proceedings in Docket No. 14528, an application for a construction permit for a new standard broadcast station in Chisholm, Minnesota.

It is further ordered, That, to avail themselves of the opportunity to be heard, the applicants and party respondent herein, pursuant to § 1.140 of the Commission rules, in person or by attorney, shall, within 20 days of the mailing of this Order, file with the Commission in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this order.

It is further ordered, That the applicants herein shall, pursuant to section 311(a) (2) of the Communications Act of 1934, as amended, and § 1.362(b) of the Commission's rules, give notice of the hearing, either individually or, if feasible, jointly, within the time and in the manner prescribed in such rule, and shall advise the Commission of the publication of such notice as required by § 1.362(g) of the rules.

It is further ordered, That, the issues in the above-captioned proceeding may be enlarged by the Examiner, on his own motion or on petition properly filed by a party to the proceeding, and upon sufficient allegations of fact in support thereof, by the addition of the following issue: To determine whether the funds available to the applicant will give rea-

sonable assurance that the proposals set forth in the application will be effectuated.

Adopted: July 25, 1962.

Released: July 31, 1962.

FEDERAL COMMUNICATIONS

COMMISSION,

[SEAL] BEN F. WAPLE,

Acting Secretary.

[F.R. Doc. 62-7716; Filed, Aug. 2, 1962; 8:56 a.m.]

[Docket Nos. 14736, 14737; FCC 62-843]

FIVE CITIES BROADCASTING CO., INC., AND DOUGLAS COUNTY BROADCASTING CO.

Order Designating Applications for Consolidated Hearing on Stated Issues

In re applications of Five Cities Broadcasting Co., Inc., Austell, Georgia, Docket No. 14736, File No. BP-14410, requests 1520 kc, 1 kw (500 w C.H.), Day, Class II; Bolling Branham tr/as Douglas County Broadcasting Company, Douglasville, Georgia, Docket No. 14737, File No. BP-14731, requests 1520 kc, 1 kw (500 w C.H.), Day, Class II; for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 25th day of July 1962;

The Commission having under consideration the above-captioned and described applications;

It appearing, that, except as indicated by the issues specified below, each of the instant applicants is legally, technically, financially and otherwise qualified to construct and operate the instant proposals; and

It further appearing that the above-captioned applications are mutually exclusive; and

It further appearing that in view of the foregoing, the Commission is unable to make the statutory finding that a grant of the subject applications would serve the public interest, convenience, and necessity, and is of the opinion that the applications must be designated for hearing in a consolidated proceeding on the issues set forth below:

It is ordered, That, pursuant to section 309(e) of the Communications Act of 1934, as amended, the instant applications are designated for hearing in a consolidated proceeding, at a time and place to be specified in a subsequent order, upon the following issues:

1. To determine the areas and populations which would receive primary service from each of the above-captioned applications and the availability of other primary service to such areas and populations.

2. To determine, in the light of section 307(b) of the Communications Act of 1934, as amended, which of the instant proposals would better provide a fair, efficient and equitable distribution of radio service.

3. To determine, in the event it is concluded that a choice between the instant applications should not be based solely

on considerations relating to section 307 (b), which of the operations proposed in the above-captioned applications would better serve the public interest, in light of the evidence adduced pursuant to the foregoing issues and the record made with respect to the significant difference between the applicants as to:

(a) The background and experience of each having a bearing on the applicant's ability to own and operate the proposed standard broadcast station.

(b) The proposals of each of the instant applicants with respect to the management and operation of the proposed stations.

(c) The programming services proposed in each of the instant applications.

4. To determine, in the light of the evidence adduced pursuant to the foregoing issues, which, if either, of the instant applications should be granted.

It is further ordered, That, in the event of a grant of any of the instant proposals, the construction permit shall contain the following conditions:

Pending a final decision in Docket No. 14419 with respect to presunrise operation with daytime facilities, the present provisions of § 3.87 of the Commission rules are not extended to this authorization, and such operation is precluded.

This authorization is subject to compliance by permittee with any applicable procedures of the FAA.

