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Washington, Thursday, July 15, 1948

## TITLE 6—AGRICULTURAL CREDIT

### Chapter II—Production and Marketing Administration (Commodity Credit)

[1948 C. C. C. Wheat Bulletin 1, Supp. 1]

#### PART 251—WHEAT LOANS AND PURCHASE AGREEMENTS

##### 1948 WHEAT PRICE SUPPORT PROGRAM BULLETIN

The regulations issued by Commodity Credit Corporation and the Production and Marketing Administration, published in 13 F. R. 3272, governing the making of loans on wheat produced in 1948, are hereby supplemented as follows:

§ 251.226 *Rates at which loans will be made*—(a) *Rates at terminal markets.* For loan at the full rate shown in the following schedule, the wheat must have been shipped on a domestic interstate freight rate basis. The rate at the designated terminal market will be reduced by the difference between the freight paid and the domestic freight rate on any wheat shipped at other than the domestic freight rate. The following schedule of rates applies to wheat delivered to any designated terminal market in carload lots which has been shipped by rail from a country shipping point to one of the designated terminal markets, as evidenced by paid freight bills duly registered for transit privileges and other documents as required in 1948 C. C. C. Wheat Bulletin 1: *Provided*, That in the event the amount of paid-in freight is insufficient to guarantee minimum proportional freight rates from the terminal market, there shall be deducted from the applicable terminal rate the difference between the amount of freight actually paid in and the amount required to be paid in to guarantee outbound movement at the minimum proportional freight rate. The warehouse receipts must be accompanied by the registered freight bills, or by a statement written in the following form and signed by the warehouseman, or a certificate of such warehouseman containing such an undertaking, or such forms as may hereafter be approved by CCC. In the absence of such freight bills or certificates, a deduction of 6 cents per bushel shall be made.

#### FREIGHT CERTIFICATE FOR TERMINALS

The wheat represented by attached warehouse receipt No. \_\_\_\_\_ was received by rail freight from \_\_\_\_\_ (Town)

\_\_\_\_\_ (County) \_\_\_\_\_ (State)

point of origin, as evidenced by freight bill described as follows:

Way bill, date \_\_\_\_\_  
No. \_\_\_\_\_  
Car No. \_\_\_\_\_  
Init. \_\_\_\_\_  
Freight bill, date \_\_\_\_\_  
No. \_\_\_\_\_  
Carrier \_\_\_\_\_  
Transit wt. \_\_\_\_\_  
Freight rate in \_\_\_\_\_  
Amount collected \_\_\_\_\_  
Number unused transit stops \_\_\_\_\_

The above-described paid freight bill has been officially registered for transit and will be held in accordance with the provisions of paragraph 19 of the Uniform Grain Storage Agreement.

\_\_\_\_\_ (Warehouseman's signature)

\_\_\_\_\_ (Address)

\_\_\_\_\_ (Date of Signature)

Wheat trucked to a designated terminal market and stored in a warehouse shall have a rate equal to the higher of the terminal rate minus 6 cents per bushel or the county rate for the county in which the wheat is stored.

(1) *Terminal rates for No. 1 wheat.* 1948 wheat rates on No. 1 dark hard winter, No. 1 hard winter, No. 1 yellow hard winter, No. 1 red winter, No. 1 western red, No. 1 soft white, No. 1 white club, No. 1 western white, No. 1 hard white, No. 1 heavy dark northern spring, No. 1 heavy northern spring, No. 1 heavy red spring, No. 1 hard amber durum, No. 1 amber durum, No. 1 durum, stored in eligible warehouse storage at the following terminal markets, shall be as follows:

Market	Rate per bushel
Kansas City, St. Joseph, Mo.; Kansas City, Kans.; Omaha, Nebr.; Council Bluffs, Iowa	\$2.24
Chicago, Ill.; Milwaukee, Wis.; St. Louis, Mo.; East St. Louis, Ill.	2.29
Minneapolis, St. Paul, Duluth, Minn.; Superior, Wis.	2.26
Portland, Oreg.; Seattle, Vancouver, Tacoma, Longview, Wash.	2.19
San Francisco, Los Angeles, Stockton, Oakland, Calif.	2.29

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Market—Continued	Rate per bushel
Galveston, Houston, Tex.; New Orleans, La.-----	\$2.32
Cairo, Ill.-----	2.30
Evansville, Ind.; Louisville, Ky.; Cincinnati, Ohio-----	2.31
Philadelphia, Pa.; Baltimore, Md.; Norfolk, Va. (except as provided in paragraph b (a) of this section)--- 2.40	
Albany, N. Y.-----	2.41

The terminal rate for other No. 1 wheat shall be determined by subtracting the following discounts from the applicable terminal rates:

Classification	Cents per bushel
No. 1 red durum-----	\$0.15
No. 1 mixed wheat (containing less than 10 percent of wheats of the classes durum and/or red durum)--- .02	
No. 1 mixed wheat (containing in excess of 10 percent of wheats of the class durum and/or red durum)--- .15	
No. 1 mixed wheat grading amber mixed durum-----	.05
No. 1 mixed wheat grading mixed durum-----	.10

(2) Variations for grades. Rates for other eligible grades and subclasses shall be at the following schedule of discounts and premiums:

(1) Discounts.

	No. 1 heavy dark northern spring, No. 1 heavy northern spring, No. 1 heavy red spring	No. 1 dark hard winter, No. 1 hard winter, No. 1 yellow hard winter, No. 1 red winter, No. 1 western red, No. 1 hard white, No. 1 soft white, No. 1 white club, No. 1 western white, No. 1 hard amber durum, No. 1 amber durum, No. 1 durum, No. 1 amber mixed durum, No. 1 mixed durum, No. 1 red durum, No. 1 mixed wheat.
No. 1 (not heavy)-----	1	0
No. 2-----	2	1
No. 3-----	4	3
No. 4-----	6	5
No. 5-----	9	8
<i>Smut-degree basis</i>		
Light smutty-----	2	2
Smutty-----	6	6
<i>Smut-percentage basis</i>		
1/2 of 1%-----	2	2
1% or over-----	6	6
<i>Garlic-degree basis</i>		
Light garlicy-----	2	2
Garlicy-----	6	6

(ii) Premiums.

Protein, content (percent)	Minneapolis, St. Paul, Duluth, Minn.; Milwaukee, Superior, Wis.; Kansas City, St. Joseph, Mo.; Kansas City, Kans.; Omaha, Nebr. Council Bluffs, Iowa; Chicago, East St. Louis, Ill.; St. Louis, Mo.; Galveston, Houston, Tex.; New Orleans, La.; Philadelphia, Pa.; Baltimore, Md.; Albany, N. Y.				Portland, Oreg.; Seattle, Vancouver, Longview, Tacoma, Wash.; San Francisco, Los Angeles, Stockton, Oakland, Calif.			
	Hard red spring	Hard red winter; hard white wheat	Hard red spring	Hard red winter; hard white wheat	Hard red spring	Hard red winter; hard white wheat	Hard red spring	Hard red winter; hard white wheat
	Cents per bu.	Cents per bu.	Cents per bu.	Cents per bu.	Cents per bu.	Cents per bu.	Cents per bu.	Cents per bu.
10.0-10.9-----	0	0	1	1				
11.0-11.9-----	0	0	2	2				
12.0-12.9-----	0	0	3	3				
13.0-13.9-----	1	1	4	4				
14.0-14.4-----	2	1 1/2	5	4 1/2				
14.5-14.9-----	3	2	6	5				
15.0-15.4-----	4	2 1/2	7	5 1/2				
15.5-15.9-----	5	3	8	6				
16.0-16.4-----	6	3 1/2	9	6 1/2				
16.5-16.9-----	7	4	10	7				
17.0-17.4-----	8	4 1/2	11	7 1/2				
Over 17.4-----	(1)	(2)	(3)	(4)				

1 1 for each 1/2 percent of protein over 17.4 percent.  
 2 1/2 for each 1/2 percent of protein over 17.4 percent.  
 3 1 for each 1/2 percent of protein over 17.4 percent.  
 4 1/2 for each 1/2 percent of protein over 17.4 percent.

(b) Rates at other than designated terminal markets. (1) For States and counties other than those designated in subparagraph (2) of this paragraph, the rate for wheat in storage on the farm or in country warehouses shall be determined by deducting from the designated terminal loan rate an amount equal to the receiving and loading-out charges computed in accordance with the applicable rates of the Uniform Grain Storage Agreement (CCC Form H, Revised) for the 1948 crop and the average freight rate (plus tax) from representative shipping points (other than subterminal markets) in each county to the appropriate terminal market.

The rate for wheat stored in approved warehouses (other than those situated in the designated terminal markets or in the States and counties designated in subparagraph (2) of this paragraph) which was shipped by rail from country shipping points shall be determined by deducting from the appropriate designated terminal market rate an amount equal to the transit balance of the through freight rate from point of origin for such wheat to such terminal market, plus freight tax on such transit balance. Provided, That in the case of wheat stored at any railroad transit point, taking a penalty by reason of out-of-line movement, or for any other reason, to the appropriate designated market, there shall be added to such transit balance an amount equal to any out-of-line or other costs incurred in storing wheat in such position, as determined by CCC. The warehouse receipts, in addition to other required documents, must be accompanied by the original paid freight bills duly registered for transit privileges or by a statement of the warehouseman in the following form, or a warehouseman's

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supplemental certificate containing such information:

FREIGHT CERTIFICATE FOR OTHER THAN TERMINAL POINTS

The wheat represented by attached warehouse receipt No. \_\_\_\_\_ was received by rail freight from \_\_\_\_\_ (Town)

(County) (State)  
point of origin, as evidenced by freight bill described as follows:

Way bill, date \_\_\_\_\_  
No. \_\_\_\_\_  
Car No. \_\_\_\_\_  
Init. \_\_\_\_\_  
Freight bill, date \_\_\_\_\_  
No. \_\_\_\_\_  
Carrier \_\_\_\_\_  
Transit wt. \_\_\_\_\_  
Freight rate in \_\_\_\_\_  
Amount collected \_\_\_\_\_  
Transit balance, if any, of through freight rate to \_\_\_\_\_ of \_\_\_\_\_ per 100 pounds  
Number unused transit stops \_\_\_\_\_

The above-described paid freight bill has been officially registered for transit and will be held in accordance with the provisions of paragraph 19 of the Uniform Grain Storage Agreement.

(Warehouseman's signature)  
\_\_\_\_\_  
(Address)

(Date of signature)

(2) Schedules of rates for wheat at other than designated terminal markets and for certain wheat at Norfolk, Virginia, will be issued with respect to the following States: Delaware, Kentucky, Maryland, New York, New Jersey, North Carolina, Tennessee, Virginia, and West Virginia.

The rate for wheat stored in approved warehouses (except those situated at designated terminal markets and for wheat stored in the Norfolk terminal elevator of the Norfolk and Western Railroad) in the foregoing States, which was shipped by rail in the movement of natural market direction as approved by CCC, shall be determined by adding to the county rate shown on such separate schedule for the county from which the wheat was shipped an amount per bushel equal to the receiving and loading-out charges computed in accordance with the applicable rates of the Uniform Grain Storage Agreement (CCC Form H, Revised) for the 1948 crop and an amount equal to the transit value of the freight paid (plus tax) from point of origin to markets designated by CCC. In each instance the transit value must be verified by the CCC field office serving the area. The warehouse receipts must be accompanied by the original paid freight bills or certificates of the warehouseman and other required documents as set forth in subparagraph (1) of this paragraph. If the wheat is stored in approved warehouses located at transit points, taking a penalty by reason of back haul, or out-of-line of natural market movement, such penalty or other costs by reason of such movement, as determined by CCC, shall be deducted

from the loan rates as determined by CCC, shall be deducted from the loan rates as determined above.

The rate for wheat originating in the counties of Cecil, Kent, Queen Annes, Caroline, Talbot, Dorchester, Wicomico, Somerset, and Worcester in Maryland; all counties in Delaware; and Accomac and Northampton counties in Virginia, which is shipped to Norfolk, Virginia, and stored in the Norfolk terminal elevator of the Norfolk and Western Railroad, shall be the rate shown on such separate schedule for the county from which the wheat is shipped plus the amount of freight per bushel paid, plus 5½ cents per bushel.

(Sec. 8, 56 Stat. 767, as amended; Pub. Law 806, 80th Cong.; 50 U. S. C. App. 968)

Date program announced: May 24, 1948.

[SEAL] ELMER F. KRUSE,  
Manager,  
Commodity Credit Corporation.

JULY 9, 1948.

[F. R. Doc. 48-6327; Filed, July 14, 1948; 8:55 a. m.]

[1948 C. C. C. Wheat Bulletin 1, Supp. 2]  
PART 251—WHEAT LOANS AND PURCHASE AGREEMENTS

1948 WHEAT PRICE SUPPORT PROGRAM; COUNTY RATES, DISCOUNTS AND PREMIUMS

The regulations issued by Commodity Credit Corporation and the Production and Marketing Administration, published in 13 F. R. 3272, governing the making of loans on wheat produced in 1948, are hereby further supplemented as follows:

§ 251.227 *County rates, discounts, and premiums—(a) Schedule of rates.* The 1948 wheat loan rates listed herein for counties are determined and established in accordance with the provisions of paragraph (b) of § 251.226 (1948 C. C. C. Wheat Bulletin 1, Supplement 1). The rates per bushel on No. 1 dark hard winter, No. 1 hard winter, No. 1 yellow hard winter, No. 1 red winter, No. 1 western red, No. 1 soft white, No. 1 white club, No. 1 western white, No. 1 hard white, No. 1 heavy dark northern spring, No. 1 heavy northern spring, No. 1 heavy red spring, No. 1 hard amber durum, No. 1 amber durum, and No. 1 durum, shall be as follows:

ARIZONA

County	Rate	County	Rate
Maricopa	\$2.04	Pinal	\$2.03
Pima	1.96	Yuma	2.05

ARKANSAS

Baxter	\$1.99	Madison	\$1.97
Benton	1.98	Marion	1.97
Boone	1.97	Mississippi	2.05
Carroll	1.97	Newton	1.97
Clay	2.05	Poinsett	2.05
Craighead	2.05	Randolph	2.05
Fulton	2.03	Searcy	1.98
Greene	2.05	Sharp	2.03
Independence	2.02	Stone	1.99
Izard	2.00	Van Buren	1.99
Jackson	2.04	Washington	1.98
Lawrence	2.05		

CALIFORNIA

County	Rate	County	Rate
Butte	\$2.10	San Bernardino	\$2.14
Colusa	2.11	San Joaquin	2.15
Contra Costa	2.18	San Luis	
Fresno	2.11	Obispo	2.11
Glenn	2.10	Santa Barbara	2.11
Imperial	2.09	Shasta	2.03
Kern	2.11	Sierra	2.00
Kings	2.11	Siskiyou	2.00
Lassen	2.01	Sonoma	2.15
Los Angeles	2.17	Stanislaus	2.14
Madera	2.13	Sutter	2.11
Merced	2.14	Tehama	2.09
Modoc	1.94	Tulare	2.11
Monterey	2.13	Yola	2.14
Napa	2.16	Yuba	2.12
Sacramento	2.13		
San Benito	2.14		

COLORADO

Adams	\$1.94	Larimer	\$1.94
Alamosa	1.86	Las Animas	1.94
Arapahoe	1.94	Lincoln	1.94
Archuleta	1.80	Logan	1.94
Baca	1.95	Mesa	1.80
Bent	1.95	Moffat	1.80
Boulder	1.94	Montezuma	1.69
Chaffee	1.82	Montrose	1.80
Cheyenne	1.95	Morgan	1.94
Conejos	1.86	Otero	1.94
Costilla	1.87	Ouray	1.80
Crowley	1.94	Phillips	1.96
Delta	1.80	Pitkin	1.80
Denver	1.94	Prowers	1.96
Douglas	1.94	Pueblo	1.94
Eagle	1.80	Rio Blanco	1.80
Elbert	1.94	Rio Grande	1.86
El Paso	1.94	Routt	1.80
Fremont	1.93	Saguache	1.86
Garfield	1.80	San Miguel	1.69
Huerfano	1.93	Sedgwick	1.96
Jefferson	1.94	Teller	1.80
Kiowa	1.96	Washington	1.94
Kit Carson	1.96	Weld	1.94
La Plata	1.80	Yuma	1.95

DELAWARE

All counties	\$2.21
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IDAHO

County	Rate	County	Rate
Ada	\$1.83	Gem	\$1.84
Adams	1.82	Gooding	1.83
Bannock	1.82	Idaho	1.90
Bear Lake	1.81	Jefferson	1.81
Benewah	1.91	Jerome	1.83
Bingham	1.81	Kootenai	1.91
Blaine	1.82	Latah	1.91
Boise	1.83	Lewis	1.88
Bonner	1.89	Lincoln	1.82
Bonneville	1.81	Madison	1.81
Boundary	1.87	Minidoka	1.83
Butte	1.80	Nez Perce	1.91
Camas	1.81	Oneida	1.83
Canyon	1.84	Owyhee	1.84
Caribou	1.79	Payette	1.85
Cassia	1.83	Power	1.83
Clark	1.79	Shoshone	1.89
Clearwater	1.91	Teton	1.80
Custer	1.80	Twin Falls	1.81
Elmore	1.82	Valley	1.82
Franklin	1.83	Washington	1.85
Fremont	1.80		

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Adams	\$2.09	Christian	\$2.11
Alexander	2.11	Clark	2.11
Bond	2.13	Clay	2.11
Boone	2.13	Clinton	2.13
Brown	2.10	Coles	2.11
Bureau	2.12	Cook	2.15
Calhoun	2.11	Crawford	2.11
Carroll	2.11	Cumberland	2.11
Cass	2.11	De Kalb	2.14
Champaign	2.11	De Witt	2.11

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County	Rate	County	Rate
Douglas	\$2.11	Marshall	\$2.11
Du Page	2.15	Mason	2.11
Edgar	2.11	Massac	2.11
Edwards	2.11	Menard	2.11
Effingham	2.11	Mercer	2.10
Fayette	2.12	Monroe	2.12
Ford	2.11	Montgomery	2.12
Franklin	2.11	Morgan	2.11
Fulton	2.10	Moultrie	2.11
Gallatin	2.08	Ogle	2.12
Greene	2.13	Peoria	2.12
Grundy	2.14	Perry	2.11
Hamilton	2.11	Piatt	2.11
Hancock	2.09	Pike	2.11
Hardin	2.09	Pope	2.11
Henderson	2.09	Pulaski	2.09
Henry	2.11	Putnam	2.11
Iroquois	2.13	Randolph	2.11
Jackson	2.12	Richland	2.10
Jasper	2.11	Rock Island	2.10
Jefferson	2.11	St. Clair	2.13
Jersey	2.13	Saline	2.09
Jo Daviess	2.10	Sangamon	2.11
Johnson	2.09	Schuyler	2.11
Kane	2.14	Scott	2.11
Kankakee	2.14	Shelby	2.11
Kendall	2.14	Stark	2.11
Knox	2.10	Stephenson	2.11
Lake	2.14	Tazewell	2.11
La Salle	2.13	Union	2.12
Lawrence	2.09	Vermilion	2.12
Lee	2.12	Wabash	2.09
Livingston	2.12	Warren	2.10
Logan	2.11	Washington	2.11
McDonough	2.09	Wayne	2.10
McHenry	2.13	White	2.08
McLean	2.11	Whiteside	2.11
Macon	2.11	Will	2.14
Macoupin	2.13	Williamson	2.11
Madison	2.13	Winnebago	2.11
Marion	2.11	Woodford	2.11

INDIANA

Adams	\$2.10	Madison	\$2.11
Allen	2.09	Marion	2.12
Bartholomew	2.14	Marshall	2.11
Benton	2.11	Martin	2.10
Blackford	2.11	Miami	2.10
Boone	2.11	Monroe	2.13
Brown	2.13	Montgomery	2.11
Carroll	2.12	Morgan	2.11
Cass	2.10	Newton	2.14
Clark	2.16	Noble	2.08
Clay	2.10	Ohio	2.16
Clinton	2.10	Orange	2.12
Crawford	2.14	Owen	2.11
Daviess	2.09	Parke	2.10
Dearborn	2.15	Perry	2.11
Decatur	2.14	Pike	2.10
De Kalb	2.09	Porter	2.13
Delaware	2.12	Posey	2.11
Dubois	2.12	Pulaski	2.12
Elkhart	2.09	Putnam	2.11
Fayette	2.14	Randolph	2.13
Floyd	2.16	Ripley	2.15
Fountain	2.10	Rush	2.13
Franklin	2.15	St. Joseph	2.11
Fulton	2.11	Scott	2.15
Gibson	2.10	Shelby	2.13
Grant	2.12	Spencer	2.12
Greene	2.10	Starke	2.12
Hamilton	2.11	Steuben	2.08
Hancock	2.13	Sullivan	2.11
Harrison	2.14	Switzerland	2.16
Hendricks	2.11	Tipton	2.10
Henry	2.13	Union	2.15
Howard	2.10	Vanderburgh	2.09
Huntington	2.09	Vermillion	2.13
Jackson	2.13	Vigo	2.10
Jasper	2.14	Wabash	2.10
Jay	2.12	Warren	2.11
Jefferson	2.13	Warrick	2.11
Jennings	2.14	Washington	2.16
Johnson	2.13	Wayne	2.13
Knox	2.10	Wells	2.09
Kosciusko	2.09	White	2.13
Lagrange	2.08	Whitley	2.09
Lake	2.14		
La Porte	2.12		
Lawrence	2.13		

IOWA

County	Rate	County	Rate
Adair	\$2.06	Jefferson	\$2.07
Adams	2.07	Johnson	2.08
Allamakee	2.06	Jones	2.08
Appanoose	2.07	Keokuk	2.06
Audubon	2.08	Kossuth	2.04
Benton	2.07	Lee	2.08
Black Hawk	2.07	Linn	2.08
Boone	2.05	Louisa	2.08
Bremer	2.05	Lucas	2.04
Buchanan	2.07	Lyon	2.04
Buena Vista	2.05	Madison	2.05
Butler	2.05	Mahaska	2.06
Calhoun	2.06	Marion	2.05
Carroll	2.08	Marshall	2.05
Cass	2.08	Mills	2.10
Cedar	2.08	Mitchell	2.07
Cerro Gordo	2.06	Monona	2.08
Cherokee	2.05	Monroe	2.06
Chickasaw	2.06	Montgomery	2.09
Clarke	2.05	Muscatine	2.09
Clay	2.05	O'Brien	2.05
Clayton	2.07	Osceola	2.05
Clinton	2.09	Page	2.09
Crawford	2.08	Palo Alto	2.06
Dallas	2.05	Plymouth	2.06
Davis	2.07	Pocahontas	2.05
Decatur	2.04	Polk	2.05
Delaware	2.07	Pottawattamie	2.10
De Moines	2.08	Poweshiek	2.06
Dickinson	2.06	Ringgold	2.04
Dubuque	2.08	Sac	2.06
Emmet	2.07	Scott	2.09
Fayette	2.06	Shelby	2.09
Floyd	2.07	Sioux	2.06
Franklin	2.05	Story	2.05
Fremont	2.09	Tama	2.06
Greene	2.06	Taylor	2.07
Grundy	2.05	Union	2.06
Guthrie	2.06	Van Buren	2.07
Hamilton	2.05	Wapello	2.06
Hancock	2.06	Warren	2.05
Hardin	2.05	Washington	2.07
Harrison	2.09	Wayne	2.05
Henry	2.08	Webster	2.05
Howard	2.07	Winnebago	2.07
Humboldt	2.05	Winneshiek	2.06
Ida	2.06	Woodbury	2.07
Iowa	2.07	Worth	2.07
Jackson	2.09	Wright	2.05
Jasper	2.05		

KANSAS

Allen	\$2.06	Hamilton	\$1.98
Anderson	2.07	Harper	2.02
Atchison	2.09	Harvey	2.03
Barber	2.01	Haskell	1.98
Barton	2.01	Hodgeman	2.00
Bourbon	2.07	Jackson	2.07
Brown	2.07	Jefferson	2.08
Butler	2.03	Jewell	2.02
Chase	2.04	Johnson	2.10
Chautauqua	2.04	Kearny	1.98
Cherokee	2.06	Kingman	2.02
Cheyenne	1.98	Kiowa	2.01
Clark	1.98	Labette	2.06
Clay	2.04	Lane	1.99
Cloud	2.03	Leavenworth	2.10
Coffey	2.06	Lincoln	2.02
Comanche	2.00	Linn	2.07
Cowley	2.03	Logan	1.98
Crawford	2.06	Lyon	2.06
Decatur	2.00	McPherson	2.02
Dickinson	2.03	Marion	2.03
Doniphan	2.07	Marshall	2.06
Douglas	2.08	Meade	1.98
Edwards	2.01	Miami	2.09
Elk	2.04	Mitchell	2.03
Ellis	2.01	Montgomery	2.06
Ellsworth	2.02	Morris	2.04
Finney	1.97	Morton	1.96
Ford	2.00	Nemaha	2.06
Franklin	2.08	Nesho	2.06
Geary	2.04	Ness	2.00
Gove	1.99	Norton	2.01
Graham	2.01	Osage	2.06
Grant	1.98	Osborne	2.02
Gray	1.99	Ottawa	2.03
Greeley	1.98	Pawnee	2.01
Greenwood	2.05	Phillips	2.01

KANSAS—continued

County	Rate	County	Rate
Pottawatomie	\$2.06	Sherman	\$1.98
Pratt	2.01	Smith	2.02
Rawlins	1.98	Stafford	2.01
Reno	2.02	Stanton	1.97
Republic	2.03	Stevens	1.97
Rice	2.02	Sumner	2.03
Riley	2.06	Thomas	1.98
Rooks	2.01	Trego	2.00
Rush	2.01	Wabaunsee	2.06
Russell	2.01	Wallace	1.98
Saline	2.02	Washington	2.04
Scott	1.98	Wichita	1.98
Sedgwick	2.03	Wilson	2.06
Seward	1.97	Woodson	2.06
Shawnee	2.07	Wyandotte	2.10
Sheridan	1.99		

KENTUCKY

Adair	\$2.18	Kenton	\$2.15
Allen	2.18	Knox	2.20
Anderson	2.18	Larue	2.16
Ballard	2.14	Laurel	2.20
Barren	2.17	Lawrence	2.15
Bath	2.17	Lewis	2.15
Boone	2.15	Lincoln	2.20
Bourbon	2.18	Livingston	2.15
Boyd	2.15	Logan	2.16
Boyle	2.18	Lyon	2.15
Bracken	2.15	McCracken	2.14
Breckinridge	2.15	McLean	2.15
Bullitt	2.17	Madison	2.18
Butler	2.16	Magoffin	2.17
Caldwell	2.15	Marion	2.17
Calloway	2.15	Marshall	2.15
Campbell	2.15	Mason	2.15
Carlisle	2.15	Meade	2.15
Carroll	2.15	Menifee	2.18
Carter	2.17	Mercer	2.18
Casey	2.19	Metcalfe	2.17
Christian	2.16	Monroe	2.18
Clark	2.18	Montgomery	2.18
Clay	2.20	Morgan	2.18
Clinton	2.18	Muhlenberg	2.15
Crittenden	2.14	Nelson	2.16
Cumberland	2.18	Nicholas	2.18
Daviess	2.14	Ohio	2.15
Edmonson	2.17	Oldham	2.16
Elliott	2.17	Owen	2.18
Fayette	2.18	Owsley	2.19
Fleming	2.16	Pendleton	2.16
Franklin	2.18	Pulaski	2.20
Fulton	2.15	Robertson	2.16
Gallatin	2.15	Rockcastle	2.20
Garrard	2.19	Rowan	2.17
Grant	2.16	Russell	2.19
Graves	2.15	Scott	2.18
Grayson	2.15	Shelby	2.16
Green	2.18	Simpson	2.17
Greenup	2.15	Spencer	2.18
Hancock	2.14	Taylor	2.18
Hardin	2.16	Todd	2.16
Harrison	2.18	Trigg	2.16
Hart	2.16	Trimble	2.16
Henderson	2.14	Union	2.14
Henry	2.16	Warren	2.17
Hickman	2.15	Washington	2.16
Hopkins	2.15	Wayne	2.20
Jackson	2.20	Webster	2.15
Jefferson	2.16	Whitley	2.20
Jessamine	2.18	Wolfe	2.18
Johnson	2.17	Woodford	2.18

MARYLAND

Allegany	\$2.17	Harford	\$2.20
Anne Arundel	2.19	Howard	2.21
Baltimore	2.21	Kent	2.21
Baltimore City	2.28	Montgomery	2.21
Calvert	2.19	Prince Georges	2.19
Caroline	2.21	Queen Annes	2.21
Carroll	2.20	St. Marys	2.19
Cecil	2.21	Somerset	2.19
Charles	2.19	Talbot	2.21
Dorchester	2.21	Washington	2.19
Frederick	2.20	Wicomico	2.19
Garrett	2.16	Worcester	2.19

MICHIGAN

Alcona	\$2.01	Allegan	\$2.07
Alger	2.01	Alpena	2.00

RULES AND REGULATIONS

MICHIGAN—continued

County	Rate	County	Rate
Antrim	\$2.00	Lapeer	2.08
Arenac	2.01	Leelanau	2.00
Baraga	2.00	Lenawee	2.09
Barry	2.07	Livingston	2.08
Bay	2.05	Luce	1.97
Benzie	2.01	Mackinac	1.97
Berrien	2.08	Macomb	2.10
Branch	2.07	Manistee	2.02
Calhoun	2.08	Marquette	2.01
Cass	2.09	Mason	2.04
Charlevoix	2.00	Mecosta	2.04
Cheboygan	2.00	Menominee	2.03
Chippewa	1.97	Midland	2.05
Clare	2.04	Missaukee	2.02
Clinton	2.06	Monroe	2.11
Crawford	2.02	Montcalm	2.05
Delta	2.02	Muskegon	2.05
Dickinson	2.03	Newaygo	2.04
Eaton	2.07	Oakland	2.09
Emmet	2.00	Oceana	2.04
Genesee	2.08	Ogemaw	2.03
Gladwin	2.02	Ontonagon	2.01
Gogebic	2.01	Osceola	2.02
Grand Traverse	2.01	Otsego	2.00
Gratiot	2.06	Ottawa	2.07
Hillsdale	2.08	Presque Isle	2.00
Houghton	2.00	Roscommon	2.02
Huron	2.05	Saginaw	2.07
Ingham	2.07	St. Clair	2.10
Ionia	2.06	St. Joseph	2.09
Iosco	2.01	Sanilac	2.08
Iron	2.01	Schoolcraft	1.98
Isabella	2.04	Shiawassee	2.06
Jackson	2.07	Tuscola	2.07
Kalamazoo	2.09	Van Buren	2.08
Kalkaska	2.01	Washtenaw	2.09
Kent	2.06	Wayne	2.11
Lake	2.03	Wexford	2.02

MINNESOTA

County	Rate	County	Rate
Aitkin	\$2.10	Marshall	\$2.03
Anoka	2.13	Martin	2.08
Becker	2.06	Meeke	2.11
Beltrami	2.07	Mille Lacs	2.09
Benton	2.09	Morrison	2.09
Big Stone	2.07	Mower	2.09
Blue Earth	2.09	Murray	2.07
Brown	2.09	Nicollet	2.11
Carlton	2.11	Nobles	2.07
Carver	2.12	Norman	2.04
Cass	2.08	Olmsted	2.09
Chippewa	2.08	Otter Tail	2.07
Chisago	2.12	Pennington	2.04
Clay	2.05	Pine	2.11
Clearwater	2.06	Pipestone	2.06
Cottonwood	2.08	Polk	2.04
Crow Wing	2.09	Pope	2.08
Dakota	2.13	Ramsey	2.13
Dodge	2.09	Red Lake	2.04
Douglas	2.08	Redwood	2.09
Faribault	2.08	Renville	2.09
Fillmore	2.07	Rice	2.11
Freeborn	2.09	Rock	2.06
Goodhue	2.10	Roseau	2.03
Grant	2.07	St. Louis	2.09
Hennepin	2.13	Scott	2.13
Houston	2.07	Sherburne	2.11
Hubbard	2.07	Sibley	2.11
Isanti	2.11	Stearns	2.09
Itasca	2.09	Steele	2.09
Jackson	2.07	Stevens	2.08
Kanabec	2.10	Swift	2.08
Kandiyohi	2.10	Todd	2.08
Kittson	2.02	Traverse	2.06
Koochiching	2.03	Wabasha	2.10
Lac qui Parle	2.07	Wadena	2.08
Lake	2.12	Waseca	2.10
Lake of the Woods	2.04	Washington	2.13
Le Sueur	2.11	Watonwan	2.09
Lincoln	2.07	Wilkin	2.06
Lyon	2.07	Winona	2.09
McLeod	2.11	Wright	2.12
Mahnomen	2.05	Yellow Medicine	2.08

MISSOURI

County	Rate	County	Rate
Adair	\$2.09	Audrain	\$2.11
Andrew	2.09	Barry	2.03
Atchison	2.06	Barton	2.06

MISSOURI—continued

County	Rate	County	Rate
Bates	\$2.08	Madison	\$2.11
Benton	2.06	Maries	2.11
Bollinger	2.10	Marion	2.11
Boone	2.11	Mercer	2.06
Buchanan	2.09	Miller	2.09
Butler	2.08	Mississippi	2.10
Caldwell	2.08	Moniteau	2.09
Callaway	2.11	Monroe	2.10
Cape Girardeau	2.10	Montgomery	2.11
Carroll	2.08	Morgan	2.08
Carter	2.02	New Madrid	2.09
Cass	2.09	Newton	2.04
Cedar	2.07	Nowaday	2.07
Chariton	2.09	Oregon	2.02
Christian	2.04	Osage	2.11
Clark	2.09	Pemiscot	2.07
Clay	2.10	Perry	2.11
Clinton	2.08	Pettis	2.08
Cole	2.10	Phelps	2.10
Cooper	2.09	Pike	2.11
Crawford	2.11	Platte	2.10
Dade	2.06	Polk	2.05
Daviess	2.08	Pulaski	2.09
DeKalb	2.08	Putnam	2.08
Dent	2.09	Ralls	2.10
Dunklin	2.06	Randolph	2.10
Franklin	2.13	Ray	2.09
Gasconade	2.12	Ripley	2.08
Gentry	2.07	St. Charles	2.16
Greene	2.05	St. Clair	2.07
Grundy	2.07	St. Francois	2.11
Harrison	2.06	St. Louis	2.16
Henry	2.08	Ste. Genevieve	2.12
Hickory	2.06	Saline	2.09
Holt	2.07	Schuyler	2.08
Howard	2.10	Scotland	2.09
Howell	2.02	Scott	2.08
Iron	2.10	Shannon	2.02
Jackson	2.10	Shelby	2.10
Jasper	2.06	Stoddard	2.10
Jefferson	2.14	Stone	2.04
Johnson	2.08	Sullivan	2.08
Knox	2.09	Taney	2.03
Laclede	2.08	Texas	2.02
Lafayette	2.09	Vernon	2.07
Lawrence	2.10	Warren	2.14
Lewis	2.04	Washington	2.12
Lincoln	2.14	Wayne	2.09
Linn	2.08	Webster	2.06
Livingston	2.08	Worth	2.06
McDonald	2.04	Wright	2.03
Macon	2.09		

MONTANA

Eastern Counties

County	Rate	County	Rate
Big Horn	\$1.83	Musselshell	\$1.85
Blaine	1.85	Park	1.83
Broadwater	1.81	Petroleum	1.83
Carbon	1.83	Phillips	1.86
Cascade	1.83	Pondera	1.81
Chouteau	1.83	Prairie	1.91
Custer	1.89	Richland	1.92
Daniels	1.88	Roosevelt	1.92
Dawson	1.91	Rosebud	1.87
Fallon	1.92	Sheridan	1.91
Fergus	1.83	Stillwater	1.83
Gallatin	1.83	Sweet Grass	1.83
Golden Valley	1.83	Teton	1.83
Hill	1.83	Toole	1.83
Judith Basin	1.83	Treasure	1.87
Liberty	1.83	Valley	1.88
McCone	1.90	Wheatland	1.83
Madison	1.83	Wibaux	1.92
Meagher	1.83	Yellowstone	1.83

Western Counties

The applicable rate on a lot of wheat in the following counties of Western Montana shall be determined as follows:

1. Subtract all applicable discounts from the rate based on Minneapolis and from the rate based on Portland.

2. If 10 percent or more protein is shown, add the Minneapolis protein premium, if any, derived from the protein schedule shown in paragraph (a) of § 251.226 to

the rate based on Minneapolis; then add the Portland protein premium derived from the same schedule to the rate based on Portland.