It is further ordered, That, to avail themselves of the opportunity to be heard, the applicants pursuant to § 1.140 of the Commission rules, in person or by attorney, shall, within 20 days of the mailing of this order, file with the Commission in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this order.

It is further ordered, That the applicants herein shall, pursuant to section 311(a)(2) of the Communications Act of 1934, as amended, and § 1.362(b) of the Commission's rules, give notice of the hearing, either individually or, if feasible, jointly within the time and in the manner prescribed in such rule, and shall advise the Commission of the publication of such notice as required by § 1.362(g) of the rules.

It is further ordered, That, the issues in the above-captioned proceeding may be enlarged by the Examiner, on his own motion or on petition properly filed by a party to the proceeding, and upon sufficient allegations of fact in support thereof, by the addition of the following issue: To determine whether the funds available to the applicant will give reasonable assurance that the proposals set forth in the application will be effectuated.

Released: July 31, 1962.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 62-7718; Filed, Aug. 2, 1962;
8:56 a.m.]

No. 150-4

[Docket No. 14733; FCC 62-840]

HUDSON VALLEY BROADCASTING CORP. (WEOK)

Order Designating Application for Hearing on Stated Issues

In re application of Hudson Valley Broadcasting Corp. (WEOK), Poughkeepsie, New York, Docket No. 14733, File No. BP-14590, has 1390 kc, 5 kw, DA-D, Class III, requests 1390 kc, 1 kw, 5 kw-LS, DA-2, U Class III-B; for construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 25th day of July 1962;

The Commission having under consideration the above-captioned and described application;

It appearing, that, except as indicated by the issues specified below, the instant applicant is legally, technically, financially, and otherwise qualified to construct and operate the instant proposal; and

It further appearing, that, the following matters are to be considered in connection with the aforementioned issues specified below:

1. The subject proposal causes interference to and receives interference from the following proposals with which it is not timely filed:

BP-12266, Ellenville, N.Y., and BP-12742, Ellenville, N.Y., Docket No. 13257 et al.

2. The normally protected nighttime contour of the proposed Class III-B operation would be 4 mv/m. According to the applicant's figures, however, the nighttime interference free service area will be limited to the 25.7 mv/m contour. A total of 22,117 persons within the normally protected service area, or 30.4 percent, would fail to receive nighttime service from the proposed operation. Since this figure exceeds the permissible percentage in § 3.28(d)(3) of the Commission's rules, the subject application must be denied unless it can be determined that a waiver of this section would be in the public interest. The applicant has requested waiver of this provision and therefore, an issue will be included to develop such facts as may indicate that a waiver of the rule would, or would not be in the public interest.

3. According to the applicant's figures, a total of 126 square miles within the normally protected service contour or 85.6 percent of this area would fail to receive nighttime service from the proposed operation. It would appear therefore that the subject proposal may be inefficient within the meaning of § 3.24 (b) of the rules.

It further appearing, that, in view of the foregoing, the Commission is unable to make the statutory finding that a grant of the subject application would serve the public interest, convenience, and necessity, and is of the opinion that the application must be designated for hearing on the issues set forth below:

It is ordered, That, pursuant to section 309(e) of the Communications Act

of 1934, as amended, the instant application is designated for hearing, at a time and place to be specified in a subsequent Order, upon the following issues:

1. To determine the areas and populations which may be expected to gain or lose primary service from the proposed operation of Station WEOK and the availability of other primary service to such areas and populations.

2. To determine whether the instant proposal of WEOK would cause objectionable interference to the proposed operations in applications File Nos. BP-12266 and BP-12742 Ellenville, New York, or any existing standard broadcast stations, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other primary service to such areas and populations.

3. To determine whether circumstances exist which would warrant a waiver of § 3.28(d)(3) of the Commission's rules with regard to the nighttime operation proposed by the subject application.

4. To determine because of interference received, whether the nighttime proposal of Station WEOK would be consistent with the requirements of § 3.24 (b) of the Commission's rules.