3. The rate on the lot of wheat will be the highest rate as determined above.

County	Rate based on Minneapolis (less than 13 percent protein)	Rate based on Portland (less than 10 percent protein)
Beaverhead		\$1.77
Deer Lodge	\$1.79	1.78
Flathead	1.78	1.81
Glacier	1.83	1.79
Granite	1.78	1.79
Jefferson	1.80	1.78
Lake	1.77	1.81
Lewis and Clark	1.80	1.78
Lincoln		1.82
Mineral		1.82
Missoula		1.80
Powell	1.79	1.79
Ravalli		1.79
Sanders		1.82

<sup>1</sup> Based on Omaha.

NEBRASKA

County	Rate	County	Rate
Adams	\$2.05	Jefferson	\$2.07
Antelope	2.06	Johnson	2.08
Arthur	1.99	Kearney	2.05
Banner	1.96	Keith	2.00
Blaine	2.02	Keya Paha	2.03
Boone	2.07	Kimball	1.96
Box Butte	1.99	Knox	2.05
Boyd	2.04	Lancaster	2.09
Brown	2.02	Lincoln	2.02
Buffalo	2.05	Logan	2.02
Burt	2.09	Loup	2.02
Butler	2.09	McPherson	2.01
Cass	2.10	Madison	2.07
Cedar	2.06	Merrick	2.07
Chase	1.99	Morrill	1.98
Cherry	2.01	Nance	2.07
Cheyenne	1.96	Nemaha	2.08
Clay	2.06	Nuckolls	2.05
Colfax	2.09	Otoe	2.09
Cuming	2.09	Pawnee	2.07
Custer	2.04	Perkins	2.00
Dakota	2.08	Phelps	2.04
Dawes	1.97	Pierce	2.06
Dawson	2.04	Platte	2.08
Deuel	1.98	Polk	2.08
Dixon	2.07	Redwillow	2.02
Dodge	2.10	Richardson	2.08
Douglas	2.11	Rock	2.03
Dundy	1.99	Saline	2.08
Fillmore	2.07	Sarpy	2.11
Franklin	2.04	Saunders	2.10
Frontier	2.02	Scotts Bluff	1.97
Furnas	2.03	Seward	2.09
Gage	2.08	Sheridan	1.99
Garden	1.99	Sherman	2.05
Garfield	2.05	Stoux	1.96
Gosper	2.03	Stanton	2.08
Grant	2.00	Thayer	2.06
Greeley	2.06	Thomas	2.02
Hall	2.06	Thurston	2.09
Hamilton	2.07	Valley	2.05
Harlan	2.04	Washington	2.10
Hayes	2.01	Wayne	2.06
Hitchcock	2.01	Webster	2.05
Holt	2.04	Wheeler	2.06
Hooker	2.01	York	2.08
Howard	2.06		

NEVADA

County	Rate	County	Rate
Churchill	\$1.97	Lander	\$1.86
Clark	1.85	Lincoln	1.86
Douglas	1.95	Lyon	1.92
Elko	1.86	Ormsby	1.95
Esmeralda	1.63	Pershing	1.98
Eureka	1.86	Washoe	1.99
Humboldt	1.86	White Pine	1.76

NEW JERSEY

County	Rate
All counties	\$2.17

NEW MEXICO

County	Rate	County	Rate
Bernalillo	\$1.86	Sandoval	\$1.86
Colfax	1.87	San Juan	1.65
Curry	1.93	San Miguel	1.83
Harding	1.82	Santa Fe	1.85
McKinley	1.80	Torrance	1.88
Mora	1.86	Union	1.88
Quay	1.92	Valencia	1.83
Roosevelt	1.92		

NEW YORK

All counties	Rate
All counties	\$2.16

NORTH CAROLINA

All counties	Rate
All counties	\$2.24

NORTH DAKOTA

County	Rate	County	Rate
Adams	\$1.96	McLean	\$1.98
Barnes	2.03	Mercer	1.97
Benson	2.00	Morton	1.98
Billings	1.95	Mountrail	1.97
Bottineau	1.97	Nelson	2.02
Bowman	1.95	Oliver	1.98
Burke	1.96	Pembina	2.01
Burleigh	2.00	Pierce	1.99
Cass	2.04	Ramsey	2.01
Cavalier	2.00	Ransom	2.03
Dickey	2.03	Renville	1.97
Divide	1.95	Richland	2.05
Dunn	1.96	Rolette	1.99
Eddy	2.01	Sargent	2.04
Emmons	1.99	Sheridan	2.00
Foster	2.02	Sioux	1.97
Golden Valley	1.93	Slope	1.94
Grand Forks	2.08	Stark	1.96
Grant	1.97	Steele	2.03
Griggs	2.03	Stutsman	2.02
Hettinger	1.97	Towner	2.00
Kidder	2.01	Trall	2.03
La Moure	2.02	Walsh	2.02
Logan	2.01	Ward	1.97
McHenry	1.99	Wells	2.01
McIntosh	2.00	Williams	1.95
McKenzie	1.93		

OHIO

County	Rate	County	Rate
Adams	\$2.11	Licking	\$2.12
Allen	2.11	Logan	2.12
Ashland	2.12	Lorain	2.12
Ashtabula	2.14	Lucas	2.11
Athens	2.11	Madison	2.13
Auglaize	2.12	Mahoning	2.14
Belmont	2.12	Marion	2.12
Brown	2.12	Medina	2.12
Butler	2.15	Meigs	2.10
Carroll	2.12	Mercer	2.12
Champaign	2.13	Miami	2.13
Clark	2.13	Monroe	2.12
Clermont	2.14	Montgomery	2.14
Clinton	2.13	Morgan	2.12
Columbiana	2.13	Morrow	2.11
Coshocton	2.12	Muskingum	2.12
Crawford	2.12	Noble	2.12
Cuyahoga	2.12	Ottawa	2.11
Darke	2.13	Paulding	2.10
Defiance	2.10	Perry	2.11
Delaware	2.11	Pickaway	2.11
Erie	2.12	Pike	2.10
Fairfield	2.11	Portage	2.12
Fayette	2.12	Preble	2.14
Franklin	2.12	Putnam	2.10
Fulton	2.10	Richland	2.12
Gallia	2.10	Ross	2.11
Geauga	2.14	Sandusky	2.11
Greene	2.14	Scioto	2.10
Guernsey	2.12	Seneca	2.11
Hamilton	2.16	Shelby	2.13
Hancock	2.11	Stark	2.12
Hardin	2.12	Summit	2.12
Harrison	2.12	Trumbull	2.14
Henry	2.10	Tuscarawas	2.12
Highland	2.12	Union	2.12
Hocking	2.11	Van Wert	2.12
Holmes	2.12	Vinton	2.11
Huron	2.12	Warren	2.15
Jackson	2.10	Washington	2.12
Jefferson	2.12	Wayne	2.12
Knox	2.12	Williams	2.10
Lake	2.13	Wood	2.11
Lawrence	2.10	Wyandot	2.11

OKLAHOMA

County	Rate	County	Rate
Adair	\$2.00	Lincoln	\$1.97
Alfalfa	2.00	Logan	1.97
Atoka	1.95	Love	1.95
Beaver	1.95	McClain	1.95
Beckham	1.95	McIntosh	1.99
Blaine	1.96	Major	1.97
Bryan	1.95	Marshall	1.95
Caddo	1.95	Mayes	2.03
Canadian	1.95	Murray	1.95
Carter	1.95	Muskogee	2.00
Cimarron	1.93	Noble	2.00
Cleveland	1.95	Nowata	2.04
Coal	1.95	Okfuskee	1.98
Comanche	1.95	Oklahoma	1.96
Cotton	1.95	Okmulgee	2.00
Craig	2.04	Osage	2.02
Creek	2.00	Ottawa	2.04
Custer	1.95	Pawnee	2.00
Delaware	2.04	Payne	1.98
Dewey	1.94	Pittsburg	1.97
Ellis	1.94	Pontotoc	1.95
Garfield	2.00	Pottawa-	
Garvin	1.95	tomie	1.95
Grady	1.95	Roger Mills	1.94
Grant	2.00	Rogers	2.04
Greer	1.95	Seminole	1.96
Harmon	1.95	Stephens	1.95
Harper	1.96	Texas	1.95
Haskell	1.99	Tillman	1.94
Hughes	1.97	Tulsa	2.02
Jackson	1.95	Wagoner	2.02
Jefferson	1.95	Washington	2.04
Johnston	1.95	Washita	1.95
Kay	2.01	Woods	1.99
Kingfisher	1.97	Woodward	1.96
Kiowa	1.95		

OREGON

County	Rate	County	Rate
Baker	\$1.90	Lane	\$2.01
Benton	2.04	Linn	2.03
Clackamas	2.06	Malheur	1.85
Crook	1.98	Marion	2.05
Deschutes	1.98	Morrow	2.02
Douglas	1.97	Polk	2.04
Gilliam	2.03	Sherman	2.04
Harney	1.80	Umatilla	1.97
Jackson	1.95	Union	1.90
Jefferson	2.00	Wallowa	1.89
Josephine	1.93	Wasco	2.05
Klamath	1.96	Washington	2.07
Lake	1.94	Yamhill	2.06

PENNSYLVANIA

County	Rate	County	Rate
Adams	\$2.18	Lackawanna	\$2.16
Allegheny	2.14	Lancaster	2.19
Armstrong	2.14	Lawrence	2.14
Beaver	2.14	Lebanon	2.18
Bedford	2.15	Lehigh	2.18
Berks	2.19	Luzerne	2.16
Blair	2.15	Lycoming	2.16
Bradford	2.16	McKean	2.15
Bucks	2.20	Mercer	2.14
Butler	2.14	Mifflin	2.15
Cambria	2.14	Monroe	2.16
Cameron	2.15	Montgomery	2.20
Carbon	2.16	Montour	2.16
Centre	2.15	Northampton	2.17
Chester	2.20	Northumber-	
Clarion	2.14	land	2.16
Clearfield	2.14	Perry	2.15
Clinton	2.15	Pike	2.16
Columbia	2.16	Potter	2.15
Crawford	2.14	Schuylkill	2.17
Cumberland	2.17	Snyder	2.15
Dauphin	2.16	Somerset	2.14
Delaware	2.20	Sullivan	2.16
Elk	2.15	Susquehanna	2.16
Erie	2.15	Tioga	2.16
Fayette	2.14	Union	2.15
Forest	2.14	Venango	2.14
Franklin	2.17	Warren	2.15
Fulton	2.15	Washington	2.14
Greene	2.14	Wayne	2.16
Huntingdon	2.15	Westmoreland	2.14
Indiana	2.14	Wyoming	2.16
Jefferson	2.14	York	2.19
Juniata	2.15		

SOUTH DAKOTA

County	Rate	County	Rate
Aurora	\$2.02	Jackson	\$1.93
Beadle	2.04	Jerauld	2.03
Bon Homme	2.05	Jones	1.96
Brookings	2.06	Kingsbury	2.05
Brown	2.03	Lake	2.05
Brule	2.01	Lawrence	1.92
Butte	1.92	Lincoln	2.06
Campbell	2.00	Lyman	1.99
Charles Mix	2.02	McCook	2.05
Clark	2.05	McPherson	2.01
Clay	2.06	Marshall	2.04
Codington	2.05	Meade	1.93
Corson	1.98	Mellette	2.00
Custer	1.93	Miner	2.05
Davison	2.03	Minnehaha	2.05
Day	2.04	Moody	2.06
Deuel	2.06	Pennington	1.91
Dewey	1.97	Perkins	1.96
Douglas	2.03	Potter	2.00
Edmunds	2.02	Roberts	2.05
Fall River	1.94	Sanborn	2.03
Faulk	2.02	Spink	2.04
Grant	2.06	Stanley	1.99
Gregory	2.03	Sully	2.00
Haakon	1.96	Tripp	2.01
Hamlin	2.05	Turner	2.05
Hand	2.03	Union	2.07
Hanson	2.03	Walworth	2.00
Hughes	2.01	Yankton	2.06
Hutchinson	2.04	Ziebach	1.95
Hyde	2.01		

TENNESSEE

County	Rate	County	Rate
Anderson	\$2.23	Lake	\$2.03
Bedford	2.18	Lauderdale	2.14
Benton	2.16	Lawrence	2.18
Bledsoe	2.21	Lewis	2.17
Blount	2.27	Lincoln	2.18
Bradley	2.23	Loudon	2.25
Campbell	2.22	McMinn	2.24
Cannon	2.18	Macon	2.18
Carroll	2.15	Madison	2.15
Carter	2.26	Marion	2.20
Cheatham	2.18	Marshall	2.18
Chester	2.16	Maury	2.18
Claiborne	2.22	Meigs	2.23
Clay	2.19	Monroe	2.25
Cocke	2.25	Montgomery	2.16
Coffee	2.18	Moore	2.19
Crockett	2.14	Morgan	2.22
Cumberland	2.22	Obion	2.14
Davidson	2.18	Overton	2.19
Decatur	2.15	Pickett	2.20
DeKalb	2.19	Polk	2.24
Dickson	2.18	Putnam	2.18
Dyer	2.14	Rhea	2.22
Fayette	2.15	Roane	2.23
Fentress	2.20	Robertson	2.16
Franklin	2.19	Rutherford	2.18
Gibson	2.15	Sequatchie	2.21
Giles	2.18	Sevier	2.26
Grainger	2.25	Shelby	2.15
Greene	2.27	Smith	2.18
Grundy	2.20	Stewart	2.16
Hamblen	2.25	Sullivan	2.29
Hamilton	2.22	Sumner	2.17
Hancock	2.24	Tipton	2.15
Hardeman	2.15	Trousdale	2.18
Hawkins	2.26	Unicoi	2.26
Haywood	2.14	Union	2.24
Henderson	2.16	Van Buren	2.19
Henry	2.15	Warren	2.19
Hickman	2.17	Washington	2.26
Houston	2.16	Wayne	2.18
Humphreys	2.17	Weakley	2.15
Jackson	2.18	White	2.19
Jefferson	2.25	Williamson	2.18
Johnson	2.26	Wilson	2.18
Knox	2.26		

TEXAS

County	Rate	County	Rate
Archer	\$1.95	Burnet	\$2.03
Armstrong	1.95	Callahan	1.95
Bailey	1.95	Carson	1.94
Baylor	1.95	Castro	1.95
Bell	2.04	Childress	1.95
Bosque	2.02	Clay	1.95
Briscoe	1.95	Cochran	1.95
Brown	1.97	Coke	1.95

RULES AND REGULATIONS

TEXAS—continued

County	Rate	County	Rate
Coleman	\$1.95	Jones	\$1.95
Collin	2.00	Kendall	2.00
Collingsworth	1.95	Kent	1.95
Comanche	1.98	Kerr	1.98
Concho	1.95	Knox	1.95
Cooke	1.95	Lamb	1.95
Coryell	2.03	Lampasas	2.02
Cottle	1.95	Lipscomb	1.92
Crosby	1.95	Lubbock	1.95
Dallam	1.91	McCulloch	1.95
Dallas	2.01	McLennan	2.03
Dawson	1.95	Menard	1.95
Deaf Smith	1.95	Mills	2.01
Denton	1.99	Mitchell	1.95
Dickens	1.95	Montague	1.95
Donley	1.95	Moore	1.92
Eastland	1.95	Motley	1.95
Ellis	2.03	Nolan	1.95
Erath	1.99	Ochiltree	1.92
Falls	2.04	Oldham	1.94
Fannin	1.95	Palo Pinto	1.95
Fisher	1.95	Parker	1.99
Floyd	1.95	Parmer	1.94
Foard	1.95	Potter	1.94
Garza	1.95	Randall	1.95
Gray	1.94	Roberts	1.93
Grayson	1.96	Runnels	1.95
Hale	1.95	San Saba	2.01
Hall	1.95	Scurry	1.95
Hamilton	2.01	Shackelford	1.95
Hansford	1.92	Sherman	1.91
Hardeman	1.95	Stephens	1.95
Hartley	1.91	Stonewall	1.95
Haskell	1.95	Swisher	1.95
Hemphill	1.92	Tarrant	2.01
Hill	2.02	Taylor	1.95
Hockley	1.95	Tom Green	1.94
Hood	2.00	Wheeler	1.94
Hunt	2.00	Wichita	1.95
Hutchinson	1.93	Wilbarger	1.95
Jack	1.95	Wise	1.97
Johnson	2.01	Young	1.95

UTAH

County	Rate	County	Rate
Beaver	\$1.86	Piute	\$1.79
Box Elder	1.82	Rich	1.81
Cache	1.82	Salt Lake	1.83
Carbon	1.80	Sanpete	1.80
Davis	1.83	Sevier	1.79
Emery	1.79	Summit	1.83
Grand	1.78	Tooele	1.83
Iron	1.84	Utah	1.83
Juab	1.83	Wasatch	1.82
Millard	1.85	Weber	1.83
Morgan	1.83		

VIRGINIA

County	Rate	County	Rate
Accomac	\$2.19	Frederick	\$2.21
Albemarle	2.23	Giles	2.22
Alleghany	2.23	Gloucester	2.22
Amelia	2.23	Goochland	2.23
Amherst	2.24	Grayson	2.25
Appomattox	2.24	Greene	2.22
Augusta	2.24	Greensville	2.22
Bath	2.20	Halifax	2.25
Bedford	2.24	Hanover	2.26
Bland	2.24	Henrico	2.26
Botetourt	2.24	Henry	2.24
Brunswick	2.24	Highland	2.20
Buchanan	2.21	Isle of Wight	2.22
Buckingham	2.23	James City	2.24
Campbell	2.24	King and Queen	2.23
Caroline	2.26	King George	2.24
Carroll	2.24	King William	2.24
Charles City	2.24	Lancaster	2.22
Charlotte	2.24	Lee	2.25
Chesterfield	2.24	Loudoun	2.21
Clarke	2.21	Louisa	2.23
Craig	2.21	Lunenburg	2.24
Culpeper	2.21	Madison	2.22
Cumberland	2.23	Mathews	2.21
Dickenson	2.22	Mecklenburg	2.24
Dinwiddie	2.23	Middlesex	2.22
Essex	2.23	Montgomery	2.24
Fairfax	2.22	Nansemond	2.22
Fauquier	2.23	Nelson	2.23
Floyd	2.24	New Kent	2.24
Fluvanna	2.23	Norfolk	2.24
Franklin	2.25		

VIRGINIA—continued

County	Rate	County	Rate
Northampton	\$2.20	Richmond	\$2.23
Northumberland	2.22	Roanoke	2.26
Nottoway	2.24	Rockbridge	2.24
Orange	2.22	Rockingham	2.23
Page	2.22	Russell	2.26
Patrick	2.24	Scott	2.29
Pittsylvania	2.25	Shenandoah	2.23
Powhatan	2.23	Smyth	2.27
Prince Edward	2.24	Southampton	2.22
Prince George	2.23	Spotsylvania	2.24
Prince William	2.22	Stafford	2.25
Princess Anne	2.22	Surry	2.22
Pulaski	2.25	Tazewell	2.22
Rappahannock	2.21	Warren	2.21
		Washington	2.29
		Westmoreland	2.23
		Wise	2.22
		Wythe	2.26

WASHINGTON

County	Rate	County	Rate
Adams	\$1.93	Lewis	\$2.02
Asotin	1.91	Lincoln	1.92
Benton	1.97	Mason	1.99
Chelan	1.96	Okanogan	1.92
Clark	2.03	Pacific	1.99
Columbia	1.96	Pend Oreille	1.89
Cowlitz	2.05	Skamania	2.07
Douglas	1.92	Spokane	1.92
Ferry	1.85	Stevens	1.89
Franklin	1.94	Thurston	2.03
Garfield	1.96	Walla Walla	1.97
Grant	1.93	Whitman	1.92
Kittitas	1.98	Yakima	1.98
Klickitat	2.03		

WEST VIRGINIA

County	Rate	County	Rate
Barbour	\$2.18	Mineral	\$2.18
Berkeley	2.19	Monongalia	2.16
Boone	2.17	Monroe	2.20
Braxton	2.19	Morgan	2.19
Brooke	2.15	Nicholas	2.19
Cabell	2.15	Ohio	2.15
Calhoun	2.18	Pendleton	2.20
Clay	2.18	Pleasants	2.15
Doddridge	2.17	Pocahontas	2.19
Fayette	2.19	Roanoke	2.16
Gilmer	2.18	Putnam	2.16
Grant	2.18	Raleigh	2.19
Greenbrier	2.20	Randolph	2.19
Hampshire	2.19	Ritchie	2.17
Hancock	2.14	Roane	2.17
Hardy	2.19	Summers	2.19
Harrison	2.17	Taylor	2.17
Jackson	2.16	Tucker	2.18
Jefferson	2.19	Tyler	2.15
Kanawha	2.17	Upshur	2.18
Lewis	2.18	Wayne	2.17
Lincoln	2.17	Webster	2.19
Marion	2.16	Wetzel	2.16
Marshall	2.15	Wirt	2.17
Mason	2.15	Wood	2.16
Mercer	2.19		

WISCONSIN

County	Rate	County	Rate
Adams	\$2.07	Green Lake	\$2.09
Ashland	2.04	Iowa	2.08
Barron	2.08	Iron	2.04
Bayfield	2.08	Jackson	2.07
Brown	2.08	Jefferson	2.11
Buffalo	2.07	Juneau	2.08
Burnett	2.09	Kenosha	2.15
Calumet	2.09	Kewaunee	2.07
Chippewa	2.08	La Crosse	2.07
Clark	2.06	Lafayette	2.08
Columbia	2.08	Langlade	2.05
Crawford	2.07	Lincoln	2.04
Dane	2.10	Manitowoc	2.09
Dodge	2.10	Marathon	2.06
Door	2.05	Marquette	2.05
Douglas	2.12	Marquette	2.07
Dunn	2.09	Milwaukee	2.16
Eau Claire	2.08	Monroe	2.07
Florence	2.03	Oconto	2.06
Fond du Lac	2.10	Oneida	2.04
Forest	2.04	Outagamie	2.08
Grant	2.07	Ozaukee	2.11
Green	2.10	Pepin	2.08

WISCONSIN—continued

County	Rate	County	Rate
Pierce	\$2.11	Taylor	\$2.06
Polk	2.10	Trempealeau	2.07
Portage	2.07	Vernon	2.07
Price	2.05	Vilas	2.02
Racine	2.15	Walworth	2.12
Richland	2.07	Washburn	2.09
Rock	2.11	Washington	2.10
Rusk	2.07	Waukesha	2.11
St. Croix	2.11	Waupaca	2.07
Sauk	2.08	Waushara	2.08
Sawyer	2.07	Winnebago	2.09
Shawano	2.01	Wood	2.07
Sheboygan	2.10		

WYOMING

County	Rate	County	Rate
Big Horn	\$1.78	Laramie	\$1.94
Campbell	1.88	Lincoln	1.81
Carbon	1.81	Natrona	1.84
Converse	1.88	Niobrara	1.91
Crook	1.89	Park	1.78
Fremont	1.78	Platte	1.92
Goshen	1.94	Sheridan	1.86
Hot Springs	1.78	Weston	1.91
Johnson	1.81		

Rates on other No. 1 wheat for the counties listed above shall be determined by subtracting from the applicable county rates the discounts listed in § 251.226 (a) (1) for such other No. 1 wheat at terminal markets.

In States where farm-stored wheat is eligible for loan, there are counties for which loan rates have not been established because there are no stations within the counties on which to base freight rates. In such counties, the producer may, with the approval of the county committee, select a station (at which there is an approved warehouse and located in a county for which a loan rate is established) to which delivery will be made in the event the wheat is delivered in satisfaction of a loan. The loan rate for such producer shall be the loan rate for the county in which the delivery station selected is located.

(b) *Discounts and premiums.* The grade and other quality discounts, and the protein premiums, shown in § 251.226 (a) (2) for terminal rates, are applicable to the county rates listed in this section. (Sec. 8, 56 Stat. 767, as amended, Pub. Law 806, 80th Cong.; 50 U. S. C. App. 968)

[SEAL] ELMER F. KRUSE,  
Manager,  
Commodity Credit Corporation.

JULY 9, 1948.

[F. R. Doc. 48-6320; Filed, July 14, 1948; 8:54 a. m.]

[1948 C. C. C. Wheat Bulletin 2]

PART 251—WHEAT LOANS AND PURCHASE AGREEMENTS

1948 WHEAT PRICE SUPPORT PROGRAM; PURCHASES FROM GEORGIA AND SOUTH CAROLINA

This bulletin states the requirements with respect to the 1948 Wheat Purchase Program formulated by Commodity Credit Corporation (hereinafter referred to as CCC) and the Production and Marketing Administration (hereinafter referred to as PMA). Purchases will be made of wheat produced in the States of

Georgia and South Carolina in 1948 in accordance with this bulletin.

- Sec.
- 251.251 Administration.
- 251.252 Availability of purchases.
- 251.253 Eligible producer.
- 251.254 Eligible wheat.
- 251.255 Approved forms.
- 251.256 Preparation and distribution of 1948 CCC Wheat Purchase Form A.
- 251.257 Liens.
- 251.258 Service fees.
- 251.259 Set-offs.
- 251.260 Delivery.
- 251.261 Shipping instructions.
- 251.262 Basis of settlement.
- 251.263 Delivery of ineligible wheat.
- 251.264 Price schedule.
- 251.265 Payment.

**AUTHORITY:** §§ 251.251 to 251.265, inclusive, issued under sec. 7 (a), 49 Stat. 4, as amended; 15 U. S. C. 713 (a); Charter of Commodity Credit Corporation.

§ 251.251 *Administration.* The program will be administered in the field through the Kansas City CCC field office, the State PMA committees, and the county agricultural conservation committees, under the direction of the Administrator of PMA or his designees. Forms will be mimeographed by the State offices, and distributed to county committees. County committees will determine or cause to be determined the quantity of the wheat delivered at county shipping points under this program. All purchase documents will be completed and approved by the county committee. The county committee may designate in writing certain employees of the county agricultural conservation association to approve such forms on behalf of the committee.

§ 251.252 *Availability of purchases—(a) Area.* The purchase program will be available in the States of Georgia and South Carolina.

(b) *Time.* Purchases will be made through December 31, 1948, unless terminated earlier.

§ 251.253 *Eligible producer.* An eligible producer shall be any individual, partnership, association, corporation, or other legal entity producing wheat in 1948 as landowner, landlord, tenant, or sharecropper.

§ 251.254 *Eligible wheat.* Eligible wheat shall be wheat which meets the following requirements:

(a) Such wheat must be produced in the States of Georgia or South Carolina in 1948, by an eligible producer.

(b) The beneficial interest in the wheat must be in the producer and must always have been in him, or in him and a former producer whom he succeeded before the wheat was harvested.

(c) Such wheat on inspection at destination must be (1) wheat grading No. 3 or better; or (2) wheat grading No. 4 or No. 5 solely on the factor of test weight but otherwise grading No. 3 or better.

§ 251.255 *Approved forms.* The approved forms consist of the purchase documents which, together with the provisions of this bulletin, govern the rights and responsibilities of the producer and should be read carefully. Any fraudulent

representation made by a producer in executing the purchase documents will render him subject to prosecution under the United States Criminal Code. The approved purchase form shall consist of a Memorandum of Purchase (1948 CCC Wheat Purchase Form A), which has been executed by the producer(s) and approved by a member of the county agricultural conservation committee or its designee.

§ 251.256 *Preparation and distribution of 1948 CCC Wheat Purchase Form A.* (a) The Memorandum of Purchase (1948 CCC Wheat Purchase Form A) must be completed in quadruplicate and must be signed by the producer(s) and approved by a member of the county committee or its designee. All four copies, together with the original of the scale tickets attached, shall be forwarded to the State PMA committee. Upon receipt from the CCC field office of the destination weight and grade of a car of wheat, the State PMA committee shall complete the remaining entries on 1948 CCC Wheat Purchase Form A for each producer who delivered wheat in the car.

(b) Distribution of purchase documents by State PMA offices shall be as follows: The original 1948 CCC Wheat Purchase Form A, the applicable scale tickets, and a copy of the sight draft to the CCC field office; one copy of the 1948 CCC Wheat Purchase Form A and the original of the sight draft to the producer; one copy of the 1948 CCC Wheat Purchase Form A to the county office; one copy of the 1948 CCC Wheat Purchase Form A and a copy of the sight draft shall be retained in the State office files.

§ 251.257 *Liens.* The wheat must be free and clear of all liens and encumbrances or, if liens or encumbrances exist on the wheat, proper waivers must be obtained.

§ 251.258 *Service fees.* Each producer selling wheat under the purchase program will pay a service fee of 1 cent per bushel on the number of bushels sold, or \$3.00, whichever is greater. Since the final settlement will be made to producers on the basis of net weights and grades at destination, the amount of the service fee will be collected in all cases from the proceeds of the sale by entering on 1948 CCC Wheat Purchase Form A, "Memorandum of Purchase", in the first space provided for distribution of funds, "Commodity Credit Corporation, Kansas City 6, Missouri (amount of fee)."

§ 251.259 *Set-offs.* A producer who is listed on the county debt register as indebted to any agency or corporation of the U. S. Department of Agriculture shall designate the agency or corporation to which he is indebted as the payee of the proceeds of such sale to the extent of such indebtedness, but not to exceed that portion of the proceeds remaining after deduction of the amount of service fees and the amount due prior lienholders. Indebtedness owing to CCC shall be given first consideration after claims of prior lienholders.

§ 251.260 *Delivery.* CCC will accept only bulk wheat which is loaded f. o. b. track in carload lots. Where the wheat of two or more producers is loaded into a single car, prior to loading the wheat into the car the bulk weight of the wheat of each producer must be determined as a basis for prorating the sales proceeds as provided below. The county agricultural conservation committee shall make arrangements for weighing facilities in order that each producer's wheat may be weighed before loading and, insofar as it is possible to determine, shall accept only eligible wheat. Scale tickets shall be completed for each producer indicating the weight of wheat loaded into the car.

§ 251.261 *Shipping instructions.* Shipping instructions shall be obtained from the Kansas City Office, CCC. Producers must ascertain from the county committees that shipping instructions have been received prior to loading the car. Under no circumstances will CCC assume demurrage charges resulting from delays in loading.

§ 251.262 *Basis of settlement.* Settlement will be made on the basis of official weights and grades determined at destination which will be forwarded to the State PMA committee by the CCC field office. The grade of the commingled wheat in a car, determined at destination, will be the grade to be used for settlement with each producer having wheat in the car. If the net weight of the wheat in a railway car at destination varies from the weight of the wheat delivered by the producer(s) at loading point, as evidenced by the scale tickets, the destination weight shall be allocated to the producers on a basis proportionate to the loading weight of the wheat delivered by each producer.

§ 251.263 *Delivery of ineligible wheat.* Where wheat at destination is found to be ineligible, the Kansas City Office, CCC will sell the wheat at the prevailing market price for such wheat. The sales proceeds less transportation and handling charges will be disbursed as provided by the "Memorandum of Purchase" executed by the producer.

§ 251.264 *Price schedule—(a) Rate for No. 1 wheat.* The purchase price for No. 1 wheat shall be the applicable loan rate for North Carolina, which will be published in 1948 CCC Wheat Bulletin 1, Supplement 2.

(b) *Variations for grades.* Rates for other eligible grades shall be determined by subtracting the following discounts from the rate for No. 1 wheat:

Grade:	Cents per bushel
No. 2 .....	1
No. 3 .....	3
No. 4 (by test weight only) .....	6
No. 5 (by test weight only) .....	9
Smut-degree basis:	
Light smutty .....	2
Smutty .....	6
Garlic-degree basis:	
Light garlicky .....	2
Garlicky .....	6

§ 251.265 *Payment.* Payments for wheat purchased will be made and proceeds of ineligible wheat will be remitted

by sight draft drawn on CCC by the State PMA committee.

Date program announced: May 24, 1948.

[SEAL] RALPH S. TRIGG,  
President,  
Commodity Credit Corporation.

JUNE 30, 1948.

[F. R. Doc. 48-6321; Filed, July 14, 1948;  
8:54 a. m.]

[1948 C. C. Barley Bulletin 1]

PART 264—BARLEY LOANS AND PURCHASE  
AGREEMENTS

1948 BARLEY PRICE SUPPORT PROGRAM  
BULLETIN

This bulletin states the requirements with respect to the 1948 Barley Price Support Program formulated by Commodity Credit Corporation (hereinafter referred to as CCC) and the Production and Marketing Administration (hereinafter referred to as PMA). Loans will be made available on barley produced in 1948 in accordance with this bulletin.

Sec.

264.201	Administration.
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264.223	CCC field offices.
264.224	Loan rates.

AUTHORITY: §§ 264.201 to 264.224, inclusive, issued under sec. 302 (a), 52 Stat. 43, sec. 4 (b), 55 Stat. 498; Pub. Law 806, 80th Cong.; 7 U. S. C. 1302 (a), 15 U. S. C. 713 (a)—8 (b).

§ 264.201 *Administration.* The program will be administered in the field through the CCC field offices, the State PMA committees, and the county agricultural conservation committees.

Forms will be distributed through the offices of State and county committees. County committees will determine or cause to be determined the quantity and grade of the barley, the amount of the loan, and the value of the barley delivered under a loan. All loan documents will be completed and approved by the county committee, which will retain copies of all documents. The county committee may designate in writing certain employees of the county agricultural conservation association to approve such forms on behalf of the committee.

The county committee will furnish the borrower with the names of local lend-

ing agencies approved for making disbursements on loan documents, or with the address of the CCC field office to which loan documents may be forwarded for disbursement.

§ 264.202 *Availability of loans—(a) Area.* (1) Loans shall be available on eligible barley in eligible farm storage in the States and counties for which loan rates are shown in § 264.224.

(2) Loans shall be available on eligible barley stored in eligible warehouses in all areas.

(b) *Time.* Loans shall be available through December 31, 1948.

(c) *Source.* Loans shall be made available to producers direct by CCC field offices and by lending agencies under lending agency agreements with CCC.

§ 264.203 *Approved lending agencies.* An approved lending agency shall be any bank, cooperative marketing association, corporation, partnership, individual, or other legal entity with which CCC has entered into a Lending Agency Agreement (Form PMA-97) or other form prescribed by CCC.

§ 264.204 *Eligible producer.* An eligible producer shall be any individual, partnership, association, corporation, or other legal entity producing the barley in 1948 as landowner, landlord, tenant, or sharecropper.

§ 264.205 *Eligible barley.* Eligible barley shall be barley which was produced in 1948, of any class grading No. 5 or better (except Class III Western barley having a test weight of less than 40 pounds per bushel) provided such barley does not grade weevily, tough, stained, blighted, bleached, garlicky, ergoty, or smutty. The beneficial interest in the barley must be in the producer tendering the barley for a loan, must always have been in him, or must have been in him and a former producer whom he succeeded before the barley was harvested. If offered as security for a farm-storage loan, the barley must have been stored in the granary at least 30 days prior to its inspection for measurement, sampling, and sealing, unless otherwise approved by the State PMA committee.

§ 264.206 *Eligible storage.* Eligible storage for barley shall meet the following requirements:

(a) Eligible farm storage shall consist of farm bins and granaries which, as determined by the county committee, are of such substantial and permanent construction as to permit effective fumigation for the destruction of insects and afford protection against rodents, other animals, thieves, and weather.

(b) Eligible warehouse storage shall consist of (1) public grain warehouses for which a Uniform Grain Storage Agreement (CCC Form H, Revised) has been executed (Warehousemen desiring approval should communicate with the CCC field office serving the area in which the warehouse is located.); or (2) warehouses operated by eastern common carriers under tariffs approved by the Interstate Commerce Commission. A list of approved warehouses will be furnished State offices and county committees.

§ 264.207 *Approved forms.* The approved forms consist of the loan documents which, together with the provisions of this bulletin, govern the rights and responsibilities of the producer, and should be read carefully. Any fraudulent representation made by a producer in obtaining a loan or in executing any of the loan documents will render him subject to prosecution under the U. S. Criminal Code. Notes and chattel mortgages, and note and loan agreements, must be dated prior to January 1, 1949, with State and documentary revenue stamps affixed thereto where required by law. Notes and chattel mortgages, and note and loan agreements, executed by an administrator, executor, or trustee, will be acceptable only where legally valid.

(a) *Farm storage loans.* Approved forms shall consist of the producer's note on CCC Commodity Form A, secured by a chattel mortgage on CCC Commodity Form AA.

(b) *Warehouse storage loans.* Approved forms shall consist of the note and loan agreement on CCC Commodity Form B, secured by negotiable warehouse receipts representing the barley stored in approved warehouses. All barley pledged as security for a loan on a single CCC Commodity Form B must be stored in the same warehouse.

(c) *Warehouse receipts.* Barley in eligible warehouse storage under the loan program must be represented by warehouse receipts which satisfy the following requirements:

(1) Warehouse receipts must be issued in the name of the producer, must be properly endorsed in blank so as to vest title in the holder, and must be issued by an approved warehouse.

(2) Each warehouse receipt should set forth in its written terms that the barley is insured for not less than market value against the hazards of fire, lightning, inherent explosion, wind-storm, cyclone, and tornado, or in lieu of this statement, it must have stamped or printed thereon the word "Insured."

(3) Liens for warehouse charges will be recognized by CCC, but only from May 15, 1948, or the date of the warehouse receipt, whichever is later.

(4) Each warehouse receipt, or the warehouseman's supplemental certificate (in duplicate) properly identified with the warehouse receipt, must show the gross weight and grade, dockage, test weight and all special grading factors.

(5) In the case of warehouse receipts issued for barley delivered by rail or barge, CCC will accept inbound weight and inspection certificates properly identified with the barley covered thereby in lieu of the information required by subparagraph (4) of this paragraph. In areas where licensed inspectors are not available at terminal and subterminal warehouses, CCC will accept inspection certificates based on representative samples which have been forwarded to and graded by licensed grain inspectors.

§ 264.208 *Determination of quantity.* A bushel shall be 48 pounds of clean barley free of dockage when determined by weight, or 1.25 cubic feet of barley testing 48 pounds per bushel when determined by measurement. A deduction

of  $\frac{3}{4}$  of a pound for each sack will be made in determining the net quantity of the barley when stored as sacked barley. In determining the quantity of barley in farm storage by measurement, fractional pounds of the test weight per bushel will be disregarded, and the quantity determined as above will be the following percentages of the quantity determined for 48-pound barley:

For barley testing—	Percent
48 pounds or over.....	100
47 pounds or over, but less than 48 pounds.....	98
46 pounds or over, but less than 47 pounds.....	96
45 pounds or over, but less than 46 pounds.....	94
44 pounds or over, but less than 45 pounds.....	92
43 pounds or over, but less than 44 pounds.....	90
42 pounds or over, but less than 43 pounds.....	88
41 pounds or over, but less than 42 pounds.....	85
40 pounds or over, but less than 41 pounds.....	83
39 pounds or over, but less than 40 pounds.....	81
38 pounds or over, but less than 39 pounds.....	79
37 pounds or over, but less than 38 pounds.....	77
36 pounds or over, but less than 37 pounds.....	75
35 pounds or over, but less than 36 pounds.....	73

§ 264.209 *Determination of dockage.* The percentage of dockage shall be determined in accordance with the Official Grain Standards of the United States, and the weight of such dockage shall be deducted from the gross weight of the barley in determining the net quantity available for loan.

§ 264.210 *Liens.* The barley must be free and clear of all liens and encumbrances, or if liens or encumbrances exist on the barley, proper waivers must be obtained.

§ 264.211 *Service fees.* Where the barley under loan is farm-stored the producer shall pay a service fee of 1 cent per bushel on the number of bushels placed under loan, or \$3.00, whichever is greater, and where the barley under loan is warehouse-stored, the producer shall pay a service fee of  $\frac{1}{2}$  cent per bushel on the number of bushels placed under loan, or \$1.50, whichever is greater.

§ 264.212 *Set-offs.* A producer who is listed on the county debt register as indebted to any agency or corporation of the United States Department of Agriculture shall designate the agency or corporation to which he is indebted as the payee of the proceeds of the loan to the extent of such indebtedness, but not to exceed that portion of the proceeds remaining after deduction of the service fees and amounts due prior lienholders. Indebtedness owing to the CCC shall be given first consideration after claims of prior lienholders.

§ 264.213 *Interest rate.* Loans shall bear interest at the rate of 3 percent per annum and interest shall accrue from the date of disbursement of the loan, notwithstanding the printed provisions of the note.

§ 264.214 *Transfer of producer's equity.* The right of the producer to transfer either his right to redeem the barley under loan or his remaining interest may be restricted by CCC.

§ 264.215 *Safeguarding of the barley.* The producer obtaining a farm-storage loan is obligated to maintain the farm storage structures in good repair, and to keep the barley in good condition.

§ 264.216 *Insurance.* CCC will not require the producer to insure the barley placed under farm-storage loan; however, if the producer does insure such barley, such insurance shall inure to the benefit of CCC to the extent of its interest after first satisfying the producer's equity in the barley involved in the loss.

§ 264.217 *Loss or damage to the barley.* The producer is responsible for any loss in quantity or quality of the barley placed under farm-storage loan, except that uninsured physical loss or damage occurring without fault, negligence, or conversion on the part of the producer, resulting solely from an external cause other than insect infestation or vermin, will be assumed by CCC, provided the producer has given the county committee immediate notice in writing of such loss or damage, and provided there has been no fraudulent representation made by the producer in the loan documents or in obtaining the loan.

§ 264.218 *Personal liability.* The making of any fraudulent representation by the producer in the loan documents, or in obtaining the loan, or the conversion or unlawful disposition of any portion of the barley by him, shall render the producer personally liable for the amount of the loan and for any resulting expense incurred by any holder of the note.

§ 264.219 *Maturity and satisfaction.* Loans mature on demand but not later than April 30, 1949. In the case of farm-storage loans, the producer is required to pay off his loan on or before maturity date, or to deliver the mortgaged barley in accordance with instructions of the county committee. Credit will be given for the total quantity delivered, provided it was stored in the bin(s) in which the barley under loan was stored, at the applicable settlement value, according to grade and/or quality. If the settlement value of the barley delivered exceeds the amount due on the loan, the amount of the excess shall be paid to the producer. If the settlement value of the barley is less than the amount due on the loan, the amount of the deficiency, plus interest, shall be paid by the producer to CCC, or may be set off against any payment which would otherwise be made to the producer under any agricultural programs administered by the Secretary of Agriculture, or any other payments which are due or may become due to the producer from CCC or any other agency of the United States. In the event the farm is sold or there is a change of tenancy, the barley may be delivered before the maturity date of the loan upon prior approval by the county committee. In the case of warehouse-storage loans, if the producer does not repay his loan by maturity, CCC

shall have the right to sell or pool the barley in satisfaction of the loan in accordance with the provisions of the note and loan agreement and § 264.220.

§ 264.220 *Removal of the barley under loan.* If the loan is not satisfied upon maturity by payment or delivery, the holder of the note may remove the barley and sell it, either by separate contract or after pooling it with other lots of barley similarly held. The producer has no right of redemption after the barley is pooled, but shall share ratably in any overplus remaining upon liquidation of the pool. CCC shall have the right to treat the pooled barley as a reserve supply to be marketed under such sales policies as CCC determines will promote orderly marketing, protect the interests of producers and consumers, and not unduly impair the market for the current crop of the barley even though part or all of such pooled barley is disposed of under such policies at prices less than the current domestic price for such barley. Any sum due the producer as a result of the sale of the barley or of insurance proceeds thereon, or any ratable share resulting from the liquidation of a pool, shall be payable only to the producer without right of assignment by him.

§ 264.221 *Release of the barley under loan.* A producer may at any time obtain release of the barley remaining under loan by paying to the holder of the note, or note and loan agreement, the principal amount thereof, plus interest. If the note is held by an out-of-town lending agency or by CCC, the producer may request that the note be forwarded to a local bank for collection. In such case, where CCC is the holder of the note, the local bank will be instructed to return the note if payment is not effected within 15 days. All charges in connection with the collection of the note shall be paid by the producer. Upon payment of a farm-storage loan, the county committee should be requested to release the mortgage by filing an instrument of release or by a marginal release on the county records. Partial release of the barley prior to maturity may be arranged with the county committee by paying to the holder of the note the amount of the loan, plus charges and accrued interest, represented by the quantity of the barley to be released. In the case of warehouse-storage loans, each partial release must cover all of the commodity under one warehouse receipt number.

§ 264.222 *Purchase of notes.* CCC will purchase, from approved lending agencies, notes evidencing approved loans which are secured by chattel mortgages or negotiable warehouse receipts. The purchase price to be paid by CCC will be the principal sums remaining due on such notes, plus accrued interest from the date of disbursement to the date of purchase at the rate of  $1\frac{1}{2}$  percent per annum. Lending agencies are required to submit a weekly report to CCC and to the county committees on CCC Commodity Form F, or such other form as CCC may prescribe, of all payments received on producers' notes held

**RULES AND REGULATIONS**

by them, and are required to remit promptly to CCC an amount equivalent to 1½ percent interest per annum, on the amount of the principal collected, from the date of disbursement to the date of payment. Lending agencies should submit notes and reports to the CCC field office serving the area.

§ 264.223 *Commodity Credit Corporation field offices.* The CCC field offices and the areas served by them are shown below:

*Address and Area*

- 449 West Peachtree Street NE., Atlanta, Ga.; Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee, Virginia.
- 623 South Wabash Avenue, Chicago 5, Ill.: Illinois, Indiana, Iowa, Michigan, Ohio.
- 1114 Commerce Street, Dallas 2, Tex.: Arkansas, Louisiana, New Mexico, Oklahoma, Texas.
- 417 East Thirteenth Street, Kansas City 6, Mo.: Colorado, Kansas, Missouri, Nebraska, Wyoming.
- 328 McKnight Building, Minneapolis 1, Minn.: Minnesota, Montana, North Dakota, South Dakota, Wisconsin.
- 67 Broad Street, Room 1304, New York 4, N. Y.: Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, West Virginia.
- 515 Southwest Tenth Avenue, Portland 5, Oreg.: Idaho, Oregon, Washington.
- 30 Van Ness Avenue, San Francisco 2, Calif.: Arizona, California, Nevada, Utah.

§ 264.224 *Loan rates*—(a) *Basic loan rates at terminal markets.* 1948 barley loan rates per bushel for No. 1 barley, stored in eligible warehouse storage at the following terminal markets, shall be as follows:

Market	Loan rate per bushel
Chicago, Ill., and St. Louis, Mo.	\$1.38
Kansas City, Mo., Omaha, Nebr., Minneapolis and Duluth, Minn., and Superior, Wis.	1.34
Memphis, Tenn.	1.44
San Francisco and Los Angeles, Calif., and Portland, Oreg.	1.41
Baltimore, Md., and Philadelphia, Pa.	1.49

For loan at the full rate shown in the above schedule, the barley must have been shipped by rail at the domestic interstate freight rate. The rate at the designated terminal market will be reduced by the difference between the freight paid and the domestic interstate freight rate, on any barley shipped at other than the domestic freight rate.

The foregoing schedule of rates applies to barley delivered to any designated terminal market in carload lots which has been shipped by rail from a country shipping point to one of the designated terminal markets, as evidenced by paid freight bills duly registered for transit privileges: *Provided*, That in the event the amount of paid-in freight is insufficient to guarantee minimum proportional freight rate from the terminal market, there shall be deducted from the applicable terminal rate the difference between the amount of freight actually paid in and the amount required to be paid in to guarantee outbound movement at the minimum proportional freight rate. The warehouse receipts must be accompanied by the registered freight bills, or by (1) a statement in the following form signed by the warehouse-

man, (2) a certificate of the warehouseman containing such a certification, or (3) such forms as may hereafter be approved by CCC.

**FREIGHT CERTIFICATE FOR TERMINALS**

The barley represented by attached warehouse receipt No. \_\_\_\_\_ was received by rail freight from \_\_\_\_\_ (Town)

(County) (State)  
point of origin, as evidenced by freight bill described as follows:

Way bill, date \_\_\_\_\_  
No. \_\_\_\_\_  
Car No. \_\_\_\_\_  
Initial \_\_\_\_\_  
Freight bill, date \_\_\_\_\_  
No. \_\_\_\_\_  
Carrier \_\_\_\_\_  
Transit weight \_\_\_\_\_  
Freight rate in \_\_\_\_\_  
Amount collected \_\_\_\_\_  
Number unused transit stops \_\_\_\_\_

The above-described paid freight bill has been officially registered for transit and will be held in accordance with the provisions of paragraph 19 of the Uniform Grain Storage Agreement.

(Warehouseman's signature)  
\_\_\_\_\_  
(Address)

(Date of signature)

Barley stored at a designated terminal market (including trucked-in barley) for which neither registered freight bills nor such freight certificates are presented shall have a loan rate equal to the higher of (1) the terminal rate minus 6 cents per bushel, or (2) the county rate for the county in which the barley is stored.

(b) *Basic loan rates at other than designated terminal points.* CCC will determine the loan rate for barley in storage on the farm or in country warehouses by deducting from the designated terminal loan rate an amount equal to (1) the receiving and loading-out charges computed in accordance with the applicable schedule of rates of the Uniform Grain Storage Agreement (CCC Form H, Revised) for the 1948 crop plus (2) the average all-rail interstate freight rate (plus tax) from representative shipping points in the county to the appropriate terminal market.

Upon request by the county committee the CCC field office will determine the loan rate for barley stored in approved warehouses (other than those situated in the designated terminal markets) which is shipped by rail from country shipping points, by deducting from the appropriate designated terminal market rate an amount equal to the transit balance of the through freight from point of origin for such barley to such terminal market, plus freight tax on such transit balance; *Provided*, That in the case of barley stored at any railroad transit point, taking a penalty by reason of out-of-line movement or for any other reason, to the appropriate designated market, there shall be added to such transit balance an amount equal to any out-of-line or other costs incurred in storing barley in such position.

The warehouse receipts, in addition to other required documents, must be accompanied by the original paid freight

bills duly registered for transit privileges or by a statement in the following form signed by the warehouseman, or a warehouseman's supplemental certificate containing such information:

**FREIGHT CERTIFICATE FOR OTHER THAN TERMINAL POINTS**

The barley represented by attached warehouse receipt No. \_\_\_\_\_ was received by rail freight from \_\_\_\_\_ (Town)

(County) (State)  
point of origin, as evidenced by freight bill described as follows:

Way bill, date \_\_\_\_\_  
No. \_\_\_\_\_  
Car No. \_\_\_\_\_  
Freight bill, date \_\_\_\_\_  
No. \_\_\_\_\_  
Carrier \_\_\_\_\_  
Freight rate in \_\_\_\_\_  
Initial \_\_\_\_\_  
Transit weight \_\_\_\_\_  
Amount collected \_\_\_\_\_  
Transit balance, if any, through freight rate to \_\_\_\_\_ of \_\_\_\_\_ per 100 pounds.  
Number unused transit stops \_\_\_\_\_

The above-described paid freight bill has been officially registered for transit and will be held in accordance with the provisions of paragraph 19 of the Uniform Grain Storage Agreement.

(Warehouseman's signature)  
\_\_\_\_\_  
(Address)

(Date of signature)

(c) *County loan rates.* Loan rates per bushel of eligible barley for the respective States and county basis No. 1 barley free of dockage are listed below:

ARIZONA			
County	Rate	County	Rate
Apache	\$0.88	Mohave	\$1.03
Cochise	1.06	Navajo	.88
Coconina	.91	Pima	1.13
Gila	1.03	Pinal	1.19
Graham	1.03	Santa Cruz	1.11
Greenlee	.99	Yavapai	.97
Maricopa	1.20	Yuma	1.21

  

CALIFORNIA			
County	Rate	County	Rate
Alameda	\$1.31	San Benito	\$1.28
Butte	1.25	San Bernardino	1.28
Colusa	1.26	San Diego	1.25
Contra Costa	1.31	San Joaquin	1.29
El Dorado	1.25	San Luis	1.26
Fresno	1.26	Obispo	1.26
Glenn	1.25	San Mateo	1.31
Humboldt	1.21	Santa Barbara	1.26
Imperial	1.25	Santa Clara	1.30
Kern	1.26	Santa Cruz	1.29
Kings	1.26	Shasta	1.20
Lassen	1.18	Sierra	1.18
Los Angeles	1.30	Siskiyou	1.18
Madera	1.27	Solano	1.30
Marin	1.31	Sonoma	1.29
Mendocino	1.24	Stanislaus	1.28
Merced	1.28	Sutter	1.26
Modoc	1.14	Tehama	1.25
Monterey	1.28	Tulare	1.26
Napa	1.30	Ventura	1.30
Orange	1.30	Yolo	1.28
Placer	1.27	Yuba	1.27
Plumas	1.18		
Riverside	1.27		
Sacramento	1.28		

  

COLORADO			
County	Rate	County	Rate
Adams	\$1.09	Boulder	\$1.09
Alamosa	1.02	Chaffee	.99
Arapahoe	1.09	Cheyenne	1.10
Archuleta	.98	Conejos	1.02
Baca	1.10	Costilla	1.03
Bent	1.09	Crowley	1.09

COLORADO—continued

County	Rate	County	Rate
Delta	\$0.98	Mesa	\$0.98
Denver	1.09	Mineral	1.01
Dolores	.87	Moffat	.98
Douglas	1.09	Montezuma	.88
Eagle	.98	Montrose	.98
Elbert	1.09	Morgan	1.09
El Paso	1.09	Otero	1.09
Fremont	1.08	Otway	.98
Garfield	.98	Phillips	1.10
Gilpin	1.02	Pitkin	.98
Grand	1.01	Prowers	1.10
Gunnison	.98	Pueblo	1.09
Huerfano	1.08	Rio Grande	1.02
Jefferson	1.09	Routt	.98
Kit Carson	1.10	Saguache	1.02
Lake	.98	San Juan	.86
La Plata	.93	San Miguel	.88
Larimer	1.09	Sedgwick	1.11
Las Animas	1.09	Teller	.97
Lincoln	1.09	Washington	1.09
Logan	1.09	Weld	1.09
		Yuma	1.10

DELAWARE

County	Rate
All counties	\$1.29

IDAHO

County	Rate	County	Rate
Ada	\$1.11	Gem	\$1.12
Adams	1.10	Gooding	1.03
Bannock	1.03	Idaho	1.17
Bear Lake	1.01	Jefferson	1.01
Benewah	1.18	Jerome	1.03
Bingham	1.02	Kootenai	1.17
Blaine	1.02	Latah	1.18
Boise	1.11	Lemhi	1.01
Bonner	1.16	Lewis	1.15
Bonneville	1.01	Lincoln	1.03
Boundary	1.15	Madison	1.01
Butte	1.01	Minidoka	1.03
Camas	1.01	Nez Perce	1.18
Canyon	1.12	Oneida	1.03
Caribou	1.00	Owyhee	1.12
Cassia	1.04	Payette	1.13
Clark	1.00	Power	1.03
Clearwater	1.18	Shoshone	1.16
Custer	1.01	Teton	1.01
Elmore	1.10	Twin Falls	1.05
Franklin	1.03	Valley	1.10
Fremont	1.00	Washington	1.13

ILLINOIS

County	Rate	County	Rate
Adams	\$1.21	Iroquois	\$1.24
Alexander	1.23	Jackson	1.23
Bond	1.22	Jasper	1.23
Boone	1.24	Jefferson	1.22
Brown	1.22	Jersey	1.24
Bureau	1.23	Jo Daviess	1.22
Calhoun	1.22	Johnson	1.21
Carroll	1.22	Kane	1.25
Cass	1.23	Kankakee	1.25
Champaign	1.23	Kendall	1.25
Christian	1.23	Knox	1.22
Clark	1.22	Lake	1.25
Clay	1.22	La Salle	1.24
Clinton	1.24	Lawrence	1.20
Coles	1.23	Lee	1.23
Cook	1.25	Livingston	1.23
Crawford	1.22	Logan	1.23
Cumberland	1.23	McDonough	1.21
De Kalb	1.24	McHenry	1.24
De Witt	1.23	McLean	1.23
Douglas	1.23	Macon	1.23
Du Page	1.25	Macoupin	1.24
Edgar	1.23	Madison	1.24
Edwards	1.22	Marion	1.23
Effington	1.22	Marshall	1.23
Fayette	1.23	Mason	1.23
Ford	1.23	Massac	1.22
Franklin	1.22	Menard	1.23
Fulton	1.22	Mercer	1.23
Gallatin	1.20	Monroe	1.23
Greene	1.24	Montgomery	1.23
Hamilton	1.22	Morgan	1.23
Hancock	1.20	Moultrie	1.23
Hardin	1.21	Ogle	1.23
Henderson	1.21	Peoria	1.23
Henry	1.22	Perry	1.23

ILLINOIS—continued

County	Rate	County	Rate
Pike	\$1.22	Stephenson	\$1.22
Pope	1.22	Tazewell	1.23
Pulaski	1.21	Union	1.23
Putnam	1.23	Vermillion	1.23
Randolph	1.23	Wabash	1.20
Richland	1.22	Warren	1.21
Rock Island	1.21	Washington	1.23
St. Clair	1.24	Wayne	1.21
Saline	1.20	White	1.20
Sangamon	1.23	Whiteside	1.22
Schuyler	1.22	Will	1.25
Scott	1.23	Williamson	1.22
Shelby	1.23	Winnebago	1.22
Stark	1.23	Woodford	1.23

INDIANA

County	Rate	County	Rate
Adams	\$1.22	Lawrence	\$1.20
Allen	1.21	Madison	1.22
Bartholomew	1.20	Marion	1.21
Benton	1.22	Marshall	1.22
Blackford	1.22	Martin	1.19
Boone	1.20	Miami	1.21
Brown	1.19	Monroe	1.21
Carroll	1.23	Montgomery	1.22
Cass	1.22	Morgan	1.22
Clark	1.21	Newton	1.24
Clay	1.21	Noble	1.21
Clinton	1.22	Ohio	1.21
Crawford	1.18	Orange	1.21
Daviess	1.18	Owen	1.21
Dearborn	1.21	Parke	1.21
Decatur	1.21	Perry	1.18
De Kalb	1.22	Pike	1.17
Delaware	1.22	Porter	1.24
Dubois	1.18	Posey	1.22
Elkhart	1.21	Pulaski	1.23
Fayette	1.22	Putnam	1.22
Floyd	1.21	Randolph	1.22
Fountain	1.20	Ripley	1.21
Franklin	1.22	Rush	1.22
Fulton	1.22	St. Joseph	1.22
Gibson	1.20	Scott	1.21
Grant	1.22	Shelby	1.21
Greene	1.20	Spencer	1.18
Hamilton	1.22	Starke	1.23
Hancock	1.22	Steuben	1.22
Harrison	1.18	Sullivan	1.22
Hendricks	1.20	Switzerland	1.21
Henry	1.22	Tippecanoe	1.22
Howard	1.20	Tipton	1.21
Huntington	1.20	Union	1.22
Jackson	1.19	Vanderburgh	1.20
Jasper	1.24	Vermillion	1.23
Jay	1.22	Vigo	1.22
Jefferson	1.21	Wabash	1.21
Jennings	1.20	Warren	1.22
Johnson	1.20	Warrick	1.18
Knox	1.21	Washington	1.21
Kosciusko	1.21	Wayne	1.22
Lagrange	1.21	Wells	1.22
Lake	1.24	White	1.24
La Porte	1.23	Whitley	1.20

IOWA

County	Rate	County	Rate
Adair	\$1.18	Dallas	\$1.18
Adams	1.19	Davis	1.19
Allamakee	1.18	Decatur	1.17
Appanoose	1.19	Delaware	1.19
Audubon	1.20	Des Moines	1.20
Benton	1.19	Dickinson	1.16
Black Hawk	1.19	Dubuque	1.20
Boone	1.18	Emmet	1.17
Bremer	1.18	Fayette	1.18
Buchanan	1.19	Floyd	1.17
Buena Vista	1.17	Franklin	1.17
Butler	1.17	Fremont	1.21
Calhoun	1.18	Greene	1.18
Carroll	1.20	Grundy	1.18
Cass	1.20	Guthrie	1.19
Cedar	1.20	Hamilton	1.16
Cerro Gordo	1.17	Hancock	1.17
Cherokee	1.18	Hardin	1.17
Chickasaw	1.17	Harrison	1.21
Clarke	1.18	Henry	1.20
Clay	1.17	Howard	1.17
Clayton	1.19	Humboldt	1.16
Clinton	1.21	Ida	1.19
Crawford	1.20	Iowa	1.19

IOWA—continued

County	Rate	County	Rate
Jackson	\$1.21	Pocahontas	\$1.17
Jasper	1.18	Polk	1.17
Jefferson	1.19	Pottawattamie	
Johnson	1.20	(W)	1.21
Jones	1.20	Pottawattamie	
Keokuk	1.18	(E)	1.21
Kossuth	1.17	Poweshiek	1.18
Lee	1.20	Ringgold	1.17
Linn	1.20	Sac	1.18
Louisa	1.20	Scott	1.21
Lucas	1.17	Shelby	1.20
Lyon	1.17	Sioux	1.18
Madison	1.17	Story	1.17
Mahaska	1.18	Tama	1.18
Marion	1.18	Taylor	1.19
Marshall	1.18	Union	1.18
Mills	1.22	Van Buren	1.19
Mitchell	1.17	Wapello	1.19
Monona	1.20	Warren	1.17
Monroe	1.18	Washington	1.19
Montgomery	1.21	Wayne	1.18
Muscatine	1.20	Webster	1.18
O'Brien	1.18	Winnebago	1.17
Osceola	1.17	Winneshek	1.18
Page	1.20	Woodbury	1.19
Palo Alto	1.16	Worth	1.17
Plymouth	1.18	Wright	1.16

KANSAS

County	Rate	County	Rate
Allen	\$1.18	Linn	\$1.19
Anderson	1.19	Logan	1.12
Atchison	1.20	Lyon	1.18
Barber	1.14	McPherson	1.15
Barton	1.14	Marion	1.16
Bourbon	1.19	Marshall	1.18
Brown	1.19	Meade	1.12
Butler	1.16	Miami	1.20
Chase	1.17	Mitchell	1.16
Chautauqua	1.17	Montgomery	1.18
Cherokee	1.18	Morris	1.17
Cheyenne	1.11	Morton	1.10
Clark	1.12	Nemaha	1.18
Clay	1.17	Nessho	1.18
Cloud	1.16	Ness	1.14
Coffey	1.18	Norton	1.14
Comanche	1.13	Osage	1.19
Cowley	1.16	Osborne	1.15
Crawford	1.18	Ottawa	1.16
Decatur	1.13	Pawnee	1.14
Dickinson	1.16	Phillips	1.14
Doniphan	1.19	Pottawattamie	1.18
Douglas	1.20	Pratt	1.14
Edwards	1.14	Rawlins	1.12
Ellis	1.14	Reno	1.15
Ellsworth	1.15	Republic	1.16
Finney	1.11	Rice	1.15
Ford	1.14	Riley	1.18
Franklin	1.20	Rooks	1.14
Geary	1.17	Rush	1.14
Gove	1.13	Russell	1.15
Graham	1.14	Saline	1.15
Grant	1.11	Scott	1.12
Gray	1.13	Sedgwick	1.16
Greeley	1.11	Seward	1.11
Greenwood	1.17	Shawnee	1.19
Hamilton	1.11	Sheridan	1.13
Harper	1.15	Sherman	1.11
Harvey	1.16	Smith	1.15
Haskell	1.12	Stafford	1.14
Hodgeman	1.14	Stanton	1.11
Jackson	1.19	Stevens	1.11
Jefferson	1.20	Sumner	1.16
Jewell	1.15	Thomas	1.12
Johnson	1.21	Trego	1.14
Kearny	1.11	Wabaunsee	1.18
Kingman	1.15	Wallace	1.11
Kiowa	1.14	Washington	1.17
Labette	1.18	Wichita	1.11
Lane	1.13	Wilson	1.18
Leavenworth	1.21	Woodson	1.18
Lincoln	1.15	Wyandotte	1.22

KENTUCKY

County	Rate
All counties	\$1.23

MARYLAND

County	Rate
All counties	\$1.32

RULES AND REGULATIONS

MICHIGAN

County	Rate	County	Rate
Alcona	\$1.16	Kent	\$1.20
Alger	1.14	Lake	1.18
Allegan	1.20	Lapeer	1.22
Alpena	1.16	Leelanau	1.16
Antrim	1.16	Lenawee	1.23
Arenac	1.17	Livingston	1.22
Baraga	1.13	Luce	1.11
Barry	1.20	Mackinac	1.11
Bay	1.20	Macomb	1.24
Benzie	1.17	Manistee	1.17
Berrien	1.20	Marquette	1.14
Branch	1.20	Mason	1.19
Calhoun	1.20	Mecosta	1.19
Cass	1.20	Menominee	1.16
Charlevoix	1.15	Midland	1.19
Cheboygan	1.15	Missaukee	1.17
Chippewa	1.11	Monroe	1.24
Clare	1.19	Montcalm	1.19
Clinton	1.20	Muskegon	1.19
Crawford	1.17	Newaygo	1.19
Delta	1.15	Oakland	1.23
Dickinson	1.16	Oceana	1.19
Eaton	1.20	Ogemaw	1.17
Emmet	1.15	Ontonagon	1.14
Genesee	1.22	Osceola	1.17
Gladwin	1.17	Otsego	1.16
Gogebic	1.14	Ottawa	1.20
Grand Traverse	1.16	Presque Isle	1.15
Gratiot	1.20	Roscommon	1.17
Hillsdale	1.22	Saginaw	1.21
Houghton	1.13	St. Clair	1.24
Huron	1.20	St. Joseph	1.20
Ingham	1.20	Sanilac	1.22
Ionia	1.20	Schoolcraft	1.12
Iosco	1.16	Shiawassee	1.20
Iron	1.14	Tuscola	1.21
Isabella	1.19	Van Buren	1.20
Jackson	1.21	Washtenaw	1.23
Kalamazoo	1.21	Wayne	1.24
Kalkaska	1.16	Wexford	1.17

MINNESOTA

County	Rate	County	Rate
Aitkin	\$1.20	Marshall	\$1.15
Anoka	1.23	Martin	1.18
Becker	1.17	Meeker	1.21
Beltrami	1.18	Mille Lacs	1.19
Benton	1.20	Morrison	1.19
Big Stone	1.17	Mower	1.19
Blue Earth	1.19	Murray	1.18
Brown	1.20	Nicollet	1.20
Carlton	1.21	Nobles	1.17
Carver	1.22	Norman	1.15
Cass	1.19	Olmsted	1.19
Chippewa	1.19	Otter Tail	1.18
Chisago	1.21	Pennington	1.15
Clay	1.16	Pine	1.21
Clearwater	1.17	Pipestone	1.17
Cottonwood	1.18	Polk	1.15
Crow Wing	1.19	Pope	1.19
Dakota	1.22	Ramsey	1.23
Dodge	1.19	Red Lake	1.16
Douglas	1.18	Redwood	1.19
Faribault	1.18	Renville	1.19
Fillmore	1.18	Rice	1.21
Freeborn	1.19	Rock	1.17
Goodhue	1.20	Roseau	1.14
Grant	1.18	St. Louis	1.19
Hennepin	1.23	Scott	1.22
Houston	1.18	Sherburne	1.21
Hubbard	1.17	Sibley	1.20
Isanti	1.21	Stearns	1.20
Itasca	1.19	Steele	1.20
Jackson	1.18	Stevens	1.18
Kanabec	1.20	Swift	1.19
Kandiyohi	1.20	Todd	1.19
Kittson	1.14	Traverse	1.17
Koochiching	1.15	Wabasha	1.20
Lac Qui Parle	1.17	Wadena	1.18
Lake	1.21	Waseca	1.20
Lake of the Woods	1.15	Washington	1.22
Le Sueur	1.21	Watsonwan	1.19
Lincoln	1.17	Wilkin	1.17
Lyon	1.18	Winona	1.19
McLeod	1.21	Wright	1.21
Mahnomen	1.16	Yellow Medicine	1.18

MISSOURI

County	Rate	County	Rate
Adair	\$1.20	Linn	\$1.20
Andrew	1.20	Livingston	1.20
Atchison	1.18	McDonald	1.17
Andrain	1.22	Macon	1.21
Barry	1.16	Madison	1.22
Barton	1.18	Maries	1.22
Bates	1.20	Marion	1.22
Benton	1.18	Mercer	1.18
Bollinger	1.21	Miller	1.20
Boone	1.22	Mississippi	1.21
Buchanan	1.20	Moniteau	1.21
Butler	1.20	Monroe	1.21
Caldwell	1.20	Montgomery	1.23
Callaway	1.22	Morgan	1.20
Camden	1.20	New Madrid	1.20
Cape Girardeau	1.21	Newton	1.17
Carroll	1.20	Nodaway	1.19
Carter	1.15	Oregon	1.15
Cass	1.21	Osage	1.22
Cedar	1.19	Ozark	1.15
Chariton	1.20	Pemiscot	1.19
Christian	1.17	Perry	1.22
Clark	1.21	Pettis	1.20
Clay	1.21	Phelps	1.22
Clinton	1.20	Pike	1.22
Cole	1.21	Platte	1.22
Cooper	1.21	Polk	1.18
Crawford	1.22	Pulaski	1.20
Dade	1.18	Putnam	1.20
Dallas	1.18	Ralls	1.22
Daviess	1.20	Randolph	1.22
De Kalb	1.20	Ray	1.20
Dent	1.21	Reynolds	1.20
Douglas	1.15	Ripley	1.20
Dunklin	1.18	St. Charles	1.26
Franklin	1.24	St. Clair	1.19
Gasconade	1.23	St. Francois	1.23
Gentry	1.19	St. Louis	1.26
Greene	1.17	Ste. Genevieve	1.23
Grundy	1.19	Saline	1.20
Harrison	1.18	Schuyler	1.20
Henry	1.20	Scotland	1.21
Hickory	1.18	Scott	1.20
Holt	1.19	Shannon	1.15
Howard	1.22	Shelby	1.21
Howell	1.15	Stoddard	1.21
Iron	1.21	Stone	1.16
Jackson	1.22	Sullivan	1.20
Jasper	1.18	Taney	1.16
Jefferson	1.24	Texas	1.15
Johnson	1.20	Vernon	1.19
Knox	1.21	Warren	1.24
Laclede	1.20	Washington	1.23
Lafayette	1.20	Wayne	1.21
Lawrence	1.17	Webster	1.18
Lewis	1.22	Worth	1.18
Lincoln	1.24	Wright	1.16

MONTANA

County	Rate	County	Rate
Beaverhead	\$1.01	Madison	\$1.07
Big Horn	1.00	Meagher	1.07
Blaine	1.04	Mineral	1.10
Broadwater	1.07	Missoula	1.09
Carbon	1.05	Musselshell	1.05
Cascade	1.07	Park	1.07
Chouteau	1.07	Petroleum	1.07
Custer	1.03	Phillips	1.01
Daniels	1.03	Pondera	1.06
Dawson	1.05	Powell	1.08
Deer Lodge	1.07	Prairie	1.05
Fallon	1.06	Ravalli	1.08
Fergus	1.07	Richland	1.05
Flathead	1.10	Roosevelt	1.06
Gallatin	1.07	Rosebud	1.02
Glacier	1.08	Sanders	1.10
Golden Valley	1.06	Sheridan	1.05
Granite	1.08	Silver Bow	1.06
Hill	1.07	Stillwater	1.06
Jefferson	1.07	Sweet Grass	1.07
Judith Basin	1.07	Teton	1.07
Lake	1.10	Toole	1.07
Lewis and Clark	1.07	Treasure	1.01
Liberty	1.07	Valley	1.03
Lincoln	1.10	Wheatland	1.07
McCone	1.04	Wibaux	1.06
		Yellowstone	1.06