5. To determine, in the light of the evidence adduced pursuant to the foregoing issues, whether a grant of the instant application would serve the public interest, convenience and necessity.

It is further ordered, That, Catskills Broadcasting Company and Ellenville Broadcasting Company applicants for new standard broadcast facilities at Ellenville, New York, are made parties to the proceeding.

It is further ordered, That, in the event of a grant of the subject application, the construction permit shall contain the following conditions:

Permittee shall accept such interference as will result from a grant of either BP-12266 or BP-12742 for new standard broadcast stations in Ellenville, New York.

Pending a final decision in Docket No. 14419 with respect to pre-sunrise operation with daytime facilities, the present provisions of § 3.87 of the Commission rules are not extended to this authorization, and such operation is precluded.

It is further ordered, That, to avail themselves of the opportunity to be heard, the applicant and parties respondent herein, pursuant to § 1.140 of the Commission rules, in person or by attorney, shall within 20 days of the mailing of this order, file with the Commission in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this order.

It is further ordered, That, the applicant herein shall, pursuant to section 311(a)(2) of the Communications Act of 1934, as amended, and § 1.362(b) of the Commission's rules, give notice of the hearing, within the time and in the manner prescribed in such rule, and shall advise the Commission of the pub-

lication of such notice as required by § 1.362(g) of the rules.

Released: July 31, 1962.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 62-7719; Filed, Aug. 2, 1962;
8:56 a.m.]

[Docket No. 14735; FCC 62-842]

MANCHESTER BROADCASTING CO. (WMSR)

Order Designating Application for Hearing on Stated Issues

In re application of Murray Chumley tr/as Manchester Broadcasting Company (WMSR), Manchester, Tennessee, Docket No. 14735, File No. BP-14659, has 1320 kc, 1 kw, Day, Class III, requests 1320 kc, 500 w, 5 kw-LS, DA-N, U, Class III-B, for construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 25th day of July, 1962;

The Commission having under consideration the above-captioned and described application;

It appearing, that, except as indicated by the issues specified below, the instant applicant is legally, technically, financially, and otherwise qualified to construct and operate the instant proposal; and

It further appearing that the following matters are to be considered in connection with the aforementioned issues specified below:

The proposed operations will apparently be limited to an interference-free nighttime contour of 15.77 mv/m resulting in an area loss of approximately 81 percent and a population loss of approximately 43 percent within its normally protected nighttime contour. This proposal complies with nighttime first service exception to § 3.28(d)(3) of the Commission's rules, but a question obtains as to whether the proposed nighttime operation represents an efficient utilization of the channel, pursuant to § 3.24(b) of the rules.

It further appearing, that, in view of the foregoing, the Commission is unable to make the statutory finding that a grant of the subject application would serve the public interest, convenience, and necessity, and is of the opinion that the application must be designated for hearing on the issues set forth below:

It is ordered, That, pursuant to section 309(e) of the Communications Act of 1934, as amended, the instant application is designated for hearing, at a time and place to be specified in a subsequent Order, upon the following issues:

1. To determine the areas and populations which may be expected to gain or lose primary service from the proposed operation of Station WMSR and the availability of other primary service to such areas and populations.

2. To determine whether, because of the interference received, the proposed nighttime operation would be consistent with § 3.24(b) of the Commission's rules.

3. To determine, in the light of the evidence adduced pursuant to the foregoing issues, whether a grant of the instant application would serve the public interest, convenience and necessity.

It is further ordered, That in the event of a grant of the above-captioned application, the construction permit shall be conditioned as follows:

Permittee shall accept any interference that may result to the subject proposal in event of a subsequent grant of the Childress Broadcasting Corporation of Murphy proposal, File No. BP-13061, Murphy, North Carolina or the McLendon Birmingham Broadcasting Company Incorporated proposal, File No. BP-14778, Birmingham, Alabama.

Pending a final decision in Docket No. 14419 with respect to pre-sunrise operation with daytime facilities, the present provisions of § 3.87 of the Commission's rules are not extended to this authorization, and such operation is precluded.

Before program tests are authorized, permittee shall submit sufficient field intensity measurement data to establish that the daytime radiation has been reduced to essentially 392 mv/m 5 kw, as proposed.

It is further ordered, That, to avail itself of the opportunity to be heard, the applicant pursuant to § 1.140 of the Commission rules, in person or by attorney, shall within 20 days of the mailing of this order, file with the Commission in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this order.

It is further ordered, That the applicant herein shall, pursuant to section 311(a)(2) of the Communications Act of 1934, as amended, and § 1.362(b) of the Commission rules, give notice of the hearing, within the time and in the manner prescribed in such rule, and shall advise the Commission of the publication of such notice as required by § 1.362(g) of the rules.

Released: July 31, 1962.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 62-7720; Filed, Aug. 2, 1962;
8:57 a.m.]

[Docket No. 14742; FCC 62-848]

MARLIN T. OBIE AND HENRY G. TWETEN

Order Designating Application for Hearing on Stated Issues

In re application of Marlin T. Obie and Henry G. Tweten, Mayville, North Dakota, Docket No. 14742, File No. BP-14248, requests 1520kc, 250w, Day; for construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 25th day of July 1962;

The Commission having under consideration the above-captioned and described application;

It appearing, that, except as indicated by the issues specified below, the applicant is legally, technically, financially and otherwise qualified to construct and operate the proposed station but that Marlin T. Obie is the individual licensee of Station KRAD, East Grand Forks, Minnesota, and that the primary service area of the proposed station will serve a portion of the service area of KRAD which may be substantial within the meaning of § 3.35(a) of the Commission's rules on multiple ownership; and

It further appearing that the Commission advised the applicant of the foregoing by letter of January 4, 1962; that in response to the Commission's letter the applicant submitted an affidavit of a qualified radio engineer stating that KRAD serves Mayville with a signal of 1.0 mv/m;¹ that the proposed Mayville station would serve East Grand Forks with a signal of less than 0.5 mv/m; that an area of 169 square miles would receive a signal from both KRAD and the proposed Mayville station of 2 mv/m and that the population within this area is 1360 or 8.8 percent of the population within the 2 mv/m contour of the proposed Mayville station; that 55 percent of the proposed Mayville primary service area wherein 31,900 persons reside does not receive a signal of 0.5 mv/m from KRAD; that seven standard broadcast stations now serve the area which would receive a signal of 2 mv/m or better from both KRAD and the proposed Mayville station; that eleven standard broadcast stations serve the area which would receive a signal of 0.5 mv/m or better from both KRAD and the proposed Mayville station; and that the consulting engineer has met community leaders and business men in Mayville who have indicated that there is no station in the Red River Valley between Grand Forks and Fargo and that the needs of the Mayville community could best be served by establishing a standard broadcast station at Mayville; and

It further appearing that the Commission is unable, on the basis of the information before it, to determine that a grant of the instant application would serve the public interest, convenience and necessity and is of the opinion that the application must be designated for hearing to determine whether a grant of the application would be in contravention of § 3.35(a) of the Commission's rules and that in reaching this determination it is appropriate to consider the size, extent and location of the areas served; the extent of the overlap involved; the number of persons residing within the overlap area; the classes of stations involved; the extent of other competitive service to the areas in question; the extent to which the stations will rely on the same revenue and program sources; the nature of the programming that the stations will present with particular reference to the needs of the communities they are designed to serve; the advertising practices

¹ Mayville has a population of 2168 (1960 Census), and therefore a signal strength of 1 mv/m provides primary service to Mayville. See § 1.382(g) of the Commission's rules.

of the stations; the source of program material and talent for each station; and such other factors as will tend to demonstrate that the overlap involved will or will not be in contravention of § 3.35(a) of the Commission's rules;

It is ordered, That, pursuant to section 309(e) of the Communications Act of 1934, as amended, the application is designated for hearing, at a time and place to be specified in a subsequent order, upon the following issues:

1. To determine the areas and populations which would receive primary service from the proposed operation and the availability of other primary service to such areas and populations.