NEBRASKA

County	Rate	County	Rate
Adams	\$1.18	Jefferson	\$1.19
Antelope	1.18	Johnson	1.20
Arthur	1.13	Kearney	1.17
Banner	1.11	Keith	1.13
Blaine	1.15	Keya Paha	1.16
Boone	1.19	Kimball	1.10
Box Butte	1.12	Knox	1.17
Boyd	1.17	Lancaster	1.21
Brown	1.15	Lincoln	1.15
Buffalo	1.18	Logan	1.15
Burt	1.21	Loup	1.16
Butler	1.21	McPherson	1.14
Cass	1.22	Madison	1.19
Cedar	1.18	Merrick	1.19
Chase	1.13	Morrill	1.12
Cherry	1.14	Nance	1.19
Cheyenne	1.11	Nemaha	1.20
Clay	1.18	Nuckolls	1.18
Colfax	1.21	Otoe	1.21
Cuming	1.21	Pawnee	1.19
Custer	1.16	Perkins	1.13
Dakota	1.20	Phelps	1.17
Dawes	1.11	Pierce	1.19
Dawson	1.17	Platte	1.20
Deuel	1.12	Polk	1.20
Dixon	1.19	Redwillow	1.15
Dodge	1.21	Richardson	1.20
Douglas	1.22	Rock	1.16
Dundy	1.13	Saline	1.20
Fillmore	1.19	Sarpy	1.22
Franklin	1.17	Saunders	1.21
Frontier	1.15	Scotts Bluff	1.11
Furnas	1.16	Seward	1.21
Gage	1.20	Sheridan	1.13
Garden	1.13	Sherman	1.18
Garfield	1.17	Sioux	1.10
Gosper	1.16	Stanton	1.20
Grant	1.13	Thayer	1.19
Greeley	1.18	Thomas	1.15
Hall	1.18	Thurston	1.20
Hamilton	1.19	Valley	1.17
Harlan	1.16	Washington	1.21
Hayes	1.14	Wayne	1.18
Hitchcock	1.14	Webster	1.17
Holt	1.17	Wheeler	1.18
Hooker	1.14	York	1.20
Howard	1.18		

NEVADA

County	Rate	County	Rate
Churchill	\$1.14	Lander	\$1.05
Clark	1.05	Lincoln	1.05
Douglas	1.13	Lyon	1.10
Elko	1.05	Ormsby	1.13
Eureka	1.05	Pershing	1.15
Humboldt	1.05	Washoe	1.15

NEW JERSEY

County	Rate
All counties	\$1.30

NEW MEXICO

County	Rate	County	Rate
Bernalillo	\$0.91	Mora	\$1.00
Chaves	.97	Otero	.93
Colfax	1.03	Quay	.99
Curry	.99	Rio Arriba	.97
De Baca	.95	Roosevelt	.93
Dona Ana	.89	Sandoval	.91
Eddy	.96	San Juan	.86
Grant	.88	San Miguel	.95
Guadalupe	.95	Sante Fe	.95
Harding	.94	Sierra	.91
Hidalgo	.88	Socorro	.91
Lea	.93	Torrance	.95
Lincoln	.93	Union	1.03
Luns	.88	Valencia	.90
McKinley	.88		

NEW YORK

County	Rate
All counties	\$1.28

NORTH CAROLINA

County	Rate
All counties	\$1.25

NORTH DAKOTA

County	Rate	County	Rate
Adams	\$1.09	Benson	\$1.12
Barnes	1.14	Billings	1.08

NORTH DAKOTA—continued

County	Rate	County	Rate
Bottineau	\$1.10	Morton	1.10
Bowman	1.08	Mountrall	1.09
Burke	1.09	Nelson	1.13
Burleigh	1.12	Oliver	1.10
Cass	1.15	Pembina	1.13
Cavaller	1.12	Pierce	1.11
Dickey	1.14	Ramsey	1.13
Divide	1.08	Ransom	1.15
Dunn	1.08	Renville	1.09
Eddy	1.13	Richland	1.16
Emmons	1.11	Rolette	1.11
Foster	1.13	Sargent	1.15
Golden Valley	1.07	Sheridan	1.12
Grand Forks	1.14	Sioux	1.10
Grant	1.09	Slope	1.07
Griggs	1.14	Stark	1.09
Hettinger	1.09	Steele	1.15
Kidder	1.13	Stutsman	1.14
La Moure	1.13	Towner	1.12
Logan	1.12	Traill	1.15
McHenry	1.11	Walsh	1.13
McIntosh	1.12	Ward	1.10
McKenzie	1.07	Wells	1.13
McLean	1.11	Williams	1.08
Mercer	1.09		

OHIO

County	Rate	County	Rate
Adams	\$1.23	Pickaway	\$1.24
Allen	1.24	Pike	1.23
Ashland	1.25	Portage	1.25
Ashtabula	1.27	Preble	1.23
Athens	1.24	Franklin	1.25
Auglaize	1.23	Fulton	1.23
Belmont	1.25	Gallia	1.23
Brown	1.23	Geauga	1.27
Butler	1.23	Greene	1.23
Carroll	1.25	Guernsey	1.25
Champaign	1.23	Hamilton	1.23
Clark	1.23	Hancock	1.25
Clermont	1.23	Hardin	1.24
Clinton	1.23	Harrison	1.25
Columbiana	1.26	Henry	1.23
Coshocton	1.25	Highland	1.23
Crawford	1.25	Hocking	1.25
Cuyahoga	1.25	Holmes	1.25
Darke	1.23	Huron	1.25
Defiance	1.23	Jackson	1.23
Delaware	1.25	Jefferson	1.25
Erle	1.25	Knox	1.25
Fairfield	1.25	Lake	1.26
Payette	1.24	Lawrence	1.23
Licking	1.25	Putnam	1.24
Logan	1.23	Richland	1.25
Lorain	1.25	Ross	1.24
Lucas	1.24	Sandusky	1.25
Madison	1.24	Scioto	1.23
Mahoning	1.27	Seneca	1.25
Marion	1.24	Shelby	1.23
Medina	1.25	Stark	1.25
Meigs	1.23	Summit	1.25
Mercer	1.23	Trumbull	1.27
Miami	1.23	Tuscarawas	1.25
Monroe	1.25	Union	1.24
Montgomery	1.23	Van Wert	1.23
Morgan	1.25	Vinton	1.24
Morrow	1.25	Warren	1.23
Muskingum	1.25	Washington	1.25
Noble	1.25	Wayne	1.25
Ottawa	1.25	Williams	1.23
Paulding	1.23	Wood	1.25
Perry	1.24	Wyandot	1.25

OKLAHOMA

County	Rate	County	Rate
Alfalfa	\$1.13	Grady	\$1.13
Beaver	1.10	Grant	1.13
Beckham	1.12	Greer	1.12
Blaine	1.13	Harmon	1.12
Caddo	1.13	Harper	1.11
Canadian	1.13	Jackson	1.13
Cimarron	1.08	Kay	1.14
Cleveland	1.13	Kingfisher	1.13
Comanche	1.13	Kiowa	1.13
Cotton	1.13	Lincoln	1.13
Craig	1.17	Logan	1.13
Creek	1.14	McClain	1.13
Custer	1.13	Major	1.13
Dewey	1.12	Mayes	1.16
Ellis	1.12	Noble	1.13
Garfield	1.13	Nowata	1.17

OKLAHOMA—continued

County	Rate	County	Rate
Okfuskee	\$1.15	Rogers	\$1.16
Oklahoma	1.13	Texas	1.09
Okmulgee	1.15	Tillman	1.13
Osage	1.15	Tulsa	1.15
Ottawa	1.17	Wagoner	1.15
Pawnee	1.13	Washington	1.17
Payne	1.13	Washita	1.13
Pottawatomie	1.13	Woods	1.12
Roger Mills	1.12	Woodward	1.12

OREGON

County	Rate	County	Rate
Baker	\$1.16	Lane	\$1.26
Benton	1.28	Linn	1.27
Clackamas	1.30	Malheur	1.12
Columbia	1.28	Marion	1.29
Crook	1.23	Morrow	1.26
Deschutes	1.23	Multnomah	1.30
Douglas	1.22	Polk	1.28
Gilliam	1.27	Sherman	1.28
Grant	1.00	Umatilla	1.22
Harney	1.08	Union	1.17
Jackson	1.18	Wallowa	1.16
Jefferson	1.24	Wasco	1.29
Josephine	1.19	Washington	1.30
Klamath	1.18	Yamhill	1.29
Lake	1.12		

PENNSYLVANIA

All counties	Rate
	\$1.30

SOUTH DAKOTA

County	Rate	County	Rate
Armstrong	\$1.10	Jackson	\$1.10
Aurora	1.15	Jerauld	1.15
Beadle	1.15	Jones	1.11
Bennett	1.12	Kingsbury	1.16
Bon Homme	1.17	Lake	1.16
Brookings	1.17	Lawrence	1.07
Brown	1.15	Lincoln	1.18
Brule	1.15	Lyman	1.13
Buffalo	1.14	McCook	1.17
Butte	1.07	McPherson	1.13
Campbell	1.12	Marshall	1.15
Charles Mix	1.15	Meade	1.07
Clark	1.16	Mellette	1.14
Clay	1.19	Miner	1.16
Codington	1.16	Minnehaha	1.17
Corson	1.10	Moody	1.16
Custer	1.08	Pennington	1.07
Davison	1.16	Perkins	1.09
Day	1.15	Potter	1.12
Deuel	1.17	Roberts	1.16
Dewey	1.10	Sanborn	1.15
Douglas	1.16	Shannon	1.10
Edmunds	1.13	Spink	1.15
Fall River	1.09	Stanley	1.11
Faulk	1.14	Sully	1.12
Grant	1.17	Todd	1.14
Gregory	1.16	Tripp	1.14
Haakon	1.09	Turner	1.18
Hamlin	1.16	Union	1.19
Hand	1.14	Walworth	1.12
Hanson	1.16	Washabaugh	1.12
Harding	1.07	Washington	1.10
Hughes	1.13	Yankton	1.18
Hutchinson	1.17	Ziebach	1.08
Hyde	1.13		

TENNESSEE

All counties	Rate
	\$1.25

TEXAS

County	Rate	County	Rate
Archer	\$1.11	Crosby	\$1.08
Armstrong	1.10	Dallam	1.08
Bailey	1.08	Dawson	1.08
Baylor	1.11	Deaf Smith	1.08
Briscoe	1.08	Dickens	1.09
Callahan	1.11	Donley	1.10
Carson	1.10	Fisher	1.11
Castro	1.08	Floyd	1.08
Childress	1.11	Foard	1.11
Clay	1.13	Garza	1.08
Coleman	1.10	Gray	1.10
Collingsworth	1.10	Hale	1.08
Cottle	1.10	Hall	1.10
		Hansford	1.08

TEXAS—continued

County	Rate	County	Rate
Hardeman	\$1.12	Oldham	\$1.09
Hartley	1.08	Parmer	1.08
Haskell	1.11	Potter	1.09
Hemphill	1.10	Randall	1.08
Hockley	1.08	Roberts	1.10
Hutchinson	1.09	Runnels	1.10
Jones	1.11	Scurry	1.10
Kent	1.10	Shackelford	1.11
Knox	1.11	Sherman	1.08
Lamb	1.08	Stonewall	1.10
Lipscomb	1.10	Swisher	1.08
Lubbock	1.08	Taylor	1.10
Mitchell	1.10	Wheeler	1.10
Moore	1.08	Wichita	1.13
Motley	1.09	Wilbarger	1.12
Nolan	1.10	Young	1.12
Ochiltree	1.09		

UTAH

County	Rate	County	Rate
Beaver	\$1.05	Plute	\$1.00
Box Elder	1.02	Rich	1.01
Cache	1.02	Salt Lake	1.03
Carbon	1.01	Sanpete	1.01
Davis	1.03	Sevier	1.00
Emery	1.00	Summit	1.03
Grand	.99	Tooele	1.03
Iron	1.04	Utah	1.03
Juab	1.03	Wasatch	1.02
Millard	1.04	Weber	1.03
Morgan	1.03		

VIRGINIA

All counties	Rate
	\$1.30

WASHINGTON

County	Rate	County	Rate
Adams	\$1.18	Lewis	\$1.26
Asotin	1.17	Lincoln	1.18
Benton	1.23	Mason	1.23
Chelan	1.18	Okanogan	1.15
Clark	1.31	Pacific	1.24
Columbia	1.21	Pend Oreille	1.15
Cowlitz	1.29	Skamania	1.30
Douglas	1.17	Spokane	1.18
Ferry	1.13	Stevens	1.16
Franklin	1.20	Thurston	1.25
Garfield	1.21	Walla Walla	1.22
Grant	1.18	Whitman	1.18
Kittitas	1.22	Yakima	1.21
Klickitat	1.27		

WEST VIRGINIA

All counties	Rate
	\$1.27

WISCONSIN

County	Rate	County	Rate
Adams	\$1.19	Marathon	\$1.18
Ashland	1.15	Marinette	1.17
Barron	1.18	Marquette	1.19
Bayfield	1.18	Milwaukee	1.26
Brown	1.20	Monroe	1.19
Buffalo	1.17	Oconto	1.18
Burnett	1.19	Oneida	1.17
Calumet	1.20	Outagamie	1.20
Chippewa	1.18	Ozaukee	1.22
Clarke	1.17	Pepin	1.19
Columbia	1.20	Pierce	1.20
Crawford	1.19	Polk	1.20
Dane	1.21	Portage	1.19
Dodge	1.21	Price	1.16
Door	1.18	Racine	1.26
Douglas	1.21	Richland	1.19
Dunn	1.19	Rock	1.22
Eau Claire	1.18	Rusk	1.17
Florence	1.16	St. Croix	1.20
Fond du Lac	1.21	Sauk	1.20
Forest	1.17	Sawyer	1.17
Grant	1.19	Shawano	1.13
Green	1.21	Sheboygan	1.21
Green Lake	1.21	Taylor	1.17
Iowa	1.20	Trempealeau	1.18
Iron	1.15	Vernon	1.19
Jackson	1.18	Vilas	1.15
Jefferson	1.22	Walworth	1.23
Juneau	1.20	Washburn	1.19
Kenosha	1.26	Washington	1.22
Kewaunee	1.19	Waushara	1.22
La Crosse	1.19	Waupaca	1.19
Lafayette	1.20	Waushara	1.19
Langlade	1.18	Winnebago	1.20
Lincoln	1.17	Wood	1.19
Manitowoc	1.20		

RULES AND REGULATIONS

WYOMING

County	Rate	County	Rate
Albany	\$.98	Lincoln	\$.98
Big Horn	.96	Natrona	1.01
Campbell	1.04	Niobrara	1.06
Carbon	.98	Park	.96
Converse	1.04	Platte	1.07
Crook	1.05	Sheridan	1.02
Fremont	.96	Sweetwater	.98
Goshen	1.09	Uinta	1.00
Hot Springs	.96	Washakie	.96
Laramie	.98	Weston	1.06
Laramie	1.09		

In States where farm-stored barley is eligible for loan, there are counties for which loan rates have not been established because there are no stations within the counties on which to base freight rates. In such counties, the producer may, with the approval of the county committee, select a station (at which there is an approved warehouse and located in a county for which a loan rate is established) to which delivery will be made in the event the barley is delivered in satisfaction of a loan. The loan rate for such producer shall be the loan rate for the county in which the delivery station selected is located.

(d) *Variations for grades.* The loan rate for barley which grades No. 2 shall be discounted 2 cents per bushel; No. 3, 5 cents per bushel; No. 4, 8 cents per bushel; and No. 5, 15 cents per bushel. In addition a discount of two cents per bushel shall apply to "mixed" barley.

(e) *Storage allowance.* There shall be no storage allowance on barley placed under loan. A deduction of 7 cents per bushel shall be made from the applicable loan rate on barley placed under loan in a warehouse, unless evidence is submitted with the warehouse receipt that all warehouse charges except receiving charges have been prepaid through April 30, 1949.

Date program announced: May 24, 1948.

[SEAL] ELMER F. KRUSE,  
Manager,  
Commodity Credit Corporation.

JULY 9, 1948.

[F. R. Doc. 48-6319; Filed, July 14, 1948; 8:54 a. m.]

PART 277—TOBACCO LOANS

SUBPART—1948.

Statement with respect to the tobacco loan program for the 1948-49 marketing year—1948 crop—formulated by the Commodity Credit Corporation and Production and Marketing Administration. Also, announcement of the schedule of advance rates by grades for the 1948 crop of flue-cured tobacco. Advance rates for other kinds of tobacco will be announced later.

- Sec. 277.40 Legal authority and level of loans.
- 277.41 Administration.
- 277.42 Advance to growers.
- 277.43 Interest rates, recourse, and distribution of net gains.
- 277.44 1948 Crop—flue-cured tobacco advance schedule (Types 11-14).

AUTHORITY: §§ 277.40 to 277.44, inclusive, issued under Sec. 8, 56 Stat. 765, 767; 58 Stat. 642, 59 Stat. 306, 506; Pub. Laws 806, 897, 80th Cong., 50 U. S. C. App. 968.

§ 277.40 *Legal authority and level of loans.* Section 8 of the Stabilization Act of 1942, as amended (50 U. S. C. App. sec. 968), authorizes and directs Commodity Credit Corporation to make loans to co-operating producers of tobacco at 90 percent of parity as of the beginning of the marketing year, except in the case of fire-cured tobacco for which the loan rate is 75 percent of the Burley loan rate, and dark air-cured and Virginia sun-cured tobacco for which loan rates are 66 2/3 percent of the Burley loan rate.

§ 277.41 *Administration.* The Tobacco Branch, Production and Marketing Administration, has been designated to supervise execution of the operation. Field execution of the operation is carried out by producer cooperative organizations acting for groups of growers operating under contracts with Commodity Credit Corporation. The names of the contracting organizations may be obtained from the Director of the Tobacco Branch. The services include receiving, redrying, packing, storing, and marketing the tobacco. The contracting organizations are authorized to enter into sub-contracts subject to the approval of the Tobacco Branch for the performance of certain of these services. Loan rates by official standard grades are established by the Tobacco Branch to reflect quality and other differences among the various kinds, types, and grades and loans are made to the contracting organizations which in turn make advance to growers.

§ 277.42 *Advances to growers.* The contracting organizations make the advances to growers at or through auction warehouses (or other central points) where growers normally offer their tobacco for sale.

§ 277.43 *Interest rates, recourse, and distribution of net gains.* The loans made to the contracting organizations bear interest at the rate of 3 percent per annum and are fully nonrecourse both as to principal and interest except in the case of violation of or failure to carry out the terms of the contract. After all of the tobacco of one crop pledged for loan by any contracting organization is marketed, any net gains will be distributed by the organization to the growers who placed the tobacco under loan.

§ 277.44 *1948 Crop; Flue Cured Tobacco Advance Schedule (Types 11-14).*<sup>1</sup>

<sup>1</sup>The advance rates quoted above are applicable to tied flue-cured tobacco. Rates for untied flue-cured tobacco are four dollars (\$4) per hundred pounds less for each grade. The Cooperative Association through which the loans are made is authorized to deduct from the amount paid to the grower 12 cents per hundred pounds to apply against the overhead costs to the Association of the loan operation. Tobacco can be placed under loan only by the original producer and at these rates only if produced on a cooperating farm. Tobacco graded "W" (wet), "U" (unsound), "DAM" (damaged), N2L, N2R, or N2G will not be accepted.

[Dollars per 100 pounds—farm sales weight]

Grade:	Advance rate	Grade:	Advance rate
A1L	70.12	H3F	54.12
A2L	68.12	H4F	48.12
A3L	66.12	H5F	42.12
A1F	68.12	H6F	32.12
A2F	66.12	H1R	54.12
A3F	60.12	H2R	50.12
A1R	62.12	H3R	44.12
A2R	56.12	H4R	38.12
A3R	50.12	H5R	32.12
B1L	62.12	H6R	24.12
B2L	58.12	C1L	68.12
B3L	52.12	C2L	68.12
B4L	48.12	C3L	66.12
B5L	42.12	C4L	62.12
B6L	32.12	C5L	56.12
B1F	60.12	C1F	66.12
B2F	54.12	C2F	66.12
B3F	48.12	C3F	64.12
B4F	42.12	C4F	60.12
B5F	32.12	C5F	54.12
B6F	24.12	C4LV	56.12
B1R	52.12	C5LV	50.12
B2R	44.12	C4FM	46.12
B3R	36.12	C5FM	40.12
B4R	28.12	X1L	64.12
B5R	22.12	X2L	62.12
B6R	16.12	X3L	58.12
B3D	32.12	X4L	46.12
B4D	24.12	X5L	32.12
B5D	18.12	X1F	62.12
B6D	14.12	X2F	60.12
B3LV	48.12	X3F	54.12
B4LV	42.12	X4F	42.12
B5LV	36.12	X5F	28.12
B3FV	44.12	X3R	34.12
B4FV	36.12	X4R	26.12
B5FV	28.12	X5R	20.12
B3FM	40.12	X3LV	46.12
B4FM	34.12	X4LV	38.12
B5FM	26.12	X3FV	42.12
B4FK	30.12	X4FV	34.12
B5FK	24.12	X3FM	38.12
B4GL	36.12	X4FM	30.12
B5GL	28.12	X5FM	22.12
B6GL	22.12	X3G	28.12
B4GF	30.12	X4G	24.12
B5GF	24.12	X5G	18.12
B6GF	18.12	P3L	48.12
B4GR	22.12	P4L	36.12
B5GR	16.12	P5L	24.12
B6GR	12.12	P3F	44.12
H1L	66.12	P4F	30.12
H2L	64.12	P5F	20.12
H3L	60.12	P3G	26.12
H4L	52.12	P4G	20.12
H5L	48.12	P5G	16.12
H6L	38.12	N1L	9.12
H1F	62.12	N1R	9.12
H2F	60.12	N1G	9.12

[SEAL] ELMER F. KRUSE,  
Manager,  
Commodity Credit Corporation.

JULY 9, 1948.

[F. R. Doc. 48-6326; Filed, July 14, 1948; 8:55 a. m.]

TITLE 7—AGRICULTURE

Chapter I—Production and Marketing Administration (Standards, Inspections, Marketing Practices)

PART 52—PROCESSED FRUITS, VEGETABLES, AND OTHER PRODUCTS (INSPECTION, CERTIFICATION, AND STANDARDS)

SUBPART B—UNITED STATES STANDARDS FOR GRADES OF PROCESSED FRUITS, VEGETABLES, AND OTHER PRODUCTS<sup>1</sup>

On May 29, 1948, notice of proposed rule making was published in the FED-

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

ERAL REGISTER (13 F. R. 2931) regarding the revision of the United States Standards for Grades of Frozen Raspberries which had been in effect since August 1, 1945. After consideration of all relevant matters presented, including the proposals set forth in the aforesaid notice, the following revised United States Standards for Grades of Frozen Raspberries are hereby promulgated to become effective under the authority contained in the Department of Agriculture Appropriation Act, 1949 (Pub. Law 712, 80th Cong., approved June 19, 1948).

§ 52.614 *Frozen raspberries.* Frozen raspberries are prepared from the properly ripened fresh fruit of the plant (*Genus rubus*); are stemmed and cleaned; may be packed with or without packing media; and are frozen and stored at temperatures necessary for the preservation of the product.

(a) *Types (colors) of frozen raspberries.* (1) "Red" or "red raspberries" are red or reddish purple in color.

(2) "Black" or "Black raspberries" are black in color.

(b) *Grades of frozen raspberries (not for manufacturing).* (1) "U. S. Grade A" or "U. S. Fancy" is the quality of frozen raspberries that possess similar varietal characteristics; possess a bright, practically uniform, typical color; are practically free from defects; possess a good character; possess a normal flavor and odor; and score not less than 85 points when scored in accordance with the scoring system outlined in this section.

(2) "U. S. Grade B" or "U. S. Choice" is the quality of frozen raspberries that possess similar varietal characteristics; possess a reasonably bright, reasonably uniform, typical color; are reasonably free from defects; possess a reasonably good character; possess a normal flavor and odor; and score not less than 70 points when scored in accordance with the scoring system outlined in this section.

(3) "U. S. Grade D" or "Substandard" is the quality of frozen raspberries that fail to meet the requirements of "U. S. Grade B" or "U. S. Choice."

(c) *Grades of frozen raspberries for manufacturing.* (1) "U. S. Grade A for Manufacturing" or "U. S. Fancy for Manufacturing" is the quality of frozen raspberries that possess similar varietal characteristics; that possess a bright, practically uniform, typical color; that are practically free from defects for the purposes of manufacturing; that possess a good character for the purposes of manufacturing; and that possess a normal flavor and odor.

(2) "U. S. Grade B for Manufacturing" or "U. S. Choice for Manufacturing" is the quality of frozen raspberries that possess similar varietal characteristics; that possess a reasonably bright, reasonably uniform, typical color; that are reasonably free from defects for the purposes of manufacturing; that possess a reasonably good character for the purposes of manufacturing; and that possess a normal flavor and odor.

(3) "U. S. Grade D for Manufacturing" or "Substandard for Manufacturing" is the quality of frozen raspberries that

fail to meet the requirements of "U. S. Grade B for Manufacturing" or "U. S. Choice for Manufacturing."

(d) *Ascertaining the score and grade for frozen raspberries (not for manufacturing).* (1) The grade of frozen raspberries is determined immediately after thawing to the extent that the units may be separated easily. The score and grade of frozen raspberries may be ascertained by considering, in addition to the requirements of the respective grade, the following factors: Color, absence of defects, and character.

(2) The relative importance of each factor has been expressed numerically on the scale of 100. The maximum number of points that may be given for each factor is:

	<i>Points</i>
(i) Color.....	40
(ii) Absence of defects.....	40
(iii) Character.....	20
Total score.....	100

(3) "Normal flavor and odor" means that the raspberries are free from objectionable flavors, off flavors, and objectionable odors of any kind.

(e) *Ascertaining the score of each factor for frozen raspberries (not for manufacturing).* The essential variations within each factor are so described that the value may be ascertained for each factor and expressed numerically. The numerical range within each factor is inclusive (for example, "34 to 40 points" means 34, 35, 36, 37, 38, 39, or 40 points).

(1) *Color.* (i) Frozen raspberries that possess a bright, practically uniform, typical color may be given a score of 34 to 40 points. "Bright, practically uniform, typical color" means that the raspberries possess a bright and good char-

acteristic color; that not more than 5 percent, by weight, of the raspberries vary markedly from the intensity and luster of the characteristic color of well-ripened raspberries; and that none of the raspberries possess a grey cast or darkening characteristic of oxidation or over-maturity.

(ii) If the frozen raspberries possess a reasonably bright, reasonably uniform, typical color, a score of 28 to 33 points may be given. Frozen raspberries that fall into this classification shall not be graded above U. S. Grade B or U. S. Choice, regardless of the total score for the product (this is a limiting rule). "Reasonably bright, reasonably uniform, typical color" means that the raspberries possess a reasonably bright, reasonably good characteristic color; that not more than 10 percent, by weight, of the raspberries vary markedly from the intensity and luster of the characteristic color of well-ripened raspberries; and that the raspberries may possess a slight grey cast or slight darkening characteristic of oxidation or over-maturity.

(iii) Frozen raspberries that are definitely dull or off-color or that fail to meet the requirements of subdivision (ii) of this subparagraph, may be given a score of 0 to 27 points and shall not be graded above U. S. Grade D or Substandard, regardless of the total score for the product (this is a limiting rule).

(iv) The evaluation of the score points for the factor of color may be determined from Table No. I of this section which indicates the score range in the respective grades and the maximum allowances for frozen raspberries that vary markedly from the intensity and luster of the characteristic color of well-ripened raspberries.

TABLE No. I

Grade	Score points	Typical color	Marked variation from color of well-ripened raspberries
U. S. Grade A or U. S. Fancy.....	40 39 38 37 36 35 34 33 32	Bright, good characteristic color; none may possess a grey cast or darkening (oxidation or over-maturity).	None 1/2 1 2 3 4 5
U. S. Grade B or U. S. Choice.....	31 30 29 28		
U. S. Grade D or Substandard.....	27 or less	More than the allowances permitted for 28 points.	5 1/2 6 7 8 9 10

(2) *Absence of defects.* The factor of absence of defects refers to the degree of freedom from harmless extraneous material, caps and portions thereof, sepal-like bracts and portions thereof, stems, undeveloped raspberries, and damaged raspberries.

(i) "Harmless extraneous material" means vegetable substances such as weeds, grass, and leaves and any portions thereof that are harmless.

(ii) A "cap" means a loose or attached full cap or a portion of a cap to which at least one sepal-like bract or portion thereof is attached. A "stem" that is attached to the cap is considered a separate defect.

(iii) A "stem" means a stem, either loose or attached, that is longer than 1/4 inch.

(iv) An "undeveloped raspberry" means a raspberry or a portion of a raspberry that is shriveled or in which more than one-fourth of the raspberry possesses hard or undeveloped drupelets or that possesses deformed areas which materially affect either the appearance or the edibility of the product.

(v) A "damaged raspberry" means a raspberry or a portion of a raspberry that is damaged by bruises or by pathological, insect, or other injury or is damaged by other means which materially affect either the appearance or the edibility of the

score for the product (this is a limiting rule). "Reasonably good character" means that the raspberries are reasonably mature, reasonably well-developed, and reasonably intact to the extent that not more than 10 percent, by weight, of the raspberries may be slightly immature or slightly over-mature; that the raspberries are reasonably fleshy and reasonably tender; that the raspberries and accompanying liquor, if any, are reasonably free from detached seed cells; that not more than 20 percent, by weight, of red raspberries may be crushed; and that not more than 15 percent, by weight, of black raspberries may be crushed.

(iv) Frozen raspberries that fail to meet the requirements of subdivision (iii) of this subparagraph may be given a score of 0 to 13 points and shall not be graded above U. S. Grade D or Substandard, regardless of the total score for the product (this is a limiting rule).

(v) The evaluation of the score points for the factor of character may be determined from Table No. III of this section which indicates the general requirements for texture and intactness, and the maximum allowances for variation in maturity and for crushed raspberries for the score indicated.

(3) **Character.** The factor of character refers to the texture and degree of maturity and degree of disintegration as evidenced by crushed raspberries.

(i) A "crushed" raspberry is a raspberry in which more than 50 percent of the drupelets are crushed, broken, or detached, or if the normal shape of the raspberry is otherwise seriously affected or destroyed.

(ii) Frozen raspberries that possess a good character may be given a score of 17 to 20 points. "Good character" means that the raspberries are mature, well-developed, and practically intact to the extent that not more than 5 percent, by weight, of the raspberries may be slightly immature or slightly over-mature; that the raspberries are fleshy and tender; that the raspberries and accompanying liquor, if any, are practically free from detached seed cells; that not more than 10 percent, by weight, of red raspberries may be crushed; and that not more than 5 percent, by weight, of black raspberries may be crushed.

(iii) If the frozen raspberries have a reasonably good character, a score of 14 to 16 points may be given. Frozen raspberries that fall into this classification shall not be graded above U. S. Grade B or U. S. Choice, regardless of the total score indicated.

raspberries that fall into this classification shall not be graded above U. S. Grade B or U. S. Choice, regardless of the total score for the product (this is a limiting rule). "Reasonably free from defects" means that there may be present for each 16 ounces of net weight an area of not more than 1/2 square inch comprising harmless extraneous material (such as leaves and portions thereof), caps and portions thereof, and loose sepal-like bracts and portions thereof; and not more than 4 stems, including not more than 1 stem which may exceed 1/2 inch in length, or 1 piece of harmless extraneous material that is not measurable by area (such as weeds and blades of grass); and that there may be present not more than a total of 10 percent, by weight, of raspberries that may be undeveloped raspberries and damaged raspberries.

(ix) Frozen raspberries that fail to meet the requirements of subdivision (viii) of this subparagraph may be given a score of 0 to 27 points and shall not be graded above U. S. Grade D or Substandard, regardless of the total score for the product (this is a limiting rule).

(x) The evaluation of the score points for the factor of absence of defects may be determined from Table No. II in this section which indicates the maximum allowance for each class of defects for the score indicated.

product. "Damage" includes any surface blemish or blemishes on a raspberry which in the aggregate exceed that of a circle 1/4 inch in diameter or any noticeable blemish, regardless of area, that extends into the fruit tissue. Minute, insignificant injuries are not considered as damage.

(vi) "Area" means the aggregate surface covered by the material stated when such material or portions thereof are placed in a contiguous position with no intervening spaces.

(vii) Frozen raspberries that are practically free from defects may be given a score of 34 to 40 points. "Practically free from defects" means that there may be present for each 16 ounces of net weight an area of not more than 1/4 square inch comprising harmless extraneous material (such as leaves and portions thereof), caps and portions thereof, and loose sepal-like bracts and portions thereof; and not more than 2 stems, including not more than 1 stem which may exceed 1/2 inch in length, or 1 piece of harmless extraneous material that is not measurable by area (such as weeds and blades of grass); and that there may be present not more than a total of 5 percent, by weight, of raspberries that are undeveloped raspberries and damaged raspberries.

(viii) If the frozen raspberries are reasonably free from defects, a score of 28 to 33 points may be given. Frozen

TABLE NO. III—CHARACTER

Grade	Score points	General description of texture and intactness	Crushed	
			Slightly immature and slightly over-mature	Red raspberries
U. S. Grade A or U. S. Fancy.	20	Mature, well-developed, practically intact, fleshy and tender, practically free from seed cells.	2	4
	19		3	6
	18		4	8
U. S. Grade B or U. S. Choice.	17	Reasonably mature, reasonably well-developed, reasonably intact, reasonably fleshy and tender, reasonably free from seed cells.	5	10
	16		7	12
	15		9	16
U. S. Grade D or Sub-standard.	14	More than the allowances permitted for 14 score points.	10	20
	13 or less		Maximum (by weight)	Percent

(f) **Determination of the grades of frozen raspberries for manufacturing.**  
 (1) The grade of frozen raspberries for manufacturing is determined immediately after thawing a sample to the extent that the units may be separated easily. The grade of frozen raspberries for manufacturing is ascertained by considering the following factors, and for which no scoring system is provided:

(2) "Normal flavor and odor" means that the raspberries are free from objectionable flavors, off flavors, and objectionable odors of any kind.  
 (g) **Ascertaining the rating of each factor for frozen raspberries for manufacturing.** (See Table No. IV of this section which is a brief summary of require-

TABLE NO. II—ALLOWANCE FOR DEFECTS

Grade	Score points	Harmless extraneous material (leaves, etc.), caps, sepal-like bracts and portions thereof	Harmless extraneous material (weeds, grass) and stems (including stems over 1/2 inch)	Undeveloped and damaged raspberries	Maximum				
					Per 16 ounces of net weight				
					Stems		Harmless material		
U. S. Grade A or U. S. Fancy.	40	None	None	None	None	None	None	None	1/4
	39	1/4 square inch	None	None	None	None	None	None	1
	38	1/2 square inch	1	None	None	None	None	None	2
	37	3/4 square inch	1	None	None	None	None	None	3
	36	1 square inch	2	None	None	None	None	None	4
	35	1 1/4 square inch	2	1 or 1 piece	None	None	None	None	5
	34	1 1/2 square inch	3	1 or 1 piece	None	None	None	None	5 1/2
	33	1 3/4 square inch	3	1 or 1 piece	None	None	None	None	6
	32	2 square inch	4	1 or 1 piece	None	None	None	None	7
	31	2 1/4 square inch	4	1 or 1 piece	None	None	None	None	8
U. S. Grade B or U. S. Choice.	30	2 1/2 square inch	4	1 or 1 piece	None	None	None	None	9
	29	3 square inch	4	1 or 1 piece	None	None	None	None	10
U. S. Grade D or Sub-standard.	28	3 1/4 square inch	4	1 or 1 piece	None	None	None	None	10
	27 or less	More than the allowances permitted for 28 points	Maximum	By weight	Percent				

ments for grades of frozen raspberries for manufacturing).

(1) *Color.* (i) "U. S. Grade A for Manufacturing" or "U. S. Fancy for Manufacturing" requires that the frozen raspberries shall possess a bright, practically uniform, typical color. "Bright, practically uniform, typical color" means that the raspberries possess a bright and good characteristic color; that not more than 5 percent, by weight, of the raspberries vary markedly from the intensity and luster of the characteristic color of well-ripened raspberries; and that none of the raspberries possess a grey cast or darkening characteristic of oxidation or over-maturity.