2. To determine whether a grant of the instant proposal would be in contravention of the provisions of § 3.35(a) of the Commission rules with respect to multiple ownership of standard broadcast stations.

3. To determine, in the light of the evidence adduced pursuant to the foregoing issues, whether a grant of the instant application would serve the public interest, convenience and necessity.

It is further ordered, That, in the event of a grant of the application of Marlin T. Obie and Henry G. Tweten the construction permit shall contain the following condition:

Pending a final decision in Docket No. 14419 with respect to presunrise operation with daytime facilities, the present provisions of § 3.87 of the Commission rules are not extended to this authorization, and such operation is precluded.

It is further ordered, That, to avail itself of the opportunity to be heard, the applicant, pursuant to § 1.140 of the Commission rules, in person or by attorney, shall, within 20 days of the mailing of this order, file with the Commission in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this order.

It is further ordered, That the applicant herein shall, pursuant to section 311(a)(2) of the Communications Act of 1934, as amended, and § 1.362(b) of the Commission's rules, give notice of the hearing, within the time and in the manner prescribed in such rule, and shall advise the Commission of the publication of such notice as required by § 1.362(g) of the rules.

Released: July 31, 1962.

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

[F.R. Doc. 62-7721; Filed, Aug. 2, 1962;
8:57 a.m.]

[Docket No. 14741; FCC 62-847]

NEW MADRID COUNTY BROADCASTING CO. (KMIS)

Order Designating Application for Hearing on Stated Issues

In re application of J. Shelby McCallum, Smith J. Dunn and Jewel P. White, d/b as New Madrid County Broadcasting Company (KMIS), Portageville, Missouri, Docket No. 14741, File No. BP-

14758; has 1050 kc, 250 w, Day, Class II, requests 1050 kc, 1 kw, Day, Class II, for construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 25th day of July 1962;

The Commission having under consideration the above-captioned and described application;

It appearing, that, except as indicated by the issues specified below, the instant applicant is legally, technically, financially, and otherwise qualified to construct and operate the instant proposal; and

It further appearing that the following matters are to be considered in connection with the aforementioned issues specified below:

1. The proposal would cause objectionable interference to Station WNES, Central City, Kentucky.

It further appearing, that, in view of the foregoing, the Commission is unable to make the statutory finding that a grant of the subject application would serve the public interest, convenience, and necessity, and is of the opinion that the application must be designated for hearing on the issues set forth below:

It is ordered, That, pursuant to section 309(e) of the Communications Act of 1934, as amended, the instant application is designated for hearing, at a time and place to be specified in a subsequent order, upon the following issues:

1. To determine the areas and populations which may be expected to gain or lose primary service from the proposed operation of Station KMIS and the availability of other primary service to such areas and populations.

2. To determine whether the instant proposal of Station KMIS would cause objectionable interference to Station WNES, Central City, Kentucky, or any other existing standard broadcast stations, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other primary service to such areas and populations.

3. To determine, in the light of the evidence adduced pursuant to the foregoing issues, whether a grant of the instant application would serve the public interest, convenience and necessity.

It is further ordered, That Muhlenberg Broadcasting Company, licensee of Station WNES, Central City, Kentucky, is made a party to the proceeding.

It is further ordered, That, in the event of a grant of the applications of KMIS, the construction permit shall contain the following conditions:

Permittee shall submit with the application for license, antenna resistance measurements made in accordance with § 3.54 of the Commission rules.

Permittee shall accept any interference received in the event of a subsequent grant of the application of Mid-States Broadcasting Company requesting authority to change the facilities of Station WDWZ, Decatur, Illinois, to 1050 kc 5 kw, DA-D (BP-15040).

Pending a final decision in Docket No. 14419 with respect to presunrise operation with daytime facilities, the present provisions of § 3.87 of the Commission

rules are not extended to this authorization, and such operation is precluded.

It is further ordered, That to avail themselves of the opportunity to be heard, the applicant and party respondent herein, pursuant to § 1.140 of the Commission rules, in person or by attorney, shall within 20 days of the mailing of this order, file with the Commission in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this order.