(ii) "U. S. Grade B for Manufacturing" or "U. S. Choice for Manufacturing" requires that the frozen raspberries shall possess a reasonably bright, reasonably uniform typical color. "Reasonably bright, reasonably uniform, typical color" means that the raspberries possess a reasonably bright, reasonably good characteristic color; that not more than 10 percent, by weight, of the raspberries vary markedly from the intensity and luster of the characteristic color of well-ripened raspberries; and that the raspberries may possess a slight grey cast or slight darkening characteristic of oxidation or over-maturity.

(iii) Frozen raspberries for manufacturing that fail to meet the requirements of subdivision (ii) of this subparagraph for the factor of color shall be considered U. S. Grade D for Manufacturing or Substandard for Manufacturing.

(2) *Absence of defects.* The factor of absence of defects refers to the degree of freedom from harmless extraneous material, caps and portions thereof, sepal-like bracts and portions thereof, stems, undeveloped raspberries, and damaged raspberries.

(i) "Harmless extraneous material" means vegetable substances such as weeds, grass, and leaves and any portions thereof that are harmless.

(ii) A "cap" means a loose or attached full cap or a portion of a cap to which at least one sepal-like bract or portion thereof is attached. A "stem" that is attached to the cap is considered a separate defect.

(iii) A "stem" means a stem, either loose or attached, that is longer than 1/4 inch.

(iv) An "undeveloped raspberry" means a raspberry or a portion of a raspberry that is shriveled or in which more than one-fourth of the raspberry possesses hard undeveloped drupelets or that possesses deformed areas which materially affect either the appearance or the edibility of the product.

(v) A "damaged raspberry" means a raspberry or a portion of a raspberry that is damaged by bruises or pathological, insect, or other injury or is damaged by other means which materially affect either the appearance or the edibility of the product. "Damage" includes any

surface blemish or blemishes on a raspberry which in the aggregate exceed that of a circle 1/4 inch in diameter or any noticeable blemish, regardless of area, that extends into the fruit tissue. Minute, insignificant injuries are not considered as damage.

(vi) "Area" means the aggregate surface covered by the material stated when such material or portions thereof are placed in a contiguous position with no intervening spaces.

(vii) "U. S. Grade A for Manufacturing" or "U. S. Fancy for Manufacturing" requires that the frozen raspberries shall be practically free from defects for the purposes of manufacturing. "Practically free from defects for the purposes of manufacturing" means that there may be present for each 16 ounces of net weight an area of not more than 1/4 square inch comprising harmless extraneous material (such as leaves and portions thereof), caps and portions thereof, and loose sepal-like bracts and portions thereof; and not more than 2 stems, including not more than 1 stem which may exceed 1/2 inch in length, or 1 piece of harmless extraneous material that is not measurable by area (such as weeds and blades of grass); and that there may be present not more than a total of 10 percent, by weight, of raspberries that are undeveloped raspberries and damaged raspberries.

(viii) "U. S. Grade B for Manufacturing" or "U. S. Choice for Manufacturing" requires that the frozen raspberries shall be reasonably free from defects for the purposes of manufacturing. "Reasonably free from defects for the purposes of manufacturing" means that there may be present for each 16 ounces of net weight an area of not more than 1/2 square inch comprising harmless extraneous material (such as leaves and portions thereof), caps and portions thereof, and loose sepal-like bracts and portions thereof; and not more than 4 stems, including not more than 1 stem which may exceed 1/2 inch in length, or 1 piece of harmless extraneous material that is not measurable by area (such as weeds and blades of grass); and that there may be present not more than a total of 20 percent, by weight, of raspberries that are undeveloped raspberries and damaged raspberries.

(ix) Frozen raspberries for manufacturing that fail to meet the requirements

of subdivision (viii) of this paragraph for the factor of absence of defects shall be considered U. S. Grade D for Manufacturing or Substandard for Manufacturing.

(3) *Character.* The factor of character refers to the texture and degree of maturity and degree of disintegration as evidenced by crushed raspberries.

(i) A "crushed" raspberry is a raspberry in which more than 50 percent of the drupelets are crushed, broken, or detached, or if the normal shape of the raspberry is otherwise seriously affected or destroyed.

(ii) "U. S. Grade A for Manufacturing" or "U. S. Fancy for Manufacturing" requires that the frozen raspberries shall possess a good character for the purposes of manufacturing. "Good character for the purposes of manufacturing" means that the raspberries are reasonably mature, reasonably well-developed, and reasonably intact to the extent that not more than 10 percent, by weight, of the raspberries may be slightly immature or slightly over-mature; that the raspberries are reasonably fleshy and reasonably tender; that the raspberries and accompanying liquor, if any, are reasonably free from detached seed cells; and that not more than 25 percent, by weight, of the raspberries may be crushed.

(iii) "U. S. Grade B for Manufacturing" or "U. S. Choice for Manufacturing" requires that the frozen raspberries shall possess a reasonably good character for the purposes of manufacturing. "Reasonably good character for the purposes of manufacturing" means that the raspberries are fairly mature, fairly well-developed, and fairly intact to the extent that not more than 15 percent, by weight, of the raspberries may be slightly immature or slightly over-mature; that the raspberries are fairly fleshy and fairly tender; that the raspberries and accompanying liquor, if any, are fairly free from detached seed cells; that not more than 50 percent, by weight, of the raspberries may be crushed.

(iv) Frozen raspberries that fail to meet the requirements of subdivision (iii) of this subparagraph may be given a score of 0 to 13 points and shall not be graded above U. S. Grade D for Manufacturing or Substandard for Manufacturing.

TABLE NO. IV—BRIEF SUMMARY OF REQUIREMENTS FOR GRADES OF FROZEN RASPBERRIES FOR MANUFACTURING

Grades	Color	
	Typical color	Marked variation from color of well-ripened raspberries.
U. S. Grade A for manufacturing or U. S. Fancy for manufacturing.	Bright, good characteristic color; none may possess a grey cast or darkening (oxidation or overmaturity).	5
U. S. Grade B for manufacturing or U. S. Choice for manufacturing.	Reasonably bright, reasonably good; may possess a slight grey cast or slight darkening (oxidation or overmaturity).	10



**Chapter VII—Production and Marketing Administration (Agricultural Adjustment)**

**PART 728—WHEAT**

NATIONAL, STATE, COUNTY, AND FARM ACREAGE ALLOTMENTS FOR 1949 CROP OF WHEAT, AND WHEAT MARKETING QUOTAS FOR 1949-50 MARKETING YEAR

Sec.  
728.1000 Basis and purpose.  
728.1001 1949 Acreage allotments for wheat.  
728.1005 National marketing quota for wheat for 1949-50 marketing year.

**AUTHORITY:** §§ 728.1000 to 728.1005, inclusive, issued under secs. 301, 304, 332, 333, 334, 335, and 371 (b) of 52 Stat. 38; 7 U. S. C. 1301, 1304, 1332, 1333, 1334, 1335, 1371 (b).

§ 728.1000 *Basis and purpose.* Section 332 of the Agricultural Adjustment Act of 1938, as amended, provides that the Secretary of Agriculture, not later than July 15 of each marketing year for wheat, shall ascertain and proclaim the national acreage allotments for the next crop of wheat. Section 335 of the act provides that the Secretary shall ascertain and proclaim a national marketing quota of wheat if he finds that the total supply of wheat as of the beginning of any marketing year will exceed a normal year's domestic consumption and exports of wheat by more than 35 percent. Section 371 (b) of the act authorizes the Secretary, after investigation, to increase or terminate any national marketing quota for wheat or any other designated commodity, if he finds such action necessary to effectuate the declared policy of the act or to meet a national emergency or because of an increased export demand for the commodity. Section 304 of the act provides that, in carrying out the purpose of the act, it shall be the duty of the Secretary to give due regard to the maintenance of a continuous and stable supply of agricultural commodities to meet consumer demand. Prior to taking the action herein, notice was given (13 F. R. 2993) that, in connection with the issuance of the proclamation of the national acreage allotment for the 1949 crop of wheat, there was under consideration the matter of suspension or termination of wheat marketing quotas under the applicable provisions of the act, including sections 304 and 371 (b) thereof. No written views have been received within the period stated in the notice. An investigation has been made to determine whether wheat marketing quotas should be in effect for the 1949-50 marketing year, and on the basis of such investigation it is hereby found and determined that it is necessary, in order to effectuate the declared policy of the act and to meet the present national emergency in food production, to dispense with marketing quotas for wheat for the marketing year beginning July 1, 1949, and with National, State, county, and farm acreage allotments for wheat for the 1949 crop. Accordingly, the determinations and proclamations below are hereby made and issued.

§ 728.1001 *1949 Acreage allotments for wheat.* No national, State, county, or farm acreage allotments for wheat for the 1949 crop will be established under

the provisions of Title III of the Agricultural Adjustment Act of 1938, as amended.

§ 728.1005 *National marketing quota for wheat for 1949-50 marketing year.* Wheat marketing quotas will not be in effect for the marketing year beginning July 1, 1949.

Issued at Washington, D. C., this 12th day of July 1948.

[SEAL] I. W. DUGGAN,  
Acting Secretary of Agriculture.

[F. R. Doc. 48-6325; Filed, July 14, 1948; 8:55 a. m.]

**Chapter VIII—Production and Marketing Administration (Sugar Branch)**

[General Sugar Quota Regs., Series 10, No. 1, Amdt. 3]

**PART 821—SUGAR QUOTAS  
CALENDAR YEAR 1948**

By virtue of the authority vested in the Secretary of Agriculture by the Sugar Act of 1948 (61 Stat. 922) and the Administrative Procedure Act (60 Stat. 237), General Sugar Quota Regulations, Series 10, No. 1 (13 F. R. 133), as amended (13 F. R. 1303, 3109), establishing sugar quotas for 1948, are hereby further amended as hereinafter set forth.

*Basis and purpose.* The amendments herein are issued pursuant to the Sugar Act of 1948 and are made for the purpose of prorating area deficits which are hereby determined. Section 204 (a) of the act, provides that the Secretary shall from time to time determine whether any domestic area, the Republic of the Philippines, or Cuba will be unable to market its quota. If he so finds, the quotas for the domestic areas and Cuba shall be revised by prorating an amount of sugar equal to any deficit so determined to the other such areas on the basis of the quotas then in effect.

Since the Sugar Act provides that the quota for any domestic area, the Republic of the Philippines, Cuba, or other foreign countries as established under provisions of section 202 shall not be reduced by reason of any determination of deficit, and makes the proration of such deficits a mere mathematical computation, it is hereby determined and found that compliance with the notice and procedure requirements of the Administrative Procedure Act is unnecessary. The amendments made herein shall become effective 30 days after the date of their publication in the FEDERAL REGISTER.

General Sugar Quota Regulations, Series 10, No. 1 (13 F. R. 133), as amended (13 F. R. 1303, 3109), are hereby further amended as follows:

1. Paragraphs (a) and (b) of § 821.5 are changed to read:

§ 821.5 *Determination and proration of area deficits—(a) Deficit in quota for Hawaii.* It is hereby determined pursuant to subsection (a) of section 204 of the act, that for the calendar year 1948 Hawaii will be unable by an amount of 227,000 short tons of sugar, raw value, to

market the quota established for that area in § 821.3.

(b) *Proration of deficit in quota for Hawaii.* An amount of sugar equal to the deficit determined in paragraph (a) of this section is hereby prorated, pursuant to subsection (a) of section 204 of the act, as follows:

Area:	Additional quotas in terms of short tons, raw value
Domestic beet sugar.....	47, 738
Mainland cane sugar.....	13, 260
Puerto Rico.....	44, 835
Virgin Islands.....	159
Cuba.....	121, 008

2. New paragraphs (e) and (f) are added to § 821.5 as follows:

(e) *Deficit in quota for Mainland cane sugar.* It is hereby determined, pursuant to subsection (a) of section 204 of the act, that for the calendar year 1948 the Mainland cane area will be unable by an amount of 100,000 short tons of sugar, raw value to market the quota established for that area in § 821.3 and paragraph (b) of this section.

(f) *Proration of deficit in quota for the Mainland cane sugar.*

Area:	Additional quotas in terms of short tons, raw value
Puerto Rico.....	27, 601
Cuba.....	72, 399
Others.....	.....

**STATEMENT OF BASES AND CONSIDERATION**

*Area deficits—1. Hawaii.* Based on current information, it is apparent that Hawaii will have available for marketing in the calendar year 1948 a total of 870,500 short tons of sugar, raw value. Since 45,500 tons of sugar, raw value, of this amount will be required for local consumption in Hawaii, 825,000 short tons of sugar, raw value, will be available for marketing in the continental United States during the calendar year. As the original quota for Hawaii, pursuant to section 202 of the act, is 1,052,000 short tons of sugar, raw value, it has been determined that Hawaii will be unable to market 227,000 short tons of sugar, raw value, of its original quota. Of this amount 152,000 short tons of sugar, raw value, have been prorated by General Sugar Quota Regulations, Series 10, No. 1 (13 F. R. 133). Therefore, an additional 75,000 short tons of sugar, raw value, have been prorated pursuant to section 204 of the act, to the other domestic producing area able to market its entire existing quota and to Cuba.

2. *Mainland cane sugar.* On the average during the 12 years 1935-46 the Mainland cane sugar area produced prior to December 31, approximately 238,000 short tons of sugar of the crop of which processing was completed in the succeeding year. Preliminary estimates indicate that the 1948-49 crop will be no larger than average making it improbable that the amount produced prior to December 31 will exceed the average. If the amount produced in 1948 from the 1948-49 crop is equal to this average the maximum amount which this area can market in the calendar year 1948 will be the sum of this amount and "the effective inventory" on January 1, 1948. The effective inventory on that date consist-

ing of the carryover and the production in 1948 from 1947-48 crop sugarcane was approximately 165,000 tons. Thus, it appears that the Mainland cane sugar area will be unable to market an amount of sugar significantly in excess of 403,000 short tons, raw value, in the calendar year 1948. Since the original quota for the Mainland cane area, together with the proration of deficit in quotas for Hawaii determined in General Sugar Quota Regulations, Series 10, No. 1 (13 F. R. 133) amounts to 513,260 short tons of sugar, raw value, it has been determined that the mainland cane area will be unable to market 100,000 short tons of sugar, raw value of its quota established by such regulations. Therefore, 100,000 short tons of sugar, raw value, have been prorated under section 204 of the act, to the other domestic producing area able to market its entire existing quota and to Cuba.

**Exclusion of domestic areas from proration**—(1) *Domestic beet sugar area.* On the basis of available inventory, production and distribution data, the domestic beet sugar area will be unable to market more than its current quota of 1,847,738 short tons of sugar, raw value, in the calendar year 1948, and, therefore, this area is excluded from the proration of the deficits herein established.

(2) *Virgin Islands.* Current estimates of production show that the Virgin Islands will be unable to market more than their current quota of 6,159 short tons of sugar, raw value, in the calendar year 1948 and, therefore, this area is excluded from the proration of the deficits herein established.

(Pub Law 388, 80th Cong.; 61 Stat. 922)

Done at Washington, D. C., this 12th day of July 1948.

Witness my hand and the seal of the Department of Agriculture.

[SEAL] I. W. DUGGAN,  
Acting Secretary of Agriculture.

[F. R. Doc. 48-6323; Filed, July 14, 1948;  
8:55 a. m.]

## TITLE 9—ANIMALS AND ANIMAL PRODUCTS

### Chapter I—Bureau of Animal Industry, Department of Agriculture

#### Subchapter A—Meat Inspection Regulations

#### Part 7—Facilities for Inspection

#### PAYMENTS FOR OVERTIME WORK OF MEAT INSPECTION EMPLOYEES

Pursuant to the authority vested in the Secretary of Agriculture by the act of July 24, 1919 (7 U. S. C. 394), the act of March 4, 1907, as amended and extended (21 U. S. C. 71-91, 96), section 306 of the act of June 17, 1930 (19 U. S. C. 1306), and the act relating to the Meat Inspection Service of the Department of Agriculture, approved June 5, 1948 (Public Law 610, 80th Congress), § 7.4 of the Meat Inspection Regulations of the Department of Agriculture (9 CFR, 1945 and

1946 Supps., 7.4), as amended (13 F. R. 3693), is hereby further amended to read as follows effective July 11, 1948:

§ 7.4 *Overtime work of meat inspection employees.* (a) The management of an official establishment desiring to work under conditions which will require the services of an employee of the Division on Saturday, Sunday, or a holiday, or for more than 8 hours of any day, including Monday through Friday, shall, sufficiently in advance of the period of overtime, request the inspector in charge or his assistant to provide inspection service during such overtime period, and shall pay the Secretary of Agriculture therefor in accordance with paragraphs (b) and (c) of this section. It will be administratively determined from time to time which days constitute holidays.

(b) For each hour of inspection or service received by a person during the periods of overtime referred to in paragraph (a) of this section, except holidays which occur any day Monday through Friday, such person shall pay therefor \$2.72 per man-hour.

(c) For each hour of inspection or service received by a person on a holiday which occurs any day Monday through Friday as referred to in paragraph (a) of this section, such person shall pay therefor \$1.80 per man-hour.

The purpose of § 7.4 is to provide full reimbursement to the Government for the cost of overtime inspection at establishments operating under the Meat Inspection Law, in accordance with the provisions of the act of July 24, 1919 (7 U. S. C. 394).

This amendment increases the hourly charges for overtime work of meat inspection employees by amounts sufficient to off-set the salary increases provided by the Federal Pay Increase Act of July 3, 1948 (Public Law 900, 80th Congress). The amendment should be made effective on July 11, 1948, coincidentally with the effective date of the act last cited. Moreover, determination of the cost of overtime inspection, as provided for by § 7.4 (b) and (c) depends entirely upon facts within the knowledge of the Department of Agriculture. Accordingly, pursuant to the provisions of section 4 of the Administrative Procedure Act (60 Stat. 238), it is found, upon good cause, that notice and public procedure on this amendment are impracticable and unnecessary, and good cause is found for the issuance of this amendment effective less than 30 days after publication.

(41 Stat. 241, 34 Stat. 1260, as amended, sec. 306, 46 Stat. 689, Pub. Law 610, 80th Cong., 7 U. S. C. 394, 21 U. S. C. 71-91, 96, 19 U. S. C. 1306)

Done at Washington, D. C. this 12th day of July 1948.

Witness my hand and the seal of the Department of Agriculture.

[SEAL] I. W. DUGGAN,  
Acting Secretary of Agriculture.

[F. R. Doc. 48-6322; Filed, July 14, 1948;  
8:54 a. m.]

## TITLE 15—COMMERCE

### Chapter II—National Bureau of Standards, Department of Commerce

#### Part 200—TEST FEE SCHEDULES

#### MISCELLANEOUS AMENDMENTS

In accordance with the provisions of sections 4 (a) and (c) of the Administrative Procedure Act, it has been found that notice and hearing on these schedules of fees are unnecessary for the reason that such procedure would, because of the nature of these rules, serve no useful purpose.

These rules shall be effective upon the date of publication in the FEDERAL REGISTER.

Section 200.1-2-1 (15 CFR, Part 200) is to be added as follows:

#### § 200.1-2-1 *Insulation resistance.*

Item	Description	Fee
1-2-1.1...	Determination of the insulation resistance of a single-valued capacitor, one section of a subdivided capacitor or a specimen having fixed electrodes at room temperature (about 25° C.) and humidity (50% RH or less).	\$5.00
1-2-1.2...	Determination of the insulation resistance of a single-valued capacitor, one section of a subdivided capacitor or a specimen having fixed electrodes at a specified temperature (15° C. to 50° C.) and humidity (30% to 95% RH) after preconditioning in accordance with A. S. T. M. Procedure D618, first item.	10.00
1-2-1.3...	Measurement of additional items under same conditions and at the same time as 1-2-1.2 each item.	5.00
1-2-1.4...	Determination of insulation resistance, volume resistivity or surface resistivity of one sample of material according to A. S. T. M. Procedure D257 at a specified temperature (15° to 50° C.) and humidity (30% to 95% RH).	13.00
1-2-1.5...	Measurement of additional items under the same conditions and at the same time as 1-2-1.4, each item.	7.00
1-2-1.6...	Additional measurements on items prepared and measured under 1-2-1.2, 1-2-1.3, 1-2-1.4, 1-2-1.5 to determine effect of time under those conditions, each measurement.	5.00
1-2-1.99...	For special tests not covered by the above schedule, fees will be charged dependent upon the nature of the test.	-----

Section 200.1-2-2 (15 CFR, Part 200) is to be added as follows:

#### § 200.1-2-2 *Dielectric constant and power factor of dielectric materials.*

Item	Description	Fee
1-2-2.1...	Determination of the dielectric constant and power factor of one sample of sheet material (about 6 inches in diameter or square and 1/2 to 3/8 inch thick) at one frequency (100 cps to 105 cps) at room temperature (about 25° C.) and humidity (50% RH or below).	\$10.00
1-2-2.2...	Same as 1-2-2.1 but at an additional frequency on the same sample and at the same time.	6.00
1-2-2.3...	Determination of capacitance and power factor of one cable soaked in water at room temperature at one frequency (60 cps to 3000 cps) not over 75 volts, first measurement.	7.00
1-2-2.4...	Same as 1-2-2.3 but for additional measurements at later times on the same cable under same conditions.	3.00
1-2-2.99...	For special tests not covered by the above schedule, fees will be charged dependent upon the nature of the test.	-----

Section 200.1-2-3 (15 CFR, Part 200) is to be added as follows:

§ 200.1-2-3 *Resistors (above 1 meg-ohm).*

Item	Description	Fee
1-2-3.1...	Calibration of a resistor at room temperature (about 25° C.) and humidity (50% RH or less) when the voltage divided by the resistance is greater than $5 \times 10^{-4}$ , accuracy 0.5% each.	\$5.00
1-2-3.2...	Calibration of a resistor at a fixed temperature 15° C. to 50° C. and humidity (30% to 95% RH) when the voltage divided by the resistance is greater than $5 \times 10^{-4}$ , accuracy, 0.5% each.	10.00
1-2-3.3...	Calibration of additional resistors under the same conditions as 1-2-3.2 and at the same time, each.	5.00
1-2-3.99..	For special tests not covered by the above schedule, fees will be charged dependent upon the nature of the test.	

(Sec. 312, 47 Stat. 410; 15 U. S. C. 276)

[SEAL] E. U. CONDON,  
Director,  
National Bureau of Standards.

Approved:

CHARLES SAWYER,  
Secretary of Commerce.

[F. R. Doc. 48-6273; Filed, July 14, 1948;  
8:46 a. m.]

**TITLE 16—COMMERCIAL PRACTICES**

**Chapter I—Federal Trade Commission**

[Docket No. 4900]

**PART 3—DIGEST OF CEASE AND DESIST ORDERS**

**AMERICAN REFRACTORIES INSTITUTE ET AL.**

§ 3.27 (c) 10) *Combining or conspiring—To enforce or bring about resale price maintenance:* § 3.27 (d) *Combining or conspiring—To enhance, maintain or unify prices:* § 3.63 (c) *Maintaining resale prices—Combination:* § 3.85 (a) *Selling and quoting on systematic price matching basis—Basing points and delivered price systems.* In or in connection with the offering for sale, sale, and distribution of refractories and refractory products in commerce, and on the part of respondent Institute, its directors, etc.; thirty-seven corporations, manufacturers and sellers of said products, and their officers, etc.; and seven individuals (who throughout a substantial part, at least, of the period concerned, served as officials or agents of one or more of the respondent corporate members or of said Institute, and represented the same in relationships with representatives of other respondent corporate members and other sellers of such products, and who, as in the case of said corporate respondents, were joined in their representative capacity also), and their representatives, etc.; entering into, continuing, cooperating in, or carrying out any planned common course of action, understanding, agreement, combination, or conspiracy between any two or more of said respondents or between any one or more of said respondents and others not parties thereto, to (1) quote or

sell at prices calculated or determined pursuant to, or in accordance with, the freight-equalization, delivered-price system or the zone delivered-price system; or quote or sell at prices calculated or determined pursuant to, or in accordance with, any other planned system or formula which produces identical price quotations or prices, or which prevents purchasers from finding any advantages in price in dealing with one or more of the respondents as against any of the other respondents; (2) establish, fix, or maintain prices, terms, or conditions of sale, or adhere to any prices, terms, or conditions of sale so fixed or maintained; (3) formulate, devise, adopt, or use compilations of extra charges or deductions from charges made or quoted on any refractory product, whether or not in the form of a classification listing graduations by percentage designations; (4) establish or maintain delivered-price zones or price differentials between such zones; (5) file, exchange, distribute, or relay among the corporate respondents, or any of them, or any of their representatives, or through respondent American Refractories Institute, or through any other medium or central agency price information showing current or future prices or conditions of sale of any particular respondent, or bid or price quotation submitted or to be submitted on any prospective piece of business; (6) file, exchange, distribute, or relay among the corporate respondents, or any of them, or any of their representatives, or through respondent American Refractories Institute, or through any other medium or central agency, information concerning prices charged particular customers or information concerning volume of production, sales, or shipments where the identity of the manufacturer, seller, or purchaser can be determined through such information and which has the capacity or tendency of aiding in securing compliance with announced prices, terms, or conditions of sale; (7) collect, compile, circulate, or exchange between or among respondents, or any of them, freight rate factors or transportation charges used or to be used as a factor in computing prices or price quotations; or use, directly or indirectly, any such information so collected, compiled, or received, as a factor in computing price quotations; (8) adopt, use, or in any way follow any price quotations announced by particular respondents, or any of them, whereby quotations are made uniform or matched; (9) formulate, devise, adopt, circulate, or exchange information concerning the customer classification granted or to be granted to any specific purchaser; or determine any basis for the selection or classification of customers, or use any basis so determined for selecting or classifying customers; (10) formulate, adopt, use, or enforce any minimum resale price agreements pursuant to and under which dealers and customers are required to maintain resale prices, terms or conditions, collectively or cooperatively determined by any two or more sellers; (11) systematically quote or sell on a delivered basis calculated as, or equivalent to, the sum

of the price in effect at, plus a transportation charge factor from, any point other than the actual shipping point; (12) quote or sell on a delivered basis which systematically reflects the inclusion of a charge or factor for transportation greater than the actual cost of transportation from point or shipment to destination; (13) quote or sell at prices which systematically differ among purchasers in terms of f. o. b. point of shipment, according to locations of purchasers, with said nets higher as applicable in sales to nearby customers than to those more distantly located, and which f. o. b. nets, plus common-carrier transportation charges to the respective locations of such purchasers, produce delivered costs identical with those to such purchasers from differently located respondents; or, (14) do or cause to be done any of the things listed in the preceding prohibitions 1 to 13, and the doing of which is forbidden in this order, through action of respondent American Refractories Institute, or any subdivision or committee of said Institute, or any other individual, corporation, or organization; prohibited, subject to the provision, however, that nothing contained in the order shall be construed as prohibiting any of the corporate respondents from entering into such contracts or agreements relating to the maintenance of resale prices as are permitted under the provisions of the Miller-Tydings Act; or from taking such action relating to its export sales as is permitted under the provisions of the Webb-Pomerene Act; or from the establishment or maintenance of any lawful bona fide agreements, discussions, or other action solely between any corporate respondent and its directors, officers, and employees, or between the officers, directors, or employees of any corporate respondent relating solely to the carrying on of that corporation's sole and separate business, or between any corporate respondent and any of its wholly owned subsidiaries. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U. S. C., sec. 45b) [Cease and desist order, American Refractories Institute et al., Docket 4900, April 13, 1948]

At a regular session of the Federal Trade Commission, held at its office in the city of Washington, D. C., on the 13th day of April A. D. 1948.

In the matter of American Refractories Institute, an incorporated trade association, its directors and officers; the members of its Executive Committee, the members of its Special Committee, the members of its Classification Committee, the members of its Steering Committee, the members of its Traffic Committee, the members of its Dealer-Code of Ethics Committee, the directors, officers, and members of its Specialty Division, including the members of the Executive, Special, Classification, Steering, Traffic, and Dealer-Code of Ethics Committees of its Specialty Division, the directors, officers, and members of its Fire Brick Division, including the members of the Executive, Special, Classification, Steering, Traffic, and Dealer-Code of Ethics Committees of its Fire Brick Division; and Aetna Fire

Brick Company; the Babcock & Wilcox Company; Botfield Refractories Company; Chicago Fire Brick Company; Chicago Retort & Fire Brick Company; Climax Fire Brick Company; the Davis Fire Brick Company; the Denver Fire Clay Company; Dixie Fire Brick Company, Inc.; Emsco Refractories Company; J. H. France Refractories Company; General Refractories Company; A. P. Green Fire Brick Company; Harbison-Walker Refractories Co.; Illinois Clay Products Company; The Ironton Fire Brick Company; Johns-Manville Corporation; Laclede-Christy Clay Products Co.; E. J. Lavino & Company; Louisville Fire Brick Works, Inc.; The Massillon Refractories Company; The McLain Fire Brick Company; Mexico Refractories Company; National Refractory Company; North American Refractories Company; The Oak Hill Fire Brick & Coal Company; Plibrico Jointless Fire Brick Co.; The Pyro Clay Products Company; Quigley Company, Inc.; Richard C. Remmey Son Company; The Robinson Clay Product Co.; St. Louis Fire Brick & Insulation Co.; The Charles Taylor Sons Company; Thermo Fire Brick Company; Union Mining Company; M. D. Valentine & Bro. Company; Vitrefrax Corporation; Walsh Refractories Corporation; Wellsville Fire Brick Co.; corporations, individually and as representatives of all of the members of respondent American Refractories Institute; and J. J. Brooks, Jr., W. B. Coullie, H. H. Hopwood, Frank Piatt, J. D. Ramsay, C. P. Taylor, R. P. Trump, E. M. Weinfurter, and W. J. Westphalen, individually and as representatives of all of the members of respondent American Refractories Institute and their agents.

This proceeding having been heard by the Federal Trade Commission on the complaint of the Commission, the answers of respondents, testimony and other evidence introduced and certain stipulations of facts made on the record before an examiner of the Commission theretofore duly designated by it, and proposed findings as to the facts, conclusion, and order recommended by counsel supporting the complaint (a recommended decision by the trial examiner and other intervening procedure, including briefs and oral arguments, having been waived); and the Commission having made its findings as to the facts and its conclusion that said respondents have violated the provisions of the Federal Trade Commission Act:

*It is ordered*, That respondents American Refractories Institute, an incorporated trade association, its directors, officers, members, representatives, agents, and employees; the corporate respondents Aetna Fire Brick Company, The Babcock & Wilcox Company, Botfield Refractories Company, Chicago Fire Brick Company, Chicago Retort & Fire Brick Company, Climax Fire Brick Company, The Davis Fire Brick Company, The Denver Fire Clay Company, Dixie Fire Brick Co., Inc., J. H. France Refractories Company, General Refractories Company, A. P. Green Fire Brick Company, Harbison-Walker Refractories Company, Illinois Clay Products Company, The Ironton Fire Brick Company, Johns-Manville

Sales Corporation, Laclede-Christy Clay Products Company, E. J. Lavino and Company, Louisville Fire Brick Works, Inc., The Massillon Refractories Company, The McLain Fire Brick Company, Mexico Refractories Company, North American Refractories Company, The Oak Hill Fire Brick & Coal Company, Plibrico Jointless Firebrick Co., The Pyro Clay Products Company, Quigley Company, Inc., Richard C. Remmey Son Company, The Robinson Clay Product Company, St. Louis Fire Brick & Insulation Company, The Chas. Taylor Sons Company, Thermo Fire Brick Company, Union Industries, Inc., M. D. Valentine & Bro. Company, Vitrefrax Corporation, Walsh Refractories Corporation, and Wellsville Fire Brick Company, their respective officers, representatives, agents, and employees; and the individual respondents W. B. Coullie, H. H. Hopwood, Frank Piatt, J. D. Ramsay, R. P. Trump, E. M. Weinfurter, and W. J. Westphalen, their respective representatives, agents, and employees, in or in connection with the offering for sale, sale, and distribution of refractories and refractory products in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from entering into, continuing, cooperating in, or carrying out any planned common course of action, understanding, agreement, combination, or conspiracy between any two or more of said respondents or between any one or more of said respondents and others not parties hereto, to do or perform any of the following things:

1. Quoting or selling at prices calculated or determined pursuant to, or in accordance with, the freight-equalization, delivered-price system or the zone delivered-price system; or quoting or selling at prices calculated or determined pursuant to, or in accordance with, any other planned system or formula which produces identical price quotations or prices, or which prevents purchasers from finding any advantages in price in dealing with one or more of the respondents as against any of the other respondents.

2. Establishing, fixing, or maintaining prices, terms, or conditions of sale, or adhering to any prices, terms, or conditions of sale so fixed or maintained.

3. Formulating, devising, adopting, or using compilations of extra charges or deductions from charges made or quoted on any refractory product, whether or not in the form of a classification listing graduations by percentage designations.

4. Establishing or maintaining delivered-price zones or price differentials between such zones.

5. Filing, exchanging, distributing, or relaying among the corporate respondents, or any of them, or any of their representatives, or through respondent American Refractories Institute, or through any other medium or central agency price information showing current or future prices or conditions of sale of any particular respondent, or bid or price quotation submitted or to be submitted on any prospective piece of business.

6. Filing, exchanging, distributing, or relaying among the corporate respond-

ents, or any of them, or any of their representatives, or through respondent American Refractories Institute, or through any other medium or central agency, information concerning prices charged particular customers or information concerning volume of production, sales, or shipments where the identity of the manufacturer, seller, or purchaser can be determined through such information and which has the capacity or tendency of aiding in securing compliance with announced prices, terms, or conditions of sale.

7. Collecting, compiling, circulating, or exchanging between or among respondents, or any of them, freight rate factors or transportation charges used or to be used as a factor in computing prices or price quotations; or using, directly or indirectly, any such information so collected, compiled, or received, as a factor in computing price quotations.

8. Adopting, using, or in any way following any price quotations announced by particular respondents, or any of them, whereby quotations are made uniform or matched.

9. Formulating, devising, adopting, circulating, or exchanging information concerning the customer classification granted or to be granted to any specific purchaser; or determining any basis for the selection or classification of customers, or using any basis so determined for selecting or classifying customers.

10. Formulating, adopting, using, or enforcing any minimum resale price agreements pursuant to and under which dealers and customers are required to maintain resale prices, terms or conditions, collectively or cooperatively determined by any two or more sellers.

11. Systematically quoting or selling on a delivered basis calculated as, or equivalent to, the sum of the price in effect at, plus a transportation charge factor from, any point other than the actual shipping point.

12. Quoting or selling on a delivered basis which systematically reflects the inclusion of a charge or factor for transportation greater than the actual cost of transportation from point of shipment to destination.

13. Quoting or selling at prices which systematically differ among purchasers in terms of nets f. o. b. point of shipment, according to locations of purchasers, with said nets higher as applicable in sales to nearby customers than to those more distantly located, and which f. o. b. nets, plus common-carrier transportation charges to the respective locations of such purchasers, produce delivered costs identical with those to such purchasers from differently located respondents.

14. Doing or causing to be done any of the things listed in the preceding paragraphs 1 to 13, and the doing of which is forbidden in this order, through action of respondent American Refractories Institute, or any subdivision or committee of said Institute, or any other individual, corporation, or organization.

*It is further ordered*, That nothing contained in this order shall be construed as prohibiting any of the corporate respondents from entering into such contracts or agreements relating to the

maintenance of resale prices as are permitted under the provisions of the Miller-Tydings Act; or from taking such action relating to its export sales as is permitted under the provisions of the Webb-Pomerene Act; or from the establishment or maintenance of any lawful bona fide agreements, discussions, or other action solely between any corporate respondent and its directors, officers, and employees, or between the officers, directors, or employees of any corporate respondent relating solely to the carrying on of that corporation's sole and separate business, or between any corporate respondent and any of its wholly owned subsidiaries.

*It is further ordered.* That for the reasons appearing in the findings as to the facts in this proceeding the complaint be, and the same hereby is, dismissed as to respondents National Refractory Company, a corporation, J. J. Brooks, Jr., an individual, and A. P. Taylor, an individual.

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

By the Commission.

[SEAL] OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 48-6303; Filed, July 14, 1948;  
8:59 a. m.]

[Docket No. 4989]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

SORBTEX FOUNDATION, INC.

§ 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product or service.* In connection with the offering for sale, sale and distribution in commerce, of respondent's chemical product designated "Sorbtex", or any product of substantially similar composition or possessing substantially similar properties, representing, directly or by implication, (1) that respondent's product makes towels more absorbent, increases the "dryability" of towels, or causes towels to dry faster, unless such representations be limited to towels prior to laundering; (2) that effects produced by the use of said product are permanent, or that said product remains in the fabric of towels after repeated launderings; or, (3) that said product increases the tensile strength of towels; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U. S. C., sec. 45b) [Cease and desist order, Sorbtex Foundation, Inc., Docket 4989, April 23, 1948]

At a regular session of the Federal Trade Commission held at its office in the city of Washington, D. C., on the 23d day of April A. D. 1948.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, respondent's denial of the charges in the complaint, testimony and other evidence introduced before a trial examiner of

the Commission theretofore duly designated by it, recommended decision of the trial examiner and respondent's exceptions thereto, briefs in support of and in opposition to the complaint, and oral argument; and the Commission having made its findings as to the facts and its conclusion that respondent has violated the provisions of the Federal Trade Commission Act:

*It is ordered.* That respondent, Sorbtex Foundation, Inc., a corporation, and its officers, agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act, of respondent's chemical product designated "Sorbtex", or any product of substantially similar composition or possessing substantially similar properties, do forthwith cease and desist from representing, directly or by implication:

1. That respondent's product makes towels more absorbent, increases the "dryability" of towels, or causes towels to dry faster, unless such representations be limited to towels prior to laundering.

2. That effects produced by the use of said product are permanent, or that said product remains in the fabric of towels after repeated launderings.

3. That said product increases the tensile strength of towels.

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

By the Commission.

[SEAL] OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 48-6302; Filed, July 14, 1948;  
8:58 a. m.]

TITLE 24—HOUSING CREDIT

Chapter VIII—Office of Housing Expediter

PART 851—ORGANIZATION DESCRIPTION, INCLUDING DELEGATIONS OF FINAL AUTHORITY

DELEGATION OF AUTHORITY; DESIGNATION OF EMPLOYEES TO TAKE OATHS

§ 851.71 *Designation of employees to take oaths.* Pursuant to authority contained in the Supplemental Independent Offices Appropriation Act, 1949 (Pub. Law 862, 80th Congress), the following employees of the Office of the Housing Expediter are authorized and empowered to administer to or take from any person an oath, affirmation or affidavit when such instrument is required in connection with the performance of the functions or activities of the Housing Expediter:

Regional Offices

Regional Deputy Housing Expediter for Veterans' Affairs.  
Field Agents in Charge.  
Field Agents.  
Regional Housing Expediter.  
Deputy Regional Housing Expediter.  
All Attorneys.

Chief of Field Operations.  
Regional Field Representatives.  
Regional Compliance Officer.  
Regional Compliance Field Representatives.  
Supervising Investigators.  
Investigators.  
Inspectors.

Area Rent Offices

Area Rent Directors.  
All Attorneys.  
Compliance Investigators.

(Pub. Law 862, 80th Cong.)

Issued this 12th day of July 1948.

ED DUPREE,  
Acting Housing Expediter.

[F. R. Doc. 48-6300; Filed, July 14, 1948;  
8:50 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue, Department of the Treasury

Subchapter A—Income and Excess Profits Taxes

[T. D. 5643]

PART 30—REGULATIONS UNDER THE EXCESS PROFITS TAX ACT OF 1940

PART 35—EXCESS PROFITS TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1941

RELIEF FOR INSTALLMENT BASIS TAXPAYERS

Regulations 109 (26 CFR, Part 30) and Regulations 112 (26 CFR, Part 35) are amended as follows:

PARAGRAPH 1. Section 30.736 (a)-3, as inserted in Regulations 109 by Treasury Decision 5257, approved April 7, 1943, is amended as follows:

a. The second sentence of the first paragraph is changed by inserting immediately before the period at the end thereof the following: ", except as provided in the next paragraph with respect to bad debts".

b. The last sentence of the first paragraph is changed by striking out the following words: "or deductions (including deductions for bad debts)".

c. The last sentence of the second paragraph is changed by inserting immediately before the period at the end thereof the following: ", but such limitation shall apply in all other cases".

PAR. 2. Section 35.736 (a)-3, as amended by Treasury Decision 5388, approved July 7, 1944, is further amended as follows:

a. The second sentence of the first paragraph is changed by inserting immediately before the period at the end thereof the following: ", except as provided in the next paragraph with respect to bad debts".

b. The last sentence of the first paragraph is changed by striking out the following words: "or deductions (including deductions for bad debts)".

c. The last sentence of the second paragraph is changed by inserting immediately before the period at the end thereof the following: ", but such limitation shall apply in all other cases."

(53 Stat. 32, 54 Stat. 989; 26 U. S. C. 2, 729 (a))

Because the amendments made by this Treasury decision merely relieve taxpayers from a limitation applicable under

existing regulations, it is hereby found that it is unnecessary to issue this Treasury decision with notice of public procedure thereon under section 4 (a) of the Administrative Procedure Act, approved June 11, 1946, or subject to the effective date limitation of section 4 (c) of said act.

[SEAL] GEO. J. SCHOENEMAN,  
Commissioner of Internal Revenue.

Approved: July 8, 1948.

A. L. M. WIGGINS,  
Acting Secretary of the Treasury.

[F. R. Doc. 48-6304; Filed, July 14, 1948;  
8:52 a. m.]

## TITLE 32—NATIONAL DEFENSE

### Chapter I—Secretary of Defense

[Transfer Order 18]

#### ORDER TRANSFERRING FUNCTIONS PERTAINING TO CONSTRUCTION OF BUILDINGS, STRUCTURES, UTILITIES AND OTHER FACILITIES FROM DEPARTMENT OF THE ARMY TO DEPARTMENT OF THE AIR FORCE

Pursuant to the authority vested in me by the National Security Act of 1947 (act of July 26, 1947; Public Law 253, 80th Congress), and in order to effect certain transfers authorized or directed therein, it is hereby ordered as follows:

1. There are hereby transferred to and vested in the Secretary of the Air Force and the Department of the Air Force, all functions, powers and duties, relating to construction of buildings, structures, utilities and other facilities insofar as they may pertain to the Department of the Air Force or the United States Air Force or their property and personnel which are vested in the Secretary of the Army or the Department of the Army or any officer of that Department by the following laws, parts of laws and Executive orders, as limited by other laws, parts of laws and Executive orders whether or not specifically set forth herein:

a. Act of December 1, 1941, c. 552, sec. 1 (56 Stat. 787; 10 U. S. C. 181b).

b. Act of February 27, 1893, c. 168 (27 Stat. 484), as amended by the act of August 24, 1912, c. 391, sec. 3 (37 Stat. 591; 10 U. S. C. 1336).

c. Act of June 25, 1910, c. 384, sec. 1 (36 Stat. 721), as amended by the act of February 25, 1927, c. 193, sec. 1 (44 Stat. 1235; 10 U. S. C. 1337).

d. Act of October 6, 1942, c. 580 (56 Stat. 769; 10 U. S. C. 1337a).

e. Act of February 27, 1893, c. 168 (27 Stat. 484; 10 U. S. C. 1340).

f. Act of August 12, 1935, c. 511, sec. 3 (49 Stat. 611; 10 U. S. C. 1343c).

g. Act of May 12, 1917, c. 12 (40 Stat. 74; 10 U. S. C. 1333).

h. Act of June 5, 1942, c. 340, sec. 7 (56 Stat. 316; 50 App. U. S. C., Supp. V, 767).

i. Act of June 5, 1942, c. 340, sec. 8 (56 Stat. 316; 50 App. U. S. C., Supp. V, 768).

j. Act of June 5, 1942, c. 340, sec. 12 (56 Stat. 316; 50 App. U. S. C., Supp. V, 772).

k. Act of July 2, 1940, c. 508, sec. 1 (a) (54 Stat. 712; 50 App. U. S. C. Supp. V, 1171).

l. Act of May 29, 1928, c. 900 (45 Stat. 985), as amended by the act of June 21, 1930, c. 567 (46 Stat. 796; 5 U. S. C. 219).

m. Act of August 7, 1939, c. 511, sec. 1 (53 Stat. 1239; 5 U. S. C. 220).

n. Act of August 7, 1939, c. 511, sec. 2 (53 Stat. 1240; 5 U. S. C. 221).

o. Act of November 19, 1941, c. 474, sec. 6 (55 Stat. 766), as amended by the act of July 2, 1942, c. 474, sec. 1 (56 Stat. 562), and the act of July 13, 1943, c. 236, sec. 4 (57 Stat. 561), and the act of April 4, 1944, c. 164 (58 Stat. 189; 23 U. S. C. 106), and Executive Order 9638, October 4, 1945, 10 F. R. 12591, and Executive Order 9809, December 12, 1946, 11 F. R. 14281.

p. All other laws, parts of laws, including applicable provisions of Appropriation Acts, and Executive orders which vest in the Secretary of the Army or the Department of the Army or any officer of that Department, functions, powers, and duties relating to construction of buildings, structures, utilities and other facilities insofar as they pertain to the Department of the Air Force or the United States Air Force or their property and personnel.

2. The Department of the Air Force will utilize the services of the Department of the Army for Department of the Air Force contract construction, subject to such adjustments as from time to time are jointly determined to be necessary or desirable by the Secretaries of the two Departments.

3. The Secretary of the Army, the Secretary of the Air Force or their representatives are hereby authorized to issue such orders as may be necessary to effectuate the purposes of this order. In this respect, the transfer of such related personnel, property, records, installations, agencies, activities, and projects as the Secretaries of the Army and the Air Force shall from time to time jointly determine to be necessary, is authorized.

4. It is expressly determined that the functions herein transferred are necessary and desirable for the operations of the Department of the Air Force and the United States Air Force.

5. Nothing contained in this order shall operate as a transfer of funds.

6. This order shall be effective as of 12:00 noon, July 7, 1948.

JAMES FORRESTAL,  
Secretary of Defense.

JULY 7, 1948.

[F. R. Doc. 48-6285; Filed, July 14, 1948;  
8:48 a. m.]

## TITLE 43—PUBLIC LANDS: INTERIOR

### Chapter I—Bureau of Land Management, Department of the Interior

[Order 316]

#### PART 50—ORGANIZATION AND PROCEDURE DELEGATIONS TO CHIEFS OF DIVISIONS AND CHIEFS OF SUBDIVISIONS OF DIVISIONS

JULY 8, 1948.

Part 50 is amended by adding thereto a new section as follows:

§ 50.355 *Functions of the Chief and Acting Chief of the Patents Section, Branch of Land Disposal, with respect to the issuance of patents and furnishing copies of records.* The Chief of the Patents Section, Branch of Land Disposal, and in his absence, the Acting Chief of the Section, are authorized to sign for the Director and issue patents for all grants of land under the authority of the Government, and make and furnish copies and exemplifications of patents, plats and other records of the Bureau. (R. S. 161, 453, 2478; 5 U. S. C. 22, 43 U. S. C. 2, 1201; Reorg. Plan No. 3 of 1946, 11 F. R. 7875; 43 CFR 4.275 (a) (65), 4.250)

ROSCOE E. BELL,  
Assistant Director.

[F. R. Doc. 48-6289; Filed, July 14, 1948;  
8:48 a. m.]

[Circular No. 1687]

### PART 108—PATENTS

#### MISCELLANEOUS AMENDMENTS

1. Section 108.1 is amended to read as follows:

§ 108.1 *Issuance of patents; transmittal to district land office.* Patents for all grants of land shall be issued under the authority of the Director and signed in the name of the United States (act of June 17, 1948, Public Law 667, 80th Cong., 2d Sess.). The patents shall be recorded in the Bureau of Land Management in books kept for that purpose.

Patents for lands entered or located under general laws can be issued only in the name of the party making the entry or location, or, in case of his death before making proof, to the statutory successor making the proof, provided by law.

The recitals and description of land in patents will in all cases follow the manager's certificate of entry or location, as prescribed by law.

When patents are ready for delivery, they will in all cases be transmitted to the district office at which the location or entry was made, where they can be obtained by the party entitled thereto, as provided in § 108.2. Patents based on final certificates or orders, issued by the Bureau of Land Management, will be delivered directly to the patentee or his or her recognized agent or successor in interest. Their receipt must be acknowledged. (R. S. 453, 2478; 43 U. S. C. 2, 1201).

2. Section 108.5, is amended by deleting therefrom the last two paragraphs.

(R. S. 453, 2478; 43 U. S. C. 2, 1201)

ROSCOE E. BELL,  
Assistant Director.

Approved: July 8, 1948.

J. A. KRUG,  
Secretary of the Interior.

[F. R. Doc. 48-6288; Filed, July 14, 1948;  
8:48 a. m.]

[Circular No. 1686]

PART 192—OIL AND GAS LEASES  
ACREAGE LIMITATIONS ON OPTIONS\*

Section 192.4 (b) is amended to read as follows:

§ 192.4 Acreage limitations on options. \* \* \*

(b) No such option shall be taken for more than two years without the prior approval of the Secretary of the Interior, except that an option hereafter taken on a lease application may be for the period of time until issuance of the lease and two years thereafter. Where it is sought to obtain options for periods in excess of those provided in the preceding sentence, an application should be filed with the Director, Bureau of Land Management, accompanied by a complete showing as to the special or unusual circumstances which are believed to justify approval of the application by the Secretary.

(41 Stat. 450, 60 Stat. 954, 30 U. S. C. 189, 184)

MARION CLAWSON,  
Director.

Approved: June 25, 1948.

OSCAR L. CHAPMAN,  
Acting Secretary of the Interior.

[F. R. Doc. 48-6287; Filed, July 14, 1948; 8:48 a. m.]

Appendix—Public Land Orders  
[Public Land Order 495]

MINNESOTA

MODIFYING THE BELTRAMI WILDLIFE MANAGEMENT AREA

By virtue of the authority vested in the President and contained in section 32 of Title III of the Bankhead-Jones Farm Tenant Act of July 22, 1937, (50 Stat. 522, 525; 7 U. S. C. 1010-1013) and pursuant to Executive Order No. 9337 of April 24, 1943, and upon recommendation of the Secretary of Agriculture, it is ordered as follows:

Subject to valid existing rights, and finding that such action will best serve the purposes of the said Bankhead-Jones Farm Tenant Act, the following described lands in the State of Minnesota, acquired by the United States in connection with the Beltrami Island Land Utilization Project or the Minnesota Isolated Settlers Project, under the authority of Title II of the National Industrial Recovery Act, the Emergency Relief Appropriation Act of 1935, and Title III of the Bankhead-Jones Farm Tenant Act, are hereby added to and reserved as a part of the Beltrami Wildlife Management Area established by Executive Order No. 9091 of March 6, 1942; and such lands shall be administered in accordance with the provisions contained in the said Executive order:

FIFTH PRINCIPAL MERIDIAN

- T. 158 N., R. 32 W.,  
Sec. 8, SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 9, SE $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
Sec. 16, W $\frac{1}{2}$ NW $\frac{1}{4}$ ;  
Sec. 17, NE $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
Sec. 30, SW $\frac{1}{4}$ NE $\frac{1}{4}$  and E $\frac{1}{2}$ NW $\frac{1}{4}$ .

- T. 158 N., R. 34 W.,  
Sec. 21, SW $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
T. 160 N., R. 34 W.,  
Sec. 6, lots 1, 2, and S $\frac{1}{2}$ NE $\frac{1}{4}$ ;  
T. 159 N., R. 35 W.,  
Sec. 4, lot 3.  
T. 159 N., R. 36 W.,  
Sec. 17, SE $\frac{1}{4}$  except that part beginning at the southeast corner of said sec. 17, thence north on the section line 16 rods;  
West 20 rods;  
South 16 rods;  
East along the section line to the place of beginning.  
T. 159 N., R. 37 W.,  
Sec. 29, NE $\frac{1}{2}$ NE $\frac{1}{4}$ .

The areas described aggregate 784.92 acres.

The following-described lands, which are not owned by the United States and which were erroneously reserved as a part of Beltrami Wildlife Management Area by the said Executive Order No. 9091, are hereby eliminated from the said Area.

FIFTH PRINCIPAL MERIDIAN

- T. 160 N., R. 34 W.,  
Sec. 6, lots 3, 4, 5, and SE $\frac{1}{4}$ NW $\frac{1}{4}$ .  
The area described contains 133.91 acres.

OSCAR L. CHAPMAN,  
Under Secretary of the Interior.

JULY 8, 1948.

[F. R. Doc. 48-6290; Filed, July 14, 1948; 8:48 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Docket No. 8872]

PART 43—REPORTS (FILING OF INFORMATION, CONTRACTS, PERIODIC REPORTS, ETC.)

REVISION OF CERTAIN SCHEDULES IN ANNUAL REPORT FORM M

In the matter of revisions of certain schedules in Annual Report Form M applicable to Class A and Class B telephone companies.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 23d day of June 1948:

The Commission having under consideration the matter of revisions of certain schedules in Annual Report Form M ap-

plicable to Class A and Class B telephone companies;

It appearing, that on May 27, 1948, (13 F. R. 3097) the Commission adopted a notice of proposed rule making which was distributed among interested parties and published in accordance with the requirements of section 4 (a) of the Administrative Procedure Act; and

It further appearing, that the period in which interested parties were afforded an opportunity to submit comments expired June 14, 1948, and no written comments were filed; and

It further appearing, that the revisions of certain schedules in Annual Report Form M will bring the reporting schedules into conformity with the changes in the Uniform System of Accounts for Class A and B Telephone Companies effective under Amendment 31-1 January 1, 1948; will clarify and simplify present reporting requirements; and will reflect changes in operations resulting from new technological developments; and

It further appearing, that authority for the issuance of the proposed revisions is contained in section 219 of the Communications Act of 1934, as amended.

It is ordered, That effective August 1, 1948, Annual Report Form M applicable to Class A and Class B telephone companies, is amended, as set forth below, with the exception that the change in the caption from "June" to "April" over columns (b), (c), and (d) in Schedule 461, "Employees and Their Salaries," shall be effective with respect to the returns for 1949 and all subsequent years.

Released: July 8, 1948.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] T. J. SLOWIE,  
Secretary.

Revisions of schedules in Annual Report Form M as follows:

1. At page 200, Schedule 200A, "Comparative Balance Sheet—Asset Side," after line 5 insert the following: "(100.7) Telephone plant adjustment".

2. At page 201, Schedule 200L, "Comparative Balance Sheet—Liability Side," on line 1 change the item to read "Stock and premium." Change the item on line 9 to read "Total stock and premium."

3. At page 201, Schedule 200L, beginning with line 42, delete the items and captions on lines 42 to 46, inclusive, and substitute the following material in the respective columns to which pertinent:

42	x x x x x	CAPITAL SURPLUS	x x x x x x x
43	x x x x x	(Other than premium on capital stock—See line 5)	x x x x x x x
44	(179)	Other capital surplus.	
45	x x x x x	EARNED SURPLUS	x x x x x x x
46	(180)	Earned surplus reserved (p. 241)	291
47	(181)	Unappropriated earned surplus (p. 300)	300
48		Total earned surplus	
49		Grand Total	

4. At pages 201A and 201B, delete the schedules leaving only the captions and the instructions at the head of the pages.

5. At page 202, Schedule 211, "Investment in Telephone Plant," after line 27

insert the following: "(100.7) Telephone plant adjustment".

6. At page 400, add the following instructions under the subheading, I. Plant Mileage: "Coaxial tube, to be reported in

column (u), is the assembly of one inner and one outer conductor in a coaxial cable. Usually two or more such assemblies are included in one cable.

"Column (v) shall include the total number of miles between the individual stations of radio-relay systems."

7. Revise Schedule 400, "Plant and Operating Statistics," as follows:

(a) At page 401, delete asterisk following heading "Miles of Wire in Cable" and delete the footnote.

(b) At page 401, delete column (u), "Remarks," and substitute two columns, as follows:

Total owned tube- miles of coaxial in cable	Total owned miles of radio-relay sys- tem
(u)	(v)

(c) At page 401, add two lines at the bottom of the schedule as follows:

Line  
No.

- 31 Number of fixed short-haul radiotele-  
phone links -----  
32 Number of portable emergency radio-  
telephone sets respondent is licensed  
to operate -----

8. At page 401D, Schedule 402, "Teletypewriters on Customers' Premises Used in Teletypewriter Exchange Service," in the last paragraph of instructions change the schedule reference from "403" to "404".

9. At page 404, Schedule 460A, "Pension and Benefit Funds," line 31, and in footnote "3" of that page, delete the word "current."

10. At page 405, Schedule 460D, "Benefits," change the caption of column (s) to read "By respondent's insurers or trustees."

11. Effective for returns for 1949, with respect to Schedule 461, at page 406, "Employees and their Salaries," the caption over columns (b), (c), and (d) will be changed from "June" to "April". See also item 16 (b).

12. At page 408, Schedule 462, "Compensation and Expenses of Officers, Directors, Etc.," in the third line of the instruction change the amount "\$10,000" to read "\$15,000."

13. At page 304, replace present Schedule 323,<sup>1</sup> "Regulatory Commission Expenses," with revised Schedule 323.

14. At pages 401E and 401F, replace present Schedule 403,<sup>1</sup> "Radiotelephone Service," Sections I, II, and III, with revised Schedule 403, Sections I and II.

15. At page entitled "Notice" (on the reverse of the front cover), delete paragraph 5 and substitute the following:

5. All entries shall be made in permanent black ink. Entries of contrary or opposite character (such as decreases reported in a column for both increases and decreases) shall be enclosed in parentheses.

16. At page entitled "Special Notice", insert new paragraphs as follows:

(a) The term "Earned Surplus" should be assumed to apply where the word "Surplus" is used in Schedules 211C, 285, 285A, 286, 291, 300, 304, 350, 351, and 360.

(b) At page 406, Schedule 461, "Employees and their Salaries," the caption over columns (b), (c), and (d) will be changed in the 1949 report to "April" instead of "June", and companies should prepare to make returns accordingly.

(Sec. 219, 48 Stat. 1077; 47 U. S. C. 219)  
[F. R. Doc. 48-6317; Filed, July 14, 1948;  
8:53 a. m.]

## TITLE 50—WILDLIFE

### Chapter I—Fish and Wildlife Service, Department of the Interior

#### PART 11—ESTABLISHMENT, ETC., OF NATIONAL WILDLIFE REFUGES

##### MINNESOTA

CROSS REFERENCE: For order modifying the Beltrani Wildlife Management Area, Minnesota, thereby affecting the tabulation contained in § 11.1, by adding designated lands to the area and eliminating others, see Public Land Order 495, under Title 43, Chapter I, Appendix, *supra*.

## PROPOSED RULE MAKING

### DEPARTMENT OF THE TREASURY

#### Bureau of Narcotics

#### [21 CFR, Ch. II]

#### KETO-BEMIDONE

##### NOTICE OF PROPOSED RULE MAKING

Notice is hereby given, pursuant to the provisions of section 1 of the act of March 8, 1946 (60 Stat. 38; 26 USC 3228), section 4 of the Administrative Procedure Act (60 Stat. 238; 5 USC 1003), and by virtue of authority vested in me by the Secretary of the Treasury (12 F. R. 1480), that a determination is proposed to be made that the new drug Keto-bemidone (4-(3-hydroxyphenyl)-1-methyl-4-piperidyl ethyl ketone hydrochloride) has an addiction-forming or addiction-sustaining liability similar to morphine and is an opiate.

Consideration will be given to any written data, views, or arguments, pertaining to the addiction-forming or addiction-sustaining liability of Keto-bemidone, which are received by the Commissioner of Narcotics prior to August 16, 1948. Any person desiring to be heard on the addiction-forming or addiction-sustaining liability of Keto-bemidone will be accorded the opportunity at a hearing in the office of the Commissioner of Narcotics, 1300 E Street NW., Washington, D. C., at 10:00 a. m., August 16, 1948, provided that such person furnish written notice of his desire to be heard, to the Commissioner

of Narcotics, Washington 25, D. C., not later than 20 days from the publication of this notice in the FEDERAL REGISTER. If no written notice of a desire to be heard shall be received within 20 days from the date of publication of this notice in the FEDERAL REGISTER, no hearing shall be held, but the Commissioner of Narcotics shall proceed to make a recommendation to the Secretary of the Treasury for a finding under section 1 of the act of March 8, 1946.

(60 Stat. 38; 26 USC 3228)

[SEAL]

H. J. ANSLINGER,  
Commissioner of Narcotics.

[F. R. Doc. 48-6305; Filed, July 14, 1948;  
8:52 a. m.]

### DEPARTMENT OF AGRICULTURE

#### Production and Marketing Administration

#### [7 CFR, Part 913]

#### HANDLING OF MILK IN GREATER KANSAS CITY MARKETING AREA

NOTICE OF RECOMMENDED DECISION AND OPPORTUNITY TO FILE WRITTEN EXCEPTIONS WITH RESPECT TO PROPOSED MARKETING AGREEMENT AND TO PROPOSED ORDER

Pursuant to the rules of practice and procedure governing proceedings to for-

<sup>1</sup> Filed with the original document. Copies may be obtained upon request to the Federal Communications Commission, Washington, D. C.

mulate marketing agreements and orders (7 CFR, Supps. 900.1 et seq., 12 F. R. 1159, 4904), notice is hereby given of the filing with the Hearing Clerk of the recommended decision of the Assistant Administrator, Production and Marketing Administration, United States Department of Agriculture, with respect to a proposed marketing agreement and a proposed order amending the order, as amended, regulating the handling of milk in the Greater Kansas City marketing area. Interested parties may file written exceptions to this recommended decision with the Hearing Clerk, Room 1844, South Building, United States Department of Agriculture, Washington 25, D. C., not later than the close of business on the 5th day after publication of this recommended decision in the FEDERAL REGISTER. Exceptions should be filed in quadruplicate.

*Preliminary statement.* The hearing on the record of which the proposed marketing agreement and the proposed order were formulated was conducted at Kansas City, Missouri, on June 2, 1948, pursuant to notice thereof which was published in the FEDERAL REGISTER on May 12, 1948 (13 F. R. 2570).

The only material issues of record were the amounts of the Class I and Class II differentials over the basic price.

*Findings and conclusions.* The following findings and conclusions on these issues are based upon the evidence intro-

duced at the hearing and the record pertaining thereto.

The Class I differential should be increased from 75 cents to \$1.00 during the months of March to August, inclusive, and from 95 cents to \$1.45 during the months of September to February, inclusive, of each year.

The Class II differentials should be increased from 50 cents to 75 cents during the months of March to August, inclusive, and from 70 cents to \$1.20 during the months of September to February, inclusive, of each year.

The record evidence indicates that immediate action must be taken if the Greater Kansas City market is to be supplied with the necessary volume of milk. From January 1943 to August 1947 there was a constant increase in the number of producers on the market, the number increasing from 1391 to 2351. From 1943 to 1947, also, the average production on the market increased substantially, from a monthly average of 11.4 million pounds in 1943 to an average of 19.8 million pounds in 1947. In spite of this great increase production failed to keep pace with demand, and except for the months of flush production, Class I and II sales were far in excess of receipts.

Since August 1947 the production pattern has deteriorated rapidly, the number of producers declining from the peak of 2351 to 2230 in April 1948. The average production of the producers remaining on the market has fallen sharply also. In April 1947 average daily production was 315 pounds, while in April of this year it was only 296 pounds. Total production for the month of April 1947 was 21,262,023 pounds, while in April 1948 it was only 19,810,201 pounds. The total of Class I and Class II sales has been substantially higher than a year ago during each of the first four months of this year. Receipts of milk from producers in the same months have been substantially below those of a year ago.

Based on recent market statistics it was estimated by the producers association that an additional 500 producers would be needed merely to supply the market with its Class I and Class II needs during the fall months if the present average production per farm followed its normal seasonal pattern. In November 1947, production was more than 3 million pounds less than Class I and Class II sales and in December it was almost 4 million pounds less than sales. It is obvious that if the market is to be supplied with sufficient milk, new producers must be drawn to the market or the present producers must be encouraged to increase their production substantially.

Under existing conditions the present differentials have failed to maintain, let alone increase, either the number of producers or the average production per farm. A great many factors have contributed to this decline in the milk supply. Perhaps the most important single item is the fact that the milkshed lies principally in a diversified farm area, and producers may shift readily from dairying to other farm enterprises as they become more favorable. The evidence shows that over the past year the production of beef, hogs, and cash grains

has been relatively much more favorable than milk production. At the same time the price of cows for slaughter has been at an all time high. The result has been that many producers have abandoned dairying altogether. Many others have disposed of a portion of their cows at the current peak prices and have retained only a portion of their herds. Some 600 producers, in reply to a questionnaire sent out by the cooperative association, indicated that they had sold for slaughter an average of 5.8 cows during the past year.

If these cows are to be replaced at present high prices, or if additional producers are to be brought on the market, the price of milk must be brought into a more favorable relationship with competing enterprises. It is estimated that under the conditions likely to prevail in the immediate future increases in the Class I and Class II differentials of at least 25 cents during the spring and summer, and 50 cents during the fall and winter are the minimum amounts which might attract the necessary milk to the market. While it appears an average increase of 35 to 40 cents per hundredweight might bring enough milk on the market it is equally important that the bulk of the increased production occur during the fall and winter months when the market is extremely short. To this end it appears advisable to grant the major portion of the increase during the period when the market is shortest. Therefore instead of increasing the differential by 37.5 cents the year around, it should be increased by 25 cents during the months when production most nearly fills demand and by 50 cents during the months when production falls far short of consumption.

The notice upon which the hearing was held stated that the increased differentials should be effective until April 1950. The evidence offered by proponent's expert in relation to this proposal was somewhat conflicting. The testimony offered would seem to indicate that producers need definite assurance of the increased differentials until April 1950. This assurance is needed, it was claimed in order to induce producers to make the capital and herd improvement outlays which would be necessary to increase production. It was also testified that the differentials might become unsatisfactory before 1950 and that a re-examination of them would be necessary in that event. The record, therefore, does not present the unequivocal basis which would be necessary if definite assurance with respect to the proposed differentials were to be given until April 1950. Consequently, the order should provide only that the differentials be increased on Class I and Class II milk at this time. Such differentials will remain effective until changing conditions in the market warrant further amending action with respect to them.

Handlers objected to the increases in the differentials on the ground that such increases would result in decreased sales of Class I and Class II milk in the marketing area. There is no evidence to substantiate this view. On the contrary, the evidence indicates that the population of the marketing area is con-

tinuing to increase rapidly, that employment is at an all time high and promises to continue at or near present levels for some time to come, and that sales of Class I milk have been increasing steadily. It does not appear that the proposed increases in differentials will have the substantial adverse effects upon sales which handlers claimed they would have.

*Rulings on proposed findings and conclusions.* Briefs were filed on behalf of the Pure Milk Producers Association of Greater Kansas City, Inc. and the Bates County Milk Producers Association, and on behalf of the Kansas City Milk Distributors Association, and the Meyer Sanitary Milk Company. The briefs contain statements of fact, conclusions and arguments with respect to the provisions of the proposed amendments. Every point covered in the briefs was carefully considered along with the evidence in the record in making the findings and reaching the conclusions hereinbefore set forth. To the extent that the findings and conclusions contained in the briefs are inconsistent with the proposed findings and conclusions contained herein the request to make such findings or to reach such conclusions is denied on the basis of the facts found and stated in connection with the conclusions in the recommended decision.

*Recommended marketing agreement and order.* The following order is recommended as the detailed and appropriate means by which the foregoing conclusions may be carried out. The recommended marketing agreement is not included in this recommended decision because the regulatory provisions thereof would be the same as those contained in the recommended order.

1. Amend § 913.5 (a) by deleting subparagraphs (1) and (2) thereof and substituting therefor the following:

(1) *Class I milk.* The price per hundredweight of Class I milk shall be the price determined pursuant to paragraph (b) of this section plus \$1.00 during the months of March through August of each year and plus \$1.45 during all other months of each year.

(2) *Class II milk.* The price per hundredweight of Class II milk shall be the price determined pursuant to paragraph (b) of this section plus 75 cents during the months of March through August of each year and plus \$1.20 during all other months of each year.

Filed at Washington, D. C., this 9th day of July 1948.

[SEAL] S. R. NEWELL,  
Acting Assistant Administrator.

[F. R. Doc. 48-6329; Filed, July 14, 1948;  
8:56 a. m.]

#### 17 CFR, Part 9361

HANDLING OF FRESH BARTLETT PEARS,  
PLUMS, AND ELBERTA PEACHES GROWN  
IN CALIFORNIA

DECISION WITH RESPECT TO PROPOSED FURTHER AMENDMENTS TO THE MARKETING AGREEMENT AND ORDER

Pursuant to the rules of practice and procedure governing proceedings to for-

ulate marketing agreements and marketing orders, as amended (7 CFR and Supps. 900.1 et seq.; 12 F. R. 1159, 4904), a public hearing was held at Sacramento, California, April 12, 1948, pursuant to notice thereof which was published in the FEDERAL REGISTER (13 F. R. 1903) upon proposed further amendments to Marketing Agreement No. 85, as amended, hereinafter referred to as the "marketing agreement", and Order No. 36, as amended (7 CFR, Cum. Supp., Part 936), hereinafter referred to as the "order", regulating the handling of fresh Bartlett pears, plums, and Elberta peaches grown in the State of California, to be made effective pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.).

Upon the basis of the evidence introduced at the hearing and the record thereof, the Assistant Administrator, Production and Marketing Administration, on June 7, 1948, filed with the Hearing Clerk, United States Department of Agriculture, his recommended decision in this proceeding. The notice of the filing of such recommended decision, affording opportunity to file written exceptions thereto, was published in the FEDERAL REGISTER (13 F. R. 3126, 3257). No exception to the aforesaid recommended decision was filed.

The material issues, findings and conclusions, and the general findings of the recommended decision set forth in the FEDERAL REGISTER (F. R. Doc. 48-5199; 13 F. R. 3126, 3257), are hereby approved and adopted as the material issues, findings and conclusions, and general findings of this decision as if set forth in full herein.

**Marketing agreement and order.** Annexed hereto and made a part hereof are two documents entitled, respectively, "Agreement Amending the Marketing Agreement, as Amended, Regulating the Handling of Fresh Bartlett Pears, Plums, and Elberta Peaches Grown in the State of California" and "Order Amending the Order, as Amended, Regulating the Handling of Fresh Bartlett Pears, Plums, and Elberta Peaches Grown in the State of California" which have been decided upon as the appropriate and detailed means of effecting the foregoing conclusions. These documents shall not become effective unless and until the requirements of § 900.14 of the aforesaid rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders have been met.

*It is hereby ordered,* That all of this decision except the attached agreement amending the marketing agreement be published in the FEDERAL REGISTER. The regulatory provisions of the said agreement amending the marketing agreement, as amended, are identical with those contained in the attached order amending the order, as amended, which will be published with this decision.

This decision filed at Washington, D. C., this 12th day of July, 1948.

[SEAL] I. W. DUGGAN,  
Acting Secretary of Agriculture.

**Order<sup>1</sup> Amending the Order, as Amended, Regulating the Handling of Fresh Bartlett Pears, Plums, and Elberta Peaches Grown in the State of California**

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

(a) *Findings upon the basis of the hearing record.* Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.) and the rules of practice and procedure effective thereunder (7 CFR and Supps., 900.1 et seq.; 12 F. R. 1159, 4904), a public hearing was held at Sacramento, California, on April 12, 1948, upon proposed further amendments to the marketing agreement, as amended, and Order No. 62, as amended (7 CFR, Supp., 936.1 et seq.), regulating the handling of fresh Bartlett pears, plums, and Elberta peaches grown in the State of California. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

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

(2) The said order, as amended and as hereby further amended, regulates the handling of fresh Bartlett pears, plums, and Elberta peaches grown in the State of California in the same manner as, and is applicable only to persons in the respective classes of industrial and commercial activity specified in, the marketing agreement and the proposed amendments thereto upon which hearings have been held; and

(3) There are no differences in the production and marketing of said fruit grown in the production area covered by said order, as amended and as hereby further amended, that make necessary different terms and provisions applicable to different parts of such area.