It is further ordered, That the applicant herein shall, pursuant to section 311(a)(2) of the Communications Act of 1934, as amended, and § 1.362(b) of the Commission rules, give notice of the hearing, within the time and in the manner prescribed in such rule, and shall advise the Commission of the publication of such notice as required by § 1.362(g) of the rules.

Released: July 31, 1962.

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

[F.R. Doc. 62-7722; Filed, Aug. 2, 1962;
8:57 a.m.]

[Docket No. 14734; FCC 62-841]

STAR BROADCASTING CORP. (WFLS)

Order Designating Application for Hearing on Stated Issues

In re application of Star Broadcasting Corporation (WFLS), Fredericksburg, Virginia, Docket No. 14734, File No. BP-14752, has 1350 kc, 500 w, Daytime, requests 1350 kc, 1 kw, Daytime, for construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 25th day of July 1962;

The Commission having under consideration the above-captioned and described application;

It appearing, that, except as indicated by the issues specified below, the instant applicant is legally, technically, financially, and otherwise qualified to construct and operate the instant proposal; and

It further appearing that the following matter is to be considered in connection with the aforementioned issues specified below:

The proposal of Star Broadcasting Corporation, licensee of WFLS, will cause additional interference to Tidewater Teleradio, Inc., licensee of Station WAVY (1350 kc, 5 kw, DA-2, U, Class III), Portsmouth, Virginia. Station WAVY filed a "Petition to Deny" alternatively requesting that the application be denied or that it be designated for hearing.

It further appearing, that, in view of the foregoing, the Commission is unable to make the statutory finding that a grant of the subject application would serve the public interest, convenience, and necessity, and is of the opinion that the application must be designated for hearing on the issues set forth below:

It is ordered, That, pursuant to section 309(e) of the Communications Act of 1934, as amended, the instant application is designated for hearing, at a time and place to be specified in a subsequent order, upon the following issues:

1. To determine the areas and populations which may be expected to gain or lose primary service from the proposed operation of Station WFLS and the availability of other primary service to such areas and populations.

2. To determine whether the instant proposal of Station WFLS would cause objectionable interference to Station WAVY, Portsmouth, Virginia, or any other existing standard broadcast station, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other primary service to such areas and populations.

3. To determine, in the light of the evidence adduced pursuant to the foregoing issues, whether a grant of the instant application would serve the public interest, convenience and necessity.

It is further ordered, That Tidewater Teleradio, Inc., licensee of Station WAVY, Portsmouth, Virginia is made a party to the proceeding.

It is further ordered, That, to the extent indicated herein, Station WAVY's Petition to Deny is granted, and in all other respects, is denied.

It is further ordered, That, in the event of a grant of the application of Station WFLS, the construction permit shall contain the following conditions:

Pending a final decision in Docket No. 14419 with respect to pre-sunrise operation with daytime facilities, the present provisions of § 3.87 of the Commission rules are not extended to this authorization, and such operation is precluded.

Permittee shall submit with the application for license antenna resistance measurements made in accordance with § 3.54 of the Commission rules.

It is further ordered, That, to avail themselves of the opportunity to be heard, the applicant and parties respondent herein, pursuant to § 1.140 of the Commission rules, in person or by attorney, shall, within 20 days of the mailing of this order, file with the Commission in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this order.

It is further ordered, That the applicant herein shall, pursuant to section 311(a)(2) of the Communications Act of 1934, as amended, and § 1.362(b) of the Commission rules, give notice of the hearing, within the time and in the manner prescribed in such rule, and shall advise the Commission of the publication of such notice as required by § 1.362(g) of the rules.

Released: July 31, 1962.

FEDERAL COMMUNICATIONS
COMMISSION;

[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 62-7723; Filed, Aug. 2, 1962;
8:57 a.m.]

[Docket No. 14732; FCC 62-834]

WGLI, INC. (WGLI)

Order Designating Application for Hearing on Stated Issues

In re application of WGLI, Inc. (WGLI), Babylon, New York, Docket No. 14732, File No. BP-14196, has 1290 kc, 1 kw, DA-1, U, requests 1290 kc, 1 kw, 5 kw-LS, DA-2, U; for construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 25th day of July 1962;

The Commission having under consideration the above-captioned and described application;

It appearing, that, except as indicated by the issues specified below, the applicant is legally, technically, financially and otherwise qualified to construct and operate its proposal but that the proposed operation of Station WGLI would cause interference to Stations WADO, New York, New York, and WAVZ, New Haven, Connecticut; and

It further appearing that the licensees of Stations WADO and WAVZ have filed objections to the WGLI application, WADO by petition to deny the application filed on September 14, 1961, and WAVZ by letter of September 27, 1960; and

It further appearing that WGLI filed an opposition to the WADO petition on September 25, 1961, claiming that the WADO petition was not timely filed in accordance with the provisions of § 1.359(f) (now § 1.359(i)) of the Commission's rules and that the interference which would be caused to Station WADO would be minimal; and

It further appearing that WGLI concedes that interference to WAVZ would affect approximately 2000 persons or 0.364 percent of the population within the WAVZ normally protected primary service area and that interference to WADO would affect approximately 9147 persons or 0.085 percent of the population within the WADO normally protected primary service area; and

It further appearing, that, in view of the outstanding proposed rulemaking proceeding in Docket No. 14419 with respect to pre-sunrise operation with daytime facilities, a grant of the proposal in this proceeding, prior to final decision in Docket No. 14419, should be appropriately conditioned; and

It further appearing, that, in view of the foregoing, the Commission is unable to make the statutory finding that a grant of the application would serve the public interest, convenience and necessity and is of the opinion that the application must be designated for hearing on the issues set forth below:

It is ordered, That, pursuant to section 309(e) of the Communications Act of 1934, as amended, the instant application is designated for hearing, at a time and place to be specified in a subsequent order, upon the following issues:

1. To determine the areas and populations which may be expected to gain

or lose primary service from the proposed operation of Station WGLI and the availability of other primary service to such areas and populations.

2. To determine whether the proposed operation of Station WGLI would cause objectionable interference to Stations WAVZ, New Haven, Connecticut, and WADO, New York, New York, or any other existing standard broadcast stations, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other primary service to such areas and populations.

3. To determine, in the light of the evidence adduced pursuant to the foregoing issues, whether a grant of the instant application would serve the public interest, convenience and necessity.

It is further ordered, That the petition of Bartell Broadcasters of New York, Inc., is hereby dismissed as untimely pursuant to the provisions of § 1.359(i) of the Commission's rules.

It is further ordered, That, on the Commission's own motion, The WAVZ Broadcasting Corporation and Bartell Broadcasters of New York, Inc., licensees of Stations WAVZ and WADO, respectively, are made parties to the proceeding.

It is further ordered, That, in the event of a grant of the application, the construction permit shall be conditioned as follows:

Pending a final decision in Docket No. 14419 with respect to pre-sunrise operation with daytime facilities, the present provisions of § 3.87 of the Commission's rules are not extended to this authorization, and such operation is precluded.

Permittee shall submit sufficient field intensity measurement data after adjustment of the daytime directional antenna system to establish that the nighttime radiation pattern remains adjusted within authorized limits.

It is further ordered, That, to avail themselves of the opportunity to be heard, the applicant and parties respondent herein, pursuant to § 1.140 of the Commission's rules, in person or by attorney, shall, within twenty (20) days of the mailing of this order, file with the Commission in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this order.

It is further ordered, That the applicant herein, shall, pursuant to section 311(a)(2) of the Communications Act of 1934, as amended, and § 1.362(b) of the Commission's rules, give notice of the hearing within the time and in the manner prescribed in such rule, and shall advise the Commission of the publication of such notice as required by § 1.362(g) of the rules.

Released: July 31, 1962.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 62-7724; Filed, Aug. 2, 1962;
8:57 a.m.]