*It is, therefore, ordered,* That, on and after the effective date hereof, the handling of fresh Bartlett pears, plums, and Elberta peaches grown in the State of California shall be in conformity to, and in compliance with, the terms and conditions of the aforesaid order, as amended and as hereby further amended; and such order is hereby amended as follows:

1. Insert the following immediately preceding the period in § 936.1 (b): "and further amended by Public Law 305, 80th Cong., approved August 1, 1947".

<sup>1</sup> This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders have been met.

2. Insert, after the first semicolon in § 936.2 (s) (3), the following: "to engage in such research and service activities in connection with the handling of such fruit as may be approved, from time to time, by the Secretary."

3. In § 936.2 (s) (8), insert the following immediately after the word "sizes": "or minimum standards of quality and maturity".

4. Delete the heading from § 936.4 and substitute, in lieu thereof, the following: "Regulation."

5. Delete the heading from § 936.4 (a), and substitute, in lieu thereof, the following: "By grades and sizes—(1) Recommendation."

6. Delete the paragraph designation "(b)" and its heading from § 936.4 and substitute, in lieu thereof, the following: "(2) Establishment."

7. Add to § 936.4 the following new paragraph:

(b) *By minimum standards of quality and maturity—(1) Recommendation.* Whenever a commodity committee, established pursuant hereto for a particular fruit, deems it advisable to establish during any period minimum standards of quality or maturity, or both, to govern shipments of such fruit pursuant to this paragraph, it shall so recommend to the Secretary. Each such recommendation of the committee shall be in terms of (i) minimum standards of maturity; (ii) freedom of fruit from material waste; (iii) freedom of fruit from material impairment of shipping quality; (iv) freedom of fruit from material impairment of edible quality; (v) freedom of fruit from serious damage to appearance; (vi) minimum size requirements; or (vii) any combination of the foregoing. With each such recommendation, the committee shall submit to the Secretary the information and data on which such recommendation is predicated; and such commodity committee shall also submit to the Secretary such other information as he may request.

(2) *Establishment.* Whenever the Secretary finds, from the recommendation and information submitted by a commodity committee established pursuant hereto for a particular fruit or from other available information, that to establish minimum standards of quality or maturity, or both, for such fruit and to limit the shipment of such fruit during any period to that meeting the minimum standards would be in the public interest and would tend to effectuate the declared policy of the act, he shall establish such standards, designate such period, and so limit the shipment of such fruit. The Secretary shall immediately notify such commodity committee of the minimum standards so established and the period so designated; and the committee shall give such notice thereof as may be reasonably calculated to bring such regulation to the attention of all interested parties.

8. Delete the provisions in § 936.4 (c) *Exemptions* of the order and insert, in lieu thereof, the following:

(1) Each commodity committee, established pursuant hereto for a particular fruit, shall, subject to the approval of

the Secretary, adopt the procedural rules to govern the issuance of exemption certificates.

(2) In the event the Secretary issues a regulation for a particular fruit pursuant to the provisions in paragraph (a) of this section, the commodity committee established pursuant hereto for such fruit shall determine what the percentage of such fruit permitted to be shipped from each district is of the total quantity of such fruit which would be shipped from such district in the absence of such regulation. An exemption certificate shall thereafter be issued by such committee to any grower who furnishes proof, satisfactory to such committee, that by reason of conditions beyond his control he will be prevented, because of the regulation issued, from shipping, or having shipped, a percentage of his crop of such fruit equal to the percentage, determined as aforesaid, of all such fruit permitted to be shipped from his district. The certificate shall permit such grower to ship, or have shipped, a percentage of his crop of such fruit equal to the percentage determined as aforesaid. Each such commodity committee shall maintain a record of all applications submitted for exemption certificates pursuant to the provisions of this section, and shall maintain a record of all certificates issued, including the information used in determining in each instance the quantity of fruit thus to be exempted, and a record of all shipments of exempted fruit. Such additional information as the Secretary may require shall be recorded in the records of such committee. Each commodity committee shall, from time to time, submit to the Secretary reports stating in detail the number of exemption certificates issued, the quantity of fruit thus exempted, and such additional information as may be requested by the Secretary.

(3) In the event the commodity committee, established pursuant hereto for a particular fruit, determines that by reason of general crop failure or any other unusual conditions within a particular district or districts, it is not feasible or would not be equitable to issue exemption certificates to growers within such district or districts on the basis set forth in subparagraph (2) of this paragraph, it may issue exemption certificates on the basis of the average of the percentages, as determined under subparagraph (2) of this paragraph, of the crops of such fruit permitted to be shipped from all districts. An exemption certificate shall thereafter be issued by such committee to any grower who furnishes proof satisfactory to such committee to the effect that such grower will be prevented, because of the aforesaid regulation, from shipping, or having shipped, as large a percentage of his crop of such fruit as the average of the percentages, as determined under subparagraph (2) of this paragraph, of the crops of such fruit permitted to be shipped from all districts. The certificate shall permit such grower to ship, or have shipped, a percentage of his crop of such fruit equal to the average of the percentages determined as aforesaid.

(4) If any grower is dissatisfied with the action of a commodity committee taken with respect to his application for an exemption certificate, such grower may appeal to the Secretary: *Provided*, That such appeal shall be made promptly. The Secretary may, upon an appeal made as aforesaid, modify or reverse the action of the committee from which such appeal was taken. The authority of the Secretary to supervise and control the issuance of exemption certificates is unlimited and plenary; and any determination by the Secretary with respect to an exemption certificate shall be final and conclusive.

9. Insert before the period at the end of the first sentence of § 936.4 (d), the following: "or minimum standards of quality and maturity."

10. Insert, after the word "size" in the last sentence of § 936.4 (d), the following: "or quality and maturity".

11. Add the following new paragraph to § 936.4:

(e) *Modification, suspension, or termination.* Whenever a commodity committee, established pursuant hereto for a particular fruit, deems it advisable to recommend to the Secretary the modification, suspension, or termination of any or all of the regulations established pursuant to paragraphs (a) or (b) of this section, it shall so recommend to the Secretary. If the Secretary finds, upon the basis of such recommendation or upon the basis of other available information, that to modify any such regulations will tend to effectuate the declared policy of the act, he shall so modify such regulations. If the Secretary finds, upon the basis of such recommendation or upon the basis of other available information, that any such regulations obstruct or do not tend to effectuate the declared policy of the act, he shall suspend or terminate such regulations. The Secretary shall immediately notify such commodity committee, and such commodity committee shall promptly give adequate notice to handlers and growers, of the issuance of each order modifying, suspending, or terminating any such regulations. In like manner and upon the same basis the Secretary may terminate any such modification or suspension.

12. Delete the first sentence in § 936.8 (a) and insert, in lieu thereof, the following:

§ 936.8 *Expenses and assessments—*  
(a) *Expenses.* The Control Committee is authorized to incur such expenses as the Secretary may find are reasonable and are likely to be incurred by the Control Committee during the then current fiscal period for the maintenance and functioning of such committee and the respective commodity committees, and for such research and service activities relating to the handling of fruit as the Secretary may determine to be appropriate.

13. Delete the last sentence of § 936.8 (b).

[F. R. Doc. 48-6324; Filed, July 14, 1948; 8:55 a. m.]

## [7 CFR, Part 936]

## HANDLING OF FRESH BARTLETT PEARS, PLUMS, AND ELBERTA PEACHES GROWN IN CALIFORNIA

## ORDER DIRECTING THAT REFERENDUM BE CONDUCTED, DESIGNATION OF AGENTS TO CONDUCT REFERENDUM; DETERMINATION OF REPRESENTATIVE PERIOD

Pursuant to the applicable provisions of Public Act No. 10, 73d Congress (May 12, 1933), as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), it is hereby directed that a referendum be conducted among the producers who, during the period April 1, 1947 to March 31, 1948, both dates inclusive (which period is hereby determined to be a representative period for the purpose of such referendum), were engaged, in the State of California, in the production of Bartlett pears, plums, or Elberta peaches for shipment in fresh form to determine whether such producers favor the issuance of an order amending Order No. 36, as amended (7 CFR, Cum. Supp., Part 936), regulating the handling of fresh Bartlett pears, plums, and Elberta peaches grown in the State of California, which amendatory order is attached to the decision of the Secretary of Agriculture filed simultaneously herewith.<sup>1</sup> D. M. Rubel, G. A. Nahstoll, R. M. Walker, and J. H. Bryce of the Fruit and Vegetable Branch, Production and Marketing Administration, United States Department of Agriculture, are hereby designated agents of the Secretary of Agriculture, to perform jointly or severally, the following functions in connection with the referendum:

(a) Conduct said referendum in the manner herein prescribed.

(1) By giving opportunity to each of the aforesaid producers to cast his ballot in the manner herein authorized, relative to the aforesaid amendments to the amended marketing agreement and order, on a copy of an appropriate ballot form. A cooperative association of such producers, bona fide engaged in marketing Bartlett pears, plums, or Elberta peaches grown in the State of California or in rendering services for or advancing the interests of the producers of any such fruits, may vote for the producers who are members of, stockholders in, or under contract with, such cooperative association (such vote to be cast on a copy of the appropriate ballot form), and the vote of such cooperative association shall be considered as the vote of such producers.

(2) By giving public notice, as prescribed in (a) (3) hereof, (i) of the time during which the referendum will be conducted, (ii) that any ballots may be cast by mail, and (iii) that all ballots so cast must be addressed to J. H. Bryce, Field Representative, Western Marketing Field Office, Fruit and Vegetable Branch, 221 California Fruit Building, 4th and Jay Street, Sacramento, California, and the time prior to which such ballots must be postmarked.

<sup>1</sup> See F. R. Doc. 48-6324, *supra*.

## PROPOSED RULE MAKING

(3) By giving public notice (i) by utilizing available agencies of public information (without advertising expense), including both press and radio facilities in the State of California; (ii) by mailing a notice thereof (including a copy of the appropriate ballot form) to each such cooperative association and to each producer whose name and address is known; and (iii) by such other means as said referendum agents or any of them may deem advisable.

(4) By conducting meetings of producers and arranging for balloting at the meeting places, if said referendum agents or any of them determines that voting may be conducted at meetings. At each such meeting, balloting shall continue until all of the producers who are present, and who desire to do so, have had an opportunity to vote.

(5) By giving ballots to producers at the meeting; and receiving any ballots when they are cast.

(6) By securing the name and address of each person casting a ballot, and inquiring into the eligibility of such person to vote in the referendum.

(7) By giving public notice of the time and place of any meetings authorized hereunder by posting a notice thereof, at least two days in advance of each such meeting, at each such meeting place, and in two or more public places within the applicable area; and, so far as may be practicable, by giving additional notice in the manner prescribed in paragraph (a) (3) hereof.

(8) By forwarding to J. H. Bryce, Field Representative, Western Marketing Field Office, Fruit and Vegetable Branch, 221 California Fruit Building, 4th and Jay Streets, Sacramento 14, California, immediately after the close of the referendum, the following:

(i) A register containing the name and address of each producer to whom a ballot form was given;

(ii) A register containing the name and address of each producer from whom an executed ballot was received;

(iii) All of the ballots received by the respective referendum agent in connection with the referendum, together with a certificate to the effect that the ballots forwarded are all of the ballots cast and which were received by the respective agent during the referendum period;

(iv) A statement showing when and where each notice of referendum posted by said agent was posted and, if the notice was mailed to producers, the mailing list showing the names and addresses to which the notice was mailed and the time of such mailing; and

(v) A detailed statement reciting the method used in giving publicity to such referendum.

(9) By appointing any county farm adviser in the State of California, and any other persons deemed necessary or desirable, to assist the said referendum agents in performing their duties hereunder. Each such county farm adviser and other person so appointed shall serve without compensation, and may be authorized by the said referendum agents or any of them to perform any or all of the functions set forth in paragraphs (a) (5), (6), (7), and (8) hereof (which, in the absence of such appointment of subagents, shall be performed

by said referendum agents) in accordance with the requirements herein set forth.

(b) Upon receipt by J. H. Bryce of all ballots cast in accordance with the provisions hereof, and such other information and data as may be required pursuant hereto, he shall forward the ballots, together with the information and data to the Fruit and Vegetable Branch, Production and Marketing Administration, United States Department of Agriculture, Washington 25, D. C. The Fruit and Vegetable Branch shall canvass the ballots and prepare and submit to the Secretary a detailed report covering the results of the referendum, the manner in which the referendum was conducted, the extent and kind of public notice given, and all other information pertinent to the full analysis of the referendum and its results.

(c) Each referendum agent and appointee pursuant hereto shall not refuse to accept a ballot submitted or cast; but should they, or any of them, deem that a ballot should be challenged for any reason, or if such ballot is challenged by any other person, said agent or appointee shall endorse above his signature, on the back of said ballot, a statement that such ballot was challenged, by whom challenged, and the reasons therefor; and the number of such challenged ballots shall be stated when they are forwarded as provided herein.

(d) All ballots shall be treated as confidential.

The Director of the Fruit and Vegetable Branch, Production and Marketing Administration, United States Department of Agriculture, is hereby authorized to prescribe additional instructions, not inconsistent with the provisions hereof, to govern the procedure to be followed by the said referendum agents and appointees in conducting said referendum.

Copies of the aforesaid amendments to the order may be examined at the Office of the Hearing Clerk, United States Department of Agriculture, Washington 25, D. C. or obtained from the Western Marketing Field Office of the Fruit and Vegetable Branch, Production and Marketing Administration, either at 221 California Fruit Building, Fourth and Jay Streets, Sacramento 14, California, or 2168 Milvia Street, Berkeley 1, California.

Ballots to be cast in the referendum may be obtained from any referendum agent, and any appointee hereunder.

Done at Washington, D. C. this 12th day of July 1948.

[SEAL] I. W. DUGGAN,  
Acting Secretary of Agriculture.

[F. R. Doc. 48-6331; Filed, July 14, 1948;  
8:54 a. m.]

## [7 CFR, Part 951]

TOKAY GRAPES GROWN IN CALIFORNIA  
NOTICE OF RECOMMENDED DECISION AND OPPORTUNITY TO FILE WRITTEN EXCEPTIONS WITH RESPECT TO PROPOSED AMENDMENTS TO AMENDED MARKETING AGREEMENT AND ORDER

Pursuant to the rules of practice and procedure governing proceedings to for-

mulate marketing agreements and marketing orders, as amended (7 CFR and Supps. 900.1 et seq.; 12 F. R. 1159, 4904), notice is hereby given of the filing with the Hearing Clerk of this recommended decision of the Assistant Administrator, Production and Marketing Administration, United States Department of Agriculture, with respect to proposed amendments to Marketing Agreement No. 93, as amended (hereinafter referred to as the "marketing agreement"); and Order No. 51, as amended (7 CFR, Cum. Supp., Part 951), hereinafter referred to as the "order," regulating the handling of Tokay grapes grown in the State of California to be made effective pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.; 61 Stat. 208, 707). Interested parties may file exceptions to this recommended decision with the Hearing Clerk, United States Department of Agriculture, Room 1846, South Building, Washington 25, D. C., not later than the close of business on the 10th day after publication hereof in the FEDERAL REGISTER. Exceptions should be filed in quadruplicate.

*Preliminary statement.* The public hearing, on the record of which the proposed amendments to the marketing agreement and order are formulated, was initiated by the Production and Marketing Administration as a result of proposed amendments received from the Industry Committee, established pursuant to the marketing agreement and order as the agency to administer the terms and provisions thereof. In accordance with the applicable provisions of the aforesaid rules of practice and procedure, a notice that a public hearing would be held at Lodi, California, on April 15, 1948, to consider the proposed amendments, was published in the FEDERAL REGISTER (13 F. R. 1940) on April 9, 1948.

*Material issues.* The material issues presented on the record of the hearing were concerned with amending the marketing agreement and order to provide, with respect to Tokay grapes produced in the State of California:

(1) For the establishment of minimum standards of quality and maturity to be effective during specified periods even though the seasonal average price of Tokay grapes exceeds the parity level set forth therefor in section 2 (1) of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.; 61 Stat. 208, 707).

(2) That, whenever any grower furnishes proof satisfactory to the Industry Committee that by reason of conditions beyond his control he will be prevented because of a grade regulation then in effect from shipping, or having shipped, a percentage of his crop of Tokay grapes equal to the percentage, determined by such committee, of all such grapes permitted to be shipped from his district, such committee shall issue an exemption certificate to such grower authorizing the shipment of a percentage of his crop of such grapes equal to the aforesaid percentage;

With respect to the issuance of exemption certificates, that, in the event the Industry Committee determines that by reason of a general crop failure or any

other unusual conditions in a particular district, it is not feasible or would not be equitable to issue such certificates on the basis of the aforesaid percentage of grapes permitted to be shipped from such district, the average of the percentages determined, as aforesaid, for both districts shall be used;

(3) For the modification, suspension, or termination by the Secretary of any regulation theretofore issued and then in effect;

(4) To authorize the Industry Committee to engage in such research and service activities in connection with the handling of Tokay grapes as may be approved, from time to time, by the Secretary; and for the financing of such activities;

(5) For the deletion of the provisions in section 4 (b) (2) of the marketing agreement and § 951.4 (b) (2) of the order which provide for the establishment of separate grade regulations applicable to shipments of Tokay grapes to destinations on the continent of North America and to destinations off the continent of North America;

(6) Changes in the definition of "handle" by eliminating the reference to the preparation of the grapes for transportation, by including the delivery of grapes to cold storage, and by extending the scope of the program to shipments within the State of California.

(7) For altering the delimitations of the election districts in the Lodi District to conform to the current school districts;

(8) Other changes; and

(9) For the prohibition of shipments of Tokay grapes for periods not to exceed 48 consecutive hours.

*Findings and conclusions.* The findings and conclusions relating to the material issues are based upon the evidence introduced at the hearing and the record thereof, and are as follows:

(1) The marketing agreement and order should be amended to permit continued operation of the marketing agreement and order program under minimum standards of quality and maturity during periods when the seasonal average price of Tokay grapes grown in the State of California exceeds the parity level set forth therein in section 2 (1) of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.; 61 Stat. 208, 707). During seasons when the average price of Tokay grapes was not in excess of the aforesaid parity level, grade and size regulations were made effective pursuant to the provisions of the marketing agreement and order. As only mature and properly graded Tokay grapes were supplied to the markets, considerable good will was achieved among consumers during such periods. At other times, when the seasonal average price of Tokay grapes was in excess of parity, the regulatory provisions of the program were rendered inoperative, as required by the Agricultural Marketing Agreement Act of 1937, as amended. The reversion during such periods by some members of the industry to less rigid grading practices, because of the absence of the grade and size regulation, invariably destroyed

some of the previously earned good will, as, in many instances, consumers were offered immature or off-grades of grapes of otherwise poor quality. The suspension of regulatory activities under the marketing agreement and order program has also seriously interfered with the operations of the Industry Committee. Because of the lack of continuity, it is extremely difficult to operate the marketing agreement and order program effectively under such conditions.

Public Law 305, 80th Congress, approved August 1, 1947 (61 Stat. 707), permits minimum standards of quality and maturity to be established and maintained in effect even though the seasonal average price of the regulated commodity is above parity, if such action will effectuate orderly marketing in the public interest. Through the use of minimum standards of quality and maturity during any season when the average price of California Tokay grapes is above the parity level, the Industry Committee would be in a position to recommend that the Secretary regulate, to the extent prescribed by such minimum standards, the quality and maturity of shipments of Tokay grapes at times when more stringent regulations may not be invoked. Such recommendations for the establishment of minimum standards of quality or maturity, or both, to govern the shipment of Tokay grapes should be in terms of (i) freedom of the grapes from material impairment of shipping quality; (ii) freedom of the grapes from material impairment of edible quality; (iii) freedom of the grapes from serious damage to appearance; (iv) a minimum maturity requirement; or (v) any combination of the foregoing. Specification of the attributes or elements of quality and maturity is necessary in order to delineate the basis upon which any such recommendation should be made by the Industry Committee.

The structure of the amendment, authorizing the Industry Committee to recommend and the Secretary to establish, on the basis of such recommendation or other available information, minimum standards of quality and maturity, affords the necessary maximum flexibility in the establishment, modification, suspension, or termination of such minimum standards which would otherwise be absent if the specific standards were detailed in the amendment. It is impracticable to anticipate with precision the varying climatic and other conditions which may prevail during a particular marketing season and which may have a direct bearing on the minimum standards of quality and maturity which are to be in effect during such season. As experience in the operation of this amendment demonstrates the exact needs, appropriate adjustments in the standards can be made.

The desirability of prohibiting the shipment of Tokay grapes which do not meet minimum standards of quality and maturity was emphasized at the hearing because of the tendency on the part of some growers and shippers in the industry to ship grapes of poor quality when prices are high. The marketing of immature grapes or grapes of low quality clearly is not in the best interest of con-

sumers. The continued shipment of immature or low grade grapes would, because of increasing consumer resistance thereto and because of the long distance over which most shipments of such grapes must travel to the eastern consuming markets, tend to result in some direct financial loss to all elements of the industry. Such a development is not conducive to such orderly marketing of California Tokay grapes as will be in the public interest.

In the establishment of minimum standards of quality and maturity for Tokay grapes, there should be considered the four factors of (1) freedom of the grapes from material impairment of shipping quality, (2) freedom of the grapes from material impairment of edible quality, (3) freedom of the grapes from serious damage to appearance, and (4) a minimum maturity requirement. Minimum standards of quality should prevent the shipment of grapes which might deteriorate seriously in course of transportation as most shipments of grapes are in transit at least eight to ten days. Grapes which are weak, crushed, wet, rain damaged, or soft or heat injured, or are affected by live mildew, mold, or decay will deteriorate further in transit and will arrive in the markets in wasteful condition. Minimum standards of quality should prevent the shipment of grapes unless such grapes are free from material impairment of edible quality. Grapes with mealy bug injury or which have been damaged by freezing, poorly developed grapes, waterberry, or grapes possessing any defect which will cause serious deterioration in transit would be so unpalatable on arrival in the markets that they would prove unacceptable to the public under any condition. Nearly all of the defects causing serious impairment of either shipping or edible quality, or both, are classed as serious defects in the United States Standards for Table Grapes (12 F. R. 13568) and are limited, in the U. S. No. 1 Table Grapes grade, to a total tolerance of 3 percent, by weight, including not more than one-half of 1 percent of such grapes which may be affected by decay.

In view of the serious nature of these defects and the excessive deterioration which normally develops from them in transit, the tolerance permitted under minimum standards of quality should not exceed twice the amount allowed in the aforesaid grade.

Minimum standards of quality should also prevent the shipments of grapes unless such grapes are free from serious damage to appearance. This type of defect is considered on the basis of the appearance of each bunch of grapes. Bunches could be seriously damaged in appearance if excessively straggly or if they contain a material number of small green berries, or badly scarred, sunburned or dried berries. While such grapes might not be objectionable with respect to their edible or shipping quality, they would not be acceptable to consumers because of their unattractive appearance.

In the establishment of a minimum standard of maturity for California Tokay grapes, the definition of maturity should be based upon the sugar content

of the grapes in the same manner as in the existing United States Standards for Table Grapes. The sugar test for such minimum standard of maturity should not be less than 17 percent soluble solids in juice, as determined by the Balling or Brix scale hydrometer, as grapes do not improve in sugar content or flavor after they are picked from the vines. Immature grapes were shown to be grapes which could not reasonably be considered palatable and edible and hence should not be shipped regardless of the level of prices to producers.

The evidence shows that the U. S. No. 1 grade for table grapes (with small additional tolerances for color, small bunches and damaged stems) such as has been used in prior seasons under grade and size regulation, closely approximates the standards which would be required to be met in order to deliver to the principal markets Tokay grapes of at least the minimum quality and condition acceptable to consumers. As Tokay grapes packed close to the minimum requirements of U. S. No. 1 grade are of very ordinary quality, most commercial shipments of Tokay grapes are packed well above the lowest requirements of that grade.

The inspection and certification requirement applicable to shipments under grade and size regulations, pursuant to this program, should be extended to shipments made during periods when any minimum standards are in effect in order to insure compliance with such regulations. Similarly, the assessment provisions should be extended so as to apply to such shipments in order to provide the funds necessary for the operation of the program.

(2) In order to continue to provide equitable treatment among growers, insofar as the effects of any given regulation or set of regulations is concerned, provision should be made to allow producers to ship, or have shipped, some Tokay grapes which otherwise would be prohibited by the regulations from being shipped. The exemption provisions hereinafter prescribed are designed to prevent the imposition of undue inequities as a consequence of the operation of the regulatory provisions of this marketing agreement and order program. The new provisions with respect to exemptions are based upon the existing exemption provisions and are designed to clarify and make more workable such provisions.

The Industry Committee should adopt procedural rules to govern the issuance of exemption certificates, as hereinafter set forth, without delaying such action until the specified portion of the estimated seasonal shipments of Tokay grapes has been made from each of the two districts. Operations under the program have demonstrated that the same procedural rules may be used each season. To make the aforesaid determination and announcement of the procedural rules each season whenever the committee finds that the specified portion of the estimated shipments of Tokay grapes in such marketing season has been shipped from each of the districts is impracticable because of the lack of

time required in which to make the procedural rules effective for use.

Upon the issuance of a regulation by the Secretary governing the handling of Tokay grapes, the Industry Committee should determine for each district what the proportion of such fruit permitted to be shipped from such district is of the total quantity of such fruit which would be shipped from such district in the absence of such regulation. This determination should be made in order to provide for (a) an indication of the proportion of the total crop of Tokay grapes in each of the districts that will be prohibited from being shipped as a result of the regulation, and (b) a basis for the issuance of exemption certificates to growers who are inequitably affected as a result of such regulation.

Evidence adduced at the hearing shows that exemption certificates should be issued in the event the conditions prerequisite to their issuance are met. An exemption certificate should be issued to any grower who furnishes proof satisfactory to the Industry Committee that by reason of conditions beyond his control he will be prevented, because of a regulation theretofore issued and then in effect, from shipping, or having shipped, a percentage of his crop of such fruit equal to the percentage, determined as aforesaid, of all such fruit permitted to be shipped from his district. The amendment is designed to state clearly and expressly that an exemption certificate shall be issued to any grower who furnishes requisite proof that by reason of conditions beyond his control the shipment of his grapes would be unduly curtailed because of the existing regulation.

Conditions beyond the control of growers, such as hail, frost, or wind injury or widespread insect infestation, are in contrast to conditions resulting from the lack of observance of proper cultural and harvesting practices. Proper cultural care and adequate thinning are necessary to produce good merchantable Tokay grapes for shipment for later consumption in fresh form. Evidence of record shows that the lack of observance of such practices by growers in the production of Tokay grapes should not be considered as a proper basis for the issuance of exemption certificates. The record further shows that it would not be equitable to permit growers who do not properly cultivate or thin their crops to be permitted to ship, through the means of exemption certificates, as large a proportion of their respective crops as those growers who did engage in such cultural practices.

If, in the event of a general crop failure or any other unusual condition within a particular district it is not feasible or would not be equitable to issue exemption certificates to growers on the basis of the percentage, determined as aforesaid, of Tokay grapes permitted to be shipped from such district, exemption certificates should be issued to growers on the basis of the average of the percentages, determined as aforesaid, for both districts. It is manifest, from the evidence adduced at the hearing, that such exemption certificates should also be issued, for the reasons hereinbefore discussed, whenever the requisite proof is

furnished by a grower that conditions beyond his control are the reason for such grower's application for an exemption certificate. Climatic conditions often result in sudden crop disasters; and exemptions from regulations, if warranted, should be provided as quickly as possible. Hence, the provisions dealing with the issuance of exemption certificates in such instances should authorize the Industry Committee to act promptly. The evidence also shows that the use of the foregoing method of averaging the percentages of both districts will be equitable and will tend to expedite the issuance of exemption certificates.

The provisions in the existing marketing agreement and order specifying the activities of employees with respect to the issuance of exemption certificates should be deleted as the activities and performance of employees are directed by the Industry Committee. The provisions with respect to appeals from the action of the committee regarding applications for exemption certificates should be continued in the amended program in order to permit any grower who is dissatisfied with such action to appeal to the Secretary for a modification or a reversal of such action. The Industry Committee should maintain adequate records of all applications submitted for exemption certificates and of all certificates issued, including the information used in determining, in each instance, the quantity of fruit to be so exempted and a record of all shipments of exempted fruit. Such data should be submitted, from time to time, to the Secretary in order to assure proper administration of these exemption provisions.

(3) Provisions should be made for the modification of any or all regulations, issued by the Secretary pursuant to sections 4 and 5 of the marketing agreement and §§ 951.4 and 951.5 of the order, if such modification will tend to effectuate the declared policy of the act. Provision should also be made for the suspension or termination by the Secretary of any such regulations which obstruct or do not tend to effectuate the declared policy of the act. These provisions should be stated explicitly in order to indicate clearly the plenary power of the Secretary with respect to such regulatory orders. Such action by the Secretary should be authorized not only on the basis of the committee's recommendation but also on the basis of information available to him.

Provision should be made for the Industry Committee to recommend to the Secretary the modification, suspension, or termination of any or all regulations established pursuant to this marketing agreement and order program, and to forward to the Secretary any such recommendation and pertinent information. Any modification relaxing a regulation in effect should be made effective promptly in order to permit Tokay grapes which meet the requirements of such modification to be shipped to consuming markets under the program.

(4) The marketing agreement and order should be amended to authorize the Industry Committee to engage in such research and service activities in connection with the handling of Tokay

grapes covered by this program as may be approved, from time to time, by the Secretary. Such activities are now added to the duties of the committee under the authorization of Public Law 305, 80th Congress. The precise activities in which the committee may engage, are, of course, to be confined to those that are directly related to the handling of Tokay grapes grown in the State of California. The committee should be authorized to finance such activities from assessments collected under the marketing agreement and order program.

(5) The evidence adduced at the hearing shown that, in the light of the experience of the Industry Committee and of the Shippers Advisory Committee during the period in which the marketing agreement and order program has been in operation, it is not practicable to establish separate grade and size regulations applicable to Tokay grapes shipped to destinations on the continent of North America and to destinations off the continent of North America. Such regulations do not allow the required flexibility in commercial operations necessary in the handling of a commodity such as Tokay grapes. The evidence also shows that it is not feasible to enforce the provisions of the marketing agreement and order which authorize a separate grade or size regulation applicable to Tokay grapes shipped to destinations on or off the continent of North America, and also authorize a separate grade or size regulation applicable to grapes which are shipped, either on or off the continent of North America, after having been under refrigeration in a storage warehouse in California. On the basis of the foregoing, there should be deleted from section 4 (b) (2) of the marketing agreement and § 951.4 (b) (2) of the order the provisions authorizing the establishment of grade regulations applicable to shipments of Tokay grapes to destinations on the continent of North America and to destinations off the continent of North America.

(6) The definition of the term "handle" should be amended by eliminating the reference to the preparation of grapes for transportation and by including the delivery of grapes to a refrigerated storage warehouse in the State of California. In addition to such changes, the notice of hearing proposed the substitution of the words "within the State of California" for the words "so as directly to burden, obstruct, or affect such commerce." The testimony of the proponents shows that it was not intended to regulate all intrastate movement of grapes but only such intrastate handling as directly burdens, obstructs, or affects the interstate shipment of grapes. For example, the delivery of grapes to a refrigerated storage warehouse in the State of California affects the interstate shipment of grapes as such storage grapes may be diverted in either interstate or intrastate commerce. In order to effectuate the declared policy of the act, the delivery of Tokay grapes to a refrigerated storage warehouse in the State of California should be subject to regulation under this program.

(7) As changes have occurred in the delimitations of the Lodi District during

the years since the initiation of the marketing agreement and order program, the marketing agreement and order should be amended so that the election districts for committeemen will conform to existing school districts in the Lodi District.

(8) Several changes should be made in the marketing agreement and order so as to make the entire marketing agreement and order conform to the proposed amendments. These changes include the renumbering of paragraphs and other matters of minor importance. The definition of the term "cold storage," as proposed in the notice of hearing, is not deemed necessary as the objective will be accomplished by revision of the wording of the definition of "handle."

(9) The marketing agreement and order should not be amended to provide for the prohibition of shipments of Tokay grapes for periods not to exceed 48 consecutive hours. At the hearing, the proponents explained that:

(a) The objective of the provision is to prohibit shipments for a period of one or two days, primarily on Saturday and Sunday, whenever the daily shipments of Tokay grapes are at a rate beyond the ability of the receiving markets to absorb at a reasonable price. A prohibition of shipments is authorized under section 5 of the marketing agreement and § 951.5 of the order to prevent the accumulation of an excessive number of carlots of grapes at railroad assembly points when regulations pursuant to those sections are in effect. Because of the existing shortage of rail refrigerator equipment, however, the retention of loaded cars in concentration yards is not being permitted and, therefore, no regulations could be made effective under such sections.

(b) In late years many of the more important markets in the United States have adopted the five-day week. The elimination of Saturday as a working day in these markets naturally has a bearing on the operations of the shippers in the producing areas, who, in many instances, continue to load grapes seven days during the week.

(c) The proposed restriction would prove effective in curtailing shipments of grapes because of certain limiting factors such as the availability of trained pickers and packers, and the capacity of the packing facilities. These factors should preclude the increased packaging and loading of grapes before and after the so-called "shipping holidays," which would otherwise tend to nullify the effect of the prohibition.

(d) Restriction periods, if recommended, would usually be scheduled for Saturdays and Sundays, so as to cause minimum interference with the observance of either of those days as the Sabbath. The proposal, however, would permit the establishment of restriction periods on other days of the week as well, if conditions warranted.

(e) The proposal would permit a person to package and to deliver Tokay grapes to a refrigerated warehouse for the purpose of storage. A further proposal submitted at the hearing would permit persons, who regularly had their Tokay grapes packed in packing houses, to begin harvesting operations on the last day of a restriction period to offset the

loss of the day prior to the initiation of a restriction period on which harvesting could not be performed because the restriction would preclude packaging during the restriction period.

(f) It would be necessary to provide, and a proposal to that effect was introduced at the hearing, for the safeguarding of any surplus of Tokay grapes left over upon the conclusion of loading operations prior to the beginning of a restriction period. Such surplus grapes would be permitted to be conveyed to a cold storage warehouse for storage, or stored in a refrigerator car or refrigerator truck during the restriction period.

(g) It would be necessary to mark the containers in which Tokay grapes are stored during a restriction period so that such lots could be distinguished readily from those placed in cold storage prior to or after such restriction periods.

(h) Regulation and enforcement would begin when the trimmed bunches of grapes are placed in a standard container.

(i) Even though under the proposed plan of restricting shipments the quantity shipped was not materially reduced over that which would have been shipped during a week in the absence of such regulation, the prospect of a restriction of shipments would tend to reassure the buying trade against an abrupt decline in the market value of Tokay grapes.

At the hearing the opponents contended that:

(a) Further limitation of shipments of Tokay grapes, if necessary, should be accomplished through a tightening of the grade requirements particularly as to color.

(b) There is a lack of available storage in the producing area which would make the proposed plan inequitable as between growers and handlers who have cold storage facilities available and those who do not have such facilities.

(c) There would be an adverse effect on labor relations if the shipment of Tokay grapes was limited in successive weeks to five-day operations in such weeks. Moreover, there would result competition between growers for additional help to harvest Tokay grapes prior to restriction periods. In fact, in their endeavor to expedite the harvesting of as large a quantity as possible prior to the cessation of operations, such competition among growers would lead, quite likely, to an increase in the cost of harvesting Tokay grapes.

(d) In addition to the other ill effects which may result from the interruption to the shipping and marketing of Tokay grapes, a majority of the growers would be prevented from harvesting during such restriction periods, in the event of imminent adverse weather conditions.

The regulation of daily shipments by means of the car concentration plan is authorized under Section 5 of the marketing agreement and § 951.5 of the order now in effect. The proposal here under consideration would authorize the establishment of restriction periods without regard to the car concentration plan. The evidence submitted at the hearing in support of this proposal was insufficient to justify its adoption. The proposal contemplated primarily the establish-

ment of such periods of restriction over weekends. While, under such an arrangement, reduction in the total quantity shipped during a particular week may prove negligible, it was contended that the respite allowed, because of the restriction period, for the disposal of unsold rolling cars would prove of greater benefit to the industry than an actual decrease in the number of carloads shipped during a given period. A reduction in shipments could be effected, however, by the imposition of restriction periods at more frequent intervals.

It was also proposed at the hearing that persons who regularly had their grapes packed in packing houses be permitted to begin harvesting operations on the last day of a restriction period to offset the loss of the day prior to the initiation of such period on which harvesting could not be performed because of the prohibition of packaging during the restriction period. Such a provision would add greatly to the difficulties of enforcing the program. No factual material was submitted by the proponents at the hearing to demonstrate the effect of the proposed restriction periods on the price level.

**General findings.** (1) The marketing agreement, as hereby proposed to be amended, and the order, as hereby proposed to be amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act;

(2) The marketing agreement, as hereby proposed to be amended, and the order, as hereby proposed to be amended, regulate the handling of Tokay grapes grown in the State of California in the same manner as, and are applicable only to persons in the respective classes of industrial and commercial activity specified in, the marketing agreement upon which hearings have been held; and

(3) There are no differences in the production and marketing of Tokay grapes grown in the production area covered by said marketing agreement, as hereby proposed to be amended, and said order, as hereby proposed to be amended, that make necessary different terms and provisions applicable to different parts of such area.

**Rulings on proposed findings and conclusions.** A brief in opposition to the proposed amendment No. 15, providing for the restriction of shipments, was submitted within the prescribed time on behalf of Floyd J. Harkness, Molly A. Harkness, Floyd James Harkness, Jr., and Harriet Harkness Colgate, Copartners, doing business under the firm name and style of United Packing Company, a copartnership.

The brief contains statements of fact, conclusions, and arguments with respect to the evidence adduced at the hearing relating to the proposal. Each point included in the brief was carefully considered along with the evidence in the record in making the findings and in reaching the conclusions hereinbefore set forth in reference to this amendment. To the extent that any such suggested finding and conclusion contained in the brief is inconsistent with the findings and conclusions contained herein, the request to make such finding or reach such conclusion is denied on the basis of

the facts found and stated in connection with the conclusions in the recommended decision.

**Recommended amendments to the marketing agreement and order.** The following amendments to the marketing agreement and order are recommended as the detailed and appropriate means by which the foregoing conclusions may be carried out:

1. Insert the following immediately preceding the period in section 1 (b) of the marketing agreement and § 951.1 (b) of the order: "and further amended by Public Law 305, 80th Cong., approved August 1, 1947".

2. Delete section 1 (g) of the marketing agreement and § 951.1 (g) of the order and insert, in lieu thereof, the following:

(g) "Handle" is synonymous with "ship" and means to sell, load in a conveyance for transportation, offer for transportation, transport, deliver to a refrigerated storage warehouse in the State of California, or, in any other way to place grapes in the current of commerce between the State of California and any point outside thereof, or so as directly to burden, obstruct or affect such commerce.

3. Delete section 1 (k) (1) of the marketing agreement and § 951.1 (k) (1) of the order and insert, in lieu thereof, the following:

(1) "Lodi District" means the County of San Joaquin, and shall be divided into the following Election Districts: (i) "Acampo Election District" means the school district of Houston; (ii) "Woodbridge Election District" means the school district of Woods, and that portion of the Galt Joint Union School District situated in San Joaquin County; (iii) "Lafayette Election District" means the school districts of Lafayette, Henderson, Turner, Ray, Terminus and New Hope; (iv) "Victor Election District" means the school districts of Bruella, Victor, Lockeford, Oak View and Clements; (v) "Alpine Election District" means the school districts of Alpine and Lodi; (vi) "Live Oak Election District" means all of the school districts in the Lodi District, other than those included in the Acampo, Woodbridge, Lafayette, Victor, and Alpine Election Districts.

4. Delete the third sentence from section 2 (a) of the marketing agreement and § 951.2 (a) of the order.

5. Insert the following immediately preceding the semicolon in section 2 (m) (3) of the marketing agreement and § 951.2 (m) (3) of the order: ", and to engage in such research and service activities relating to the handling of grapes as may be approved, from time to time, by the Secretary".

6. In sections 2 (m) (13), 2 (m) (15), and 2 (p) (5) of the marketing agreement delete the words "sections 4 and 5" and in §§ 951.2 (m) (13), 951.2 (m) (15), and 951.2 (p) (5) of the order delete the words "§§ 951.4 and 951.5" and insert, in lieu thereof, the words "the provisions."

7. Delete the first sentence in section 3 (a) of the marketing agreement and § 951.3 (a) of the order and insert, in

lieu thereof, the following: "The Industry Committee is authorized to incur such expenses as the Secretary may find are reasonable and are likely to be incurred by the Industry Committee during the then current season for its maintenance and functioning and for such research and service activities relating to the handling of grapes as the Secretary may determine to be appropriate."

8. In the first sentence in section 3 (b) of the marketing agreement and § 951.3 (b) of the order delete the words after "will be," and insert, in lieu thereof, the following: "incurred, as aforesaid, by the committee during such season."

9. In section 4 (b) of the marketing agreement and § 951.4 (b) of the order delete subparagraph (2) and renumber subparagraph (3) as "(2)".

10. Delete the provisions of subparagraphs (1) through (5) of section 4 (c) *Exemptions* of the marketing agreement and § 951.4 (c) *Exemptions* of the order, renumber subparagraph (6) of such section 4 (c) and § 951.4 (c) to read "(5)", and insert the following:

(1) The Industry Committee shall, subject to the approval of the Secretary, adopt the procedural rules to govern the issuance of exemption certificates.

(2) In the event the Secretary issues a regulation pursuant to this section, the Industry Committee shall determine for each district the percentage which the grapes produced in each such district, and permitted to be shipped under such regulation, is of the quantity of grapes produced in the respective district which would be shipped in the absence of such regulation. An exemption certificate shall thereafter be issued by the Industry Committee to any grower who furnished proof, satisfactory to such committee, that by reason of conditions beyond his control he will be prevented, because of the regulation issued, from shipping or having shipped, a percentage of his crop of grapes equal to the percentage determined as aforesaid of all grapes permitted to be shipped from his district. The certificate shall permit such grower to ship, or have shipped, a percentage of his crop of grapes equal to the percentage determined as aforesaid.

(3) In the event the Industry Committee determines that, by reason of general crop failure or other general unusual conditions within a particular district, it is not feasible or would not be equitable to issue exemption certificates to growers within such district on the basis set forth in subparagraph (2) of this paragraph, it shall issue such certificates on the basis of the average of the percentages, as determined in subparagraph (2) of this paragraph, of the crops of grapes permitted to be shipped from both districts. An exemption certificate shall thereafter be issued by the Industry Committee to any grower who furnishes proof, satisfactory to such committee, that, by reason of conditions beyond his control he will be prevented, because of the regulation issued, from shipping or having shipped a percentage of his crop of grapes equal to the average of the percentages determined as aforesaid.

The certificate shall permit such grower to ship, or have shipped, a percentage of his crop of grapes equal to the average

of the percentages determined as aforesaid.

(4) If any grower is dissatisfied with the action of the Industry Committee taken with respect to his application for an exemption certificate, such grower may appeal to the Secretary: *Provided*, That such appeal shall be made promptly. The Secretary may, upon an appeal made as aforesaid, modify or reverse the action of the committee. The authority of the Secretary to supervise and control the issuance of exemption certificates is unlimited and plenary; and any determination by the Secretary with respect to an exemption certificate shall be final and conclusive.

11. Renumber section 5, section 6, and sections 7 through 18 of the marketing agreement to read, respectively, section 7, section 8 and sections 10 through 21 in proper numerical sequence; and renumber §§ 951.5, 951.6, and 951.7 through 951.18 of the order to read, respectively, §§ 951.7, 951.8 and §§ 951.10 through 951.21 in proper numerical sequence.

12. In section 4 (d) of the marketing agreement and § 951.4 (d) of the order delete the words "this section" after the words "pursuant to", and insert, in lieu thereof, the words "sections 4 and 5" in the marketing agreement and the words "§§ 951.4 and 951.5" in the order. Redesignate paragraph (d) of section 4 of the marketing agreement and § 951.4 of the order to read section 6 of the marketing agreement and § 951.6 of the order.

13. Add a new section 5 to the marketing agreement and a new § 951.5 to the order, as follows:

§ 951.5 *Minimum standards of quality and maturity* — (a) *Recommendation*. Whenever the Industry Committee deems it advisable to establish and maintain in effect during any period minimum standards of quality or maturity, or both, governing the shipment of grapes pursuant to this section, it shall so recommend to the Secretary. Each such recommendation of the committee shall be in terms on (1) freedom of the grapes from material impairment of shipping quality; (2) freedom of the grapes from material impairment of edible quality; (3) freedom of the grapes from serious damage to appearance; (4) minimum maturity requirements or (5) any combination of the foregoing. With each such recommendation, the committee shall submit to the Secretary the information and data on which such recommendation is predicated; and the committee shall also submit to the Secretary such other information as he may request. The committee shall give prompt notice to handlers and growers of any such recommendation.

(b) *Establishment*. Whenever the Secretary finds, from the recommendation and information submitted by the Industry Committee, or from other available information, that to establish minimum standards of quality or maturity, or both, for grapes and to limit the shipment of grapes during any period to that meeting the minimum standards would be in the public interest and would tend to effectuate the declared policy of the act, he shall establish such standards,

designate such period, and so limit the shipment of such grapes. The Secretary shall immediately notify the Industry Committee of the issuance of such regulation, and said committee shall give such notice thereof as may be reasonably calculated to bring such regulation to the attention of the handlers and growers.

14. Add a new section 9 to the marketing agreement and a new § 951.9 to the order, as follows:

§ 951.9 *Modification, suspension, or termination*. Whenever the Industry Committee deems it advisable to recommend to the Secretary the modification, suspension, or termination of any or all of the regulations established pursuant hereto, it shall so recommend to the Secretary. If the Secretary finds upon the basis of such recommendation or from other available information that to modify such regulations will tend to effectuate the declared policy of the act, he shall so modify such regulations. If the Secretary finds, upon the basis of such recommendation or upon the basis of other available information that any such regulations obstruct or do not tend to effectuate the declared policy of the act, he shall suspend or terminate such regulations. The Secretary shall immediately notify the Industry Committee, and such committee shall promptly give adequate notice to handlers and growers, of the issuance of each order modifying, suspending, or terminating any such regulations. In like manner and upon the same basis the Secretary may terminate any such modification or suspension.

Filed at Washington, D. C., this 9th day of July 1948.

[SEAL] S. R. NEWELL,  
*Acting Assistant Administrator,  
Production and Marketing  
Administration.*

[F. R. Doc. 48-6328; Filed, July 14, 1948;  
8:55 a. m.]

## FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 9083]

### CLASS B FM BROADCAST STATIONS

#### NOTICE OF PROPOSED RULE MAKING

In the matter of amendment of revised tentative allocation plan for Class B FM broadcast stations to add Channel No. 227 to Forest City, North Carolina.

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

2. It is proposed to amend the Revised Tentative Allocation Plan for Class B FM Broadcast Stations to the extent that Channel No. 227 will be allocated to Forest City, North Carolina for the purpose of providing for a more equitable and efficient utilization of FM facilities.

3. Authority for the adoption of the proposed amendment is contained in sections 303 (c), (d), (f), and (r) and 307 (b) of the Communications Act of 1934, as amended.

4. Any interested party who is of the opinion that the proposed amendment should not be adopted or should not be adopted in the form set forth herein, may file with the Commission, on or before August 16, 1948, a written statement or brief setting forth his comments. The Commission will consider all comments that are received before taking final action in the matter, and if any comments are received which appear to warrant the Commission in holding an oral argument before final action is taken, notice of the time and place of such oral argument will be given interested parties.

5. In accordance with the provisions of § 1.764 of the Commission's rules and regulations, an original and 14 copies of all statements, briefs or comments filed shall be furnished the Commission.

Adopted: July 6, 1948.

Released: July 9, 1948.

FEDERAL COMMUNICATIONS  
COMMISSION,  
[SEAL] T. J. SLOWIE,  
*Secretary.*

[F. R. Doc. 48-6316; Filed, July 14, 1948;  
8:56 a. m.]

## FEDERAL POWER COMMISSION

[18 CFR, Parts 101, 141]

[Docket No. R-109]

ANNUAL REPORT FOR ELECTRIC UTILITIES AND LICENSEES; UNIFORM SYSTEM OF ACCOUNTS FOR PUBLIC UTILITIES AND LICENSEES

NOTICE OF EXTENSION OF TIME FOR FILING COMMENTS

JULY 13, 1948.

Amendment of rules prescribing the form and filing of annual reports, FPC Form No. 1, for electric utilities and licensees (Classes A and B), and amendment of General Instruction 2 of Uniform System of Accounts prescribed for public utilities and licensees subject to the provisions of the Federal Power Act.

1. On June 10, 1948 there was published in the FEDERAL REGISTER notice of proposed rule making in the above-entitled matter (13 F. R. 3135), wherein it was provided that any interested persons might submit to the Federal Power Commission not later than July 15, 1948, data, views and comments in writing, concerning the proposed amendments.

2. Additional time having been requested, notice is hereby given that an extension of time to and including August 16, 1948 is hereby granted within which interested persons may submit to the Federal Power Commission, Washington 25, D. C., data, views and comments in writing concerning the proposed amendments in the above-entitled matter. The Commission will consider these written submittals before acting upon the proposed amendments.

By direction of the Commission.

[SEAL] LEON M. FUQUAY,  
*Secretary.*

[F. R. Doc. 48-6373; Filed, July 14, 1948;  
10:37 a. m.]

## NOTICES

## DEPARTMENT OF THE TREASURY

## United States Coast Guard

[CGFR 48-33]

APPROVAL OF EQUIPMENT AND CORRECTION  
OF PRIOR DOCUMENTS

## Correction

In F. R. Doc. 48-5893 appearing at page 3678 in the issue of Thursday, July 1, 1948, the following correction is made:

Under "Corrections of Prior Documents," the approval number, in the first line reading "Approval No. 160.-032/101/0," should read "Approval No. 160.035/204/0."

## FEDERAL POWER COMMISSION

[Docket No. G-882]

TRUNKLINE GAS SUPPLY CO.

## NOTICE OF AMENDED APPLICATION

JULY 9, 1948.

Notice is hereby given that on June 18, 1948, Trunkline Gas Supply Company (Applicant), a Delaware corporation having offices at Wilmington, Delaware, and Washington, D. C., filed with the Federal Power Commission an amendment to its application heretofore filed on March 20, 1947, notice of which was published in the FEDERAL REGISTER on April 12, 1947 (12 F. R. 2415).

By the original application filed March 20, 1947, Applicant requested a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, authorizing the construction and operation of a 30-inch O. D. steel welded natural gas transmission pipe line, approximately 855 miles in length, and appurtenant facilities, beginning at a point in Wharton County, Texas, and extending in a generally northerly direction through the States of Arkansas and Missouri, to a point in Keokuk County, Iowa, with a designed daily delivery capacity of approximately 425,000 Mcf. Included in the originally proposed facilities were 12 compressor stations with an aggregate of 182,400 horsepower. The over-all cost of these facilities was estimated by Applicant at approximately \$74,266,507.

By the amendment to the application, Applicant has changed the size of the proposed pipe line from 30-inch O. D. electric weld steel pipe to 26-inch O. D. steel pipe, with the location of the pipe line changed to begin at a point near Lake Charles, Louisiana and extending approximately 763 miles in a generally northerly direction through the States of Arkansas and Missouri, to a point in Keokuk County, Iowa, near Compressor Station No. 9 of the Natural Gas Pipeline Company of America. By the amendment, 11 compressor stations are proposed, with an aggregate of 125,600 horsepower. The total overall cost of the facilities under the amended application, Applicant estimates, will approximate \$90,318,773, including an allowance of \$1,572,800 for working capital.

The sales capacity of the system proposed, Applicant estimates, on a daily basis, will approximate 339,500 Mcf per day. Under the amended application, a volumetric two-part rate is proposed with a commodity charge of 12½¢ per Mcf and a demand charge of 9½¢ per Mcf. Applicant estimates that in the first year the sales will approximate 68,848,000 Mcf, increasing to 92,938,000 Mcf in the second and later years. In the first year, Applicant estimates its total revenue will approximate \$15,616,270, increasing to \$23,462,973 by the fifth year. For the corresponding periods, it estimates its operating expenses and charges will approximate \$10,578,950 and \$16,242,228, respectively, with a resulting net income before interest and income tax of approximately \$5,036,420 in the first year, increasing to \$7,220,745 by the fifth year.

Applicant, in its original application, stated that it proposed to secure its gas supply from Gulf coastal gas fields in Texas, in the general area identified by Applicant as Texas Railroad Commission Districts 2, 3 and 4. By its amendment, Applicant added the "Gulf Coast Area of Southwestern Louisiana" to the area from which Applicant proposes to secure its gas supply. In its amendment, Applicant states that it has not finally contracted, as of the date of the amendment, "for the full amount of reserves for the supply of its line, but full data on this subject will be furnished at or prior to the hearing".

The service proposed to be rendered, as described by Applicant in its original application, is primarily "a wholesale service" to be offered to natural gas companies at such points along Applicant's system as may prove convenient to such companies. By the amendment, Applicant made no change in the type of service proposed to be rendered.

The Commission, on April 27, 1948, entered an order setting the original application for hearing to commence on June 28, 1948 (13 F. R. 2410). By its order adopted June 22, 1948, the Commission postponed the hearing to November 8, 1948 (13 F. R. 3554). There is now pending before the Commission a motion which was filed by the Applicant on June 25, 1948, requesting that the date of hearing be advanced to not later than September 13, 1948.

Any interested State commission is requested to notify the Federal Power Commission whether the amended application should be considered under the cooperative provisions of § 1.37 of the Commission's rules of practice and procedure and, if so, to advise the Federal Power Commission as to the nature of its interest in the matter and whether it desires a conference, the creation of a board, or a joint or concurrent hearing, together with the reasons for such request.

The amended application of Trunkline Gas Supply Company is on file with the Commission and is open to public inspection. Any person desiring to be heard or to make any protest with reference to the

amended application shall file with the Federal Power Commission, Washington 25, D. C., not later than 15 days from the date of publication of this notice in the FEDERAL REGISTER, a petition to intervene or protest. Such petition or protest shall conform to the requirements of § 1.8 or § 1.10, whichever is applicable, of the rules of practice and procedure.

[SEAL]

LEON M. FUQUAY,  
Secretary.[F. R. Doc. 48-6277; Filed, July 14, 1948;  
8:47 a. m.]

[Docket Nos. G-1003, G-1074]

JERSEY CENTRAL POWER AND LIGHT CO. AND  
TEXAS EASTERN TRANSMISSION CORP.ORDER CONSOLIDATING PROCEEDINGS AND  
FIXING DATE OF HEARING

JULY 10, 1948.

Upon consideration of the application filed July 9, 1948, by Jersey Central Power and Light Company, a New Jersey corporation with its principal office at Asbury Park, New Jersey, for an order pursuant to section 7 (a) of the Natural Gas Act, directing Texas Eastern Transmission Corporation to establish physical connection of its gas transmission lines with the facilities of and to sell natural gas to Jersey Central Power and Light Company, as described in such application on file with the Commission and open to public inspection;

It appears to the Commission that:

(a) It is necessary and desirable in the public interest that a hearing be held respecting the matters involved and the issues raised by such application;

(b) Good cause exists for consolidating the proceedings to be had in Docket No. G-1074 with proceedings in Docket No. G-1003 for the purpose of hearing; and

The Commission orders that:

(A) A public hearing be held, commencing at 10:00 a. m. (e. d. s. t.) on July 12, 1948, in the Main Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C. respecting the matters involved and the issues presented by the application of Jersey Central Power and Light Company;

(B) The public hearing provided for in paragraph (a) above be and the same is hereby consolidated for hearing with the matters involved in Docket No. G-1003;

(C) Interested States commissions may participate as provided by Rules 8 and 37 (f) (18 CFR 1.8 and 1.37 (f)) of the Commission's rules of practice and procedure.

Date of issuance: July 12, 1948.

By the Commission.

[SEAL]

LEON M. FUQUAY,  
Secretary.[F. R. Doc. 48-6301; Filed, July 14, 1948;  
8:50 a. m.]

[Docket No. G-1006]

MINNEAPOLIS GAS LIGHT CO., AND  
NORTHERN NATURAL GAS CO.

NOTICE OF ORDER PERMITTING WITHDRAWAL  
OF COMPLAINT

JULY 9, 1948.

Notice is hereby given that, on July 8, 1948, the Federal Power Commission issued its order entered July 7, 1948, in the above-designated matter, permitting withdrawal of formal complaint filed by Minneapolis Gas Light Company on June 28, 1948.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 48-6279; Filed, July 14, 1948;  
8:47 a. m.]

[Docket No. G-1024]

ARKANSAS LOUISIANA GAS CO.

NOTICE OF FINDINGS AND ORDER ISSUING  
CERTIFICATE OF PUBLIC CONVENIENCE  
AND NECESSITY AND DISMISSING APPLI-  
CATION AS TO PART OF FACILITIES

JULY 9, 1948.

Notice is hereby given that, on July 8, 1948, the Federal Power Commission issued its findings and order entered July 7, 1948, issuing certificate of public convenience and necessity and dismissing application as to part of facilities in the above-designated matter.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 48-6283; Filed, July 14, 1948;  
8:47 a. m.]

[Docket No. G-1043]

LONE STAR GAS CO.

NOTICE OF FINDINGS AND ORDER ISSUING  
CERTIFICATE OF PUBLIC CONVENIENCE AND  
NECESSITY

JULY 9, 1948.

Notice is hereby given that, on July 8, 1948, the Federal Power Commission issued its findings and order entered on July 7, 1948, issuing certificate of public convenience and necessity in the above-designated matter.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 48-6278; Filed, July 14, 1948;  
8:47 a. m.]

[Docket No. G-1061]

HOPE NATURAL GAS CO.

NOTICE OF APPLICATION

JULY 9, 1948.

Notice is hereby given that on June 24, 1948, Hope Natural Gas Company (Applicant), a West Virginia corporation having its principal place of business at Clarksburg, West Virginia, filed an application with the Federal Power Commission pursuant to section 7 (b) of the Natural Gas Act for permission and ap-

proval to abandon and remove facilities comprising the following described and named compressor stations, excepting one 500 H. P. gas compressor unit to be relocated at its Fink Station for storage area purpose.

(A) The facilities proposed to be abandoned and removed by the Applicant are:

(1) 2-150 H. P. gas engine driven compressor units, auxiliary equipment and buildings comprising Bee Compressor Station located in Calhoun County, West Virginia.

(2) 2-400 H. P. gas engine driven compressor units, auxiliary equipment and buildings comprising Cove Lick Compressor Station located in Lewis County, West Virginia.

(3) 1-165 H. P. gas engine driven compressor unit, auxiliary equipment and buildings comprising Deep Valley Compressor Station located in Doddridge County, West Virginia.

(4) 2-110 H. P. gas engine driven compressor units, and 1-165 H. P. gas engine driven compressor unit, auxiliary equipment and buildings comprising Hazel Green Compressor Station located in Ritchie County, West Virginia.

(5) 2-60 H. P. gas engine driven compressor units, and 2-80 H. P. gas engine driven compressor units, auxiliary equipment and buildings comprising Indian Creek Compressor Station located in Monongalia County, West Virginia.

(6) 3-80 H. P. gas engine driven compressor units and 1-60 H. P. gas engine driven compressor unit, auxiliary equipment and buildings comprising Russett Compressor Station located in Calhoun County, West Virginia.

(7) 1-900 H. P. gas engine driven compressor unit, auxiliary equipment and buildings comprising Wilsonburg Compressor Station in Harrison County, West Virginia.

(B) Applicant proposes to except 1-500 H. P. gas engine driven compressor unit now located at its Wilsonburg Compressor Station from the proposed abandonment program described in the application filed herein, and to move the unit to its Fink Station for storage area purposes.

Applicant states as reasons for proposed abandonments that (1) the local gas fields supplying Applicant's own production and those from whom gas is purchased handled by the stations proposed to be abandoned have been exhausted and (2) before the complete exhaustion of the local gas fields, suction lines formerly feeding the stations proposed to be abandoned were connected into other field suction lines of near-by stations.

Applicant states as a result of the proposed abandonment (1) it will eliminate operating costs and maintenance of the stations, (2) there will be no abandonment or curtailment of service either in Applicant's own production, purchases from others or in the sales of gas in intrastate or interstate business, and (3) it will be to the best interest of Applicant and its customers.

Applicant states accounting entries covering the proposed abandonments show an original cost on the books of the Company at December 31, 1947, in the amount of \$383,592.50. The original costs at December 31, 1947, of facili-

ties comprising the compressor stations proposed to be abandoned are (1) Bee Compressor Station \$39,167.32, (2) Cove Lick Compressor Station \$71,865.56, (3) Deep Valley Compressor Station \$35,098.26, (4) Hazel Green Compressor Station \$45,347.66, (5) Indian Creek Compressor Station \$36,973.01, (6) Russett Compressor Station \$37,015.95, (7) Wilsonburg Compressor Station \$118,124.74, (1-500 H. P. gas engine driven unit to be relocated at Fink Station for storage area purposes). Large items excepting the unit to be relocated at its Fink Compressor Station will be sold for junk. Minor items that can be salvaged will be returned to Applicant's warehouses at original cost for future use.

Any interested State commission is requested to notify the Federal Power Commission whether the application should be considered under the cooperative provisions of Rule 37 of the Commission's rules of practice and procedure (18 CFR 1.37) and, if so, to advise the Federal Power Commission as to the nature of its interest in the matter and whether it desires a conference, the creating of a board, or a joint or concurrent hearing, together with reasons for such request.

The application of Hope Natural Gas Company is on file with the Commission and is open to public inspection. Any person desiring to be heard or to make any protest with reference to the application shall file with the Federal Power Commission, Washington, D. C., not later than 15 days from the date of publication of this notice in the FEDERAL REGISTER, a petition to intervene or protest. Such petition or protest shall conform to the requirements of Rules 8 and 10, whichever is applicable, of the rules of practice and procedure (as amended on June 16, 1947) (18 CFR 1.8 and 1.10).

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 48-6274; Filed, July 14, 1948;  
8:46 a. m.]

[Docket No. G-1062]

POTOMAC GAS CO.

NOTICE OF APPLICATION

JULY 9, 1948.

Notice is hereby given that on June 24, 1948, an application was filed with the Federal Power Commission by Potomac Gas Company (Applicant), a Virginia corporation with its principal office at Arlington, Virginia, for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, authorizing the construction and operation of the following described natural-gas facilities, subject to the jurisdiction of the Commission:

Approximately 18 miles of 16-inch transmission pipeline extending from a point of connection with the 20-inch pipeline of Virginia Gas Transmission Corporation in the vicinity of Dranesville, Virginia, thence along Route 7 to Fort Buffalo, commonly known as Seven Corners, which is the intersection of Virginia Route 7 and U. S. Route 50, thence southeasterly on U. S. Route 50, to

the Fairfax County-Arlington County line, thence south toward 5th Road, and on 5th Road to Virginia Route 7, and thence following Route 7 to Bailey's Cross Roads, Fairfax County, Virginia, which is the intersection of Virginia Route 7 and Virginia Route 244, thence beginning on U. S. Route 50 at the Fairfax County-Arlington County line, eastward on U. S. Route 50 to approximately the intersection of U. S. Route 50 and Fillmore Street, Arlington County, Virginia.

The application states that the proposed natural-gas transmission pipeline will be operated as an integral unit for the delivery of natural gas to the distribution system of Washington Gas Light Company and subsidiaries. Applicant is a wholly-owned subsidiary of Washington Gas Light Company. The application further states that the business of Washington Gas Light Company and its subsidiaries has expanded to such an extent that in order to furnish the system with additional gas, it is necessary to construct a new pipeline connecting the distribution system of Washington Gas Light Company and its subsidiaries with the 20-inch pipeline system of Atlantic Seaboard Corporation, which is the sole source of natural-gas supply for this distribution system. Applicant states that the existing transmission pipelines extending from Rockville, Maryland, to the District of Columbia do not have sufficient capacity to transport the estimated peak-day delivery of natural gas for the winter 1948-49. Applicant proposes to construct the pipeline herein described wholly in Virginia to deliver additional natural gas directly to the distribution system in Virginia to serve the rapidly growing Virginia area, to balance the system of supply, and deliver gas into the facilities which now connect the District of Columbia and the Virginia area. Applicant estimates that on the peak day of the winter 1948-49, the proposed pipeline will have a capacity of 30,000 Mcf per day consisting of the delivery of 15,000 Mcf in the Virginia territory and 15,000 Mcf to the District of Columbia.

The total estimated over-all capital cost of the proposed facilities is \$1,200,000 which will be financed by funds received on open account from Washington Gas Light Company during the period of construction. Upon completion of the proposed facilities, Applicant contemplates the issuance of securities to Washington Gas Light Company in full payment and satisfaction of the open account. The securities proposed to be issued will consist of capital stock of Applicant to the extent of approximately 40% of such aggregate amount, and General Mortgage Bonds of the character eligible for bonding under the Mortgage and Deed of Trust of Washington Gas Light Company dated January 1, 1933, as supplemented and modified, to the extent of approximately 60% of such aggregate amount of advances made to Applicant, or, at the option of Washington Gas Light Company, promissory notes to the same extent of 60% of advances made pending the issuance of General Mortgage Bonds, with both stock and bonds accepted at principal or par amount in payment of said advances.

Any interested State commission is requested to notify the Federal Power Commission whether the application should be considered under the cooperative provisions of Rule 37 of the Commission's rules of practice and procedure (18 CFR 1.37) and, if so, to advise the Federal Power Commission as to the nature of its interest in the matter and whether it desires a conference, the creation of a board, or a joint or concurrent hearing, together with reasons for such a request.

The application of Potomac Gas Company is on file with the Commission and open to public inspection. Any person desiring to be heard or to make any protest with reference to the application shall file with the Federal Power Commission, Washington 25, D. C., not later than 15 days from the date of publication of this notice in the FEDERAL REGISTER, a petition to intervene or protest. Such petition or protest shall conform to the requirements of Rule 8 or 10, whichever is applicable, of the rules of practice and procedure (as amended on June 16, 1947) (18 CFR 1.8 and 1.10).

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 48-6275; Filed, July 14, 1948;  
8:46 a. m.]

[Docket No. ID-1036]

CHANDLER W. JONES

NOTICE OF AUTHORIZATION

JULY 9, 1948.

Notice is hereby given that, on July 8, 1948, the Federal Power Commission issued its order entered July 7, 1948, in the above-designated matter, authorizing Applicant to hold a certain position in the Granite State Electric Company, pursuant to section 305 (b) of the Federal Power Act.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 48-6284; Filed, July 14, 1948;  
8:47 a. m.]

[Docket No. IT-5565]

KENTUCKY UTILITIES CO.

NOTICE OF ORDER DIRECTING DISPOSITION OF AMOUNTS CLASSIFIED IN ACCOUNT 107, ELECTRIC PLANT ADJUSTMENTS

JULY 9, 1948.

Notice is hereby given that, on July 9, 1948, the Federal Power Commission issued its order entered July 7, 1948, directing disposition of amounts classified in Account 107, Electric Plant Adjustments, in the above-designated matter.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 48-6282; Filed, July 14, 1948;  
8:47 a. m.]

[Project No. 782]

CALIFORNIA ELECTRIC POWER CO. AND SAN DIEGO GAS AND ELECTRIC CO.

NOTICE OF ORDER AUTHORIZING AMENDMENT OF LICENSE (TRANSMISSION LINE)

JULY 9, 1948.

Notice is hereby given that, on July 9, 1948, the Federal Power Commission issued its order entered July 7, 1948, in the above-designated matter, authorizing amendment of license (transmission line).

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 48-6281; Filed, July 14, 1948;  
8:47 a. m.]

[Project No. 1862]

CITY OF TACOMA

NOTICE OF ORDER GRANTING PARTIAL EXEMPTION FROM PAYMENT OF ANNUAL CHARGES

JULY 9, 1948.

Notice is hereby given that, on July 9, 1948, the Federal Power Commission issued its order entered July 7, 1948, granting partial exemption from payment of annual charges for the year 1947, in the above-designated matter.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 48-6280; Filed, July 14, 1948;  
8:47 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 7-1041]

MINNEAPOLIS, ST. PAUL & SAULT STE. MARIE RAILROAD CO.

ORDER DETERMINING COMMON STOCK TO BE EQUIVALENT TO THAT ADMITTED TO UNLISTED TRADING PRIVILEGES

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 9th day of July A. D. 1948.

The Philadelphia Stock Exchange has made application under Rule X-12F-2 (b) for a determination that the common stock, no par value, of Minneapolis, St. Paul & Sault Ste. Marie Railroad Company is substantially equivalent to the Series A, Voting Trust Certificates, representing common stock of the Minneapolis, St. Paul & Sault Ste. Marie Railroad Company, which Certificates have heretofore been admitted to unlisted trading privileges on the applicant Exchange.

The Commission having duly considered the matter, and having due regard for the public interest and the protection of investors;

It is ordered, Pursuant to sections 12 (f) and 23 (a) of the Securities Exchange Act of 1934 and Rule X-12F-2 (b) thereunder, that the common stock, no par value, of Minneapolis, St. Paul & Sault Ste. Marie Railroad Company is hereby determined to be substantially

equivalent to the Series A Voting Trust Certificates representing the common stock of Minneapolis, St. Paul & Sault Ste. Marie Railroad Company heretofore admitted to unlisted trading privileges on the applicant Exchange.

By the Commission.

[SEAL] NELLYE A. THORSEN,  
Assistant Secretary.

[F. R. Doc. 48-6293; Filed, July 14, 1948;  
8:49 a. m.]

[File Nos. 34-9, 34-41, 70-28]

FEDERAL WATER SERVICE CORP., ET AL.

ORDER DENYING REQUEST FOR MODIFICATION OF PRIOR ORDER

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 2d day of July A. D. 1948.

In the matter of Federal Water Service Corporation, Utility Operators Company, Federal Water and Gas Corporation; File Nos. 34-9, 34-41, 70-28.

C. M. Chenery and Marguerite A. Chenery, his wife, having requested the Commission to modify its order of September 24, 1941 in these proceedings and the plan of merger approved by that order under which certain holdings of preferred stock of Federal Water Service Corporation acquired during the period of the reorganization of that corporation by reorganization managers, including C. M. Chenery, were limited in participation under the plan to cost plus interest at 4% from dates of purchase to the effective date of the merger, and which order and merger plan were upheld on judicial review (S. E. C. v. Chenery Corporation et al., 332 U. S. 194 (1947), rehearing denied 332 U. S. 783 (1947)), said request being that said order and plan be modified so as to accord Marguerite A. Chenery participation under the merger with respect to 100 shares of preferred stock of Federal Water Service Corporation purchased by C. M. Chenery during the period of the reorganization and given by C. M. Chenery to her as a gift on April 1, 1941, on the basis of parity with shares as to which no limitation to cost was imposed;

The Commission having considered the request and finding, for reasons similar to those expressed in its order of February 5, 1948 denying rehearing in these proceedings and in its findings and opinion in Federal Water and Gas Corporation (File Nos. 54-66, 59-61 and 59-35) issued July 2, 1948, particularly for the reason that all issues relating to the correctness of the said order and plan with regard to the participation accorded thereunder to holders of preferred stock were fully litigated in review proceedings and no basis has been shown for reexamining any issues which were or could have been raised in the review proceedings, that no adequate basis appears for granting the request of C. M. Chenery and Marguerite A. Chenery;

It is ordered, That petitioners' said request be and hereby is denied.

No. 137—6

By the Commission.

[SEAL] ORVAL L. DUBOIS,  
Secretary.

[F. R. Doc. 48-6294; Filed, July 14, 1948;  
8:49 a. m.]

[File Nos. 54-66, 59-35, 59-61]

FEDERAL WATER AND GAS CORP. ET AL.

ORDER DENYING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 2d day of July A. D. 1948.

Federal Water and Gas Corporation ("Federal"), a registered holding company, having filed an amended plan pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 proposing the liquidation and dissolution of Federal and providing for the satisfaction of all claims against Federal and the distribution of its remaining assets to its stockholders;

Chenery Corporation and others ("Chenery et al.") having filed an application for permission to intervene and for consolidation of this proceeding with a prior proceeding involving the merger, pursuant to the act, of Federal Water and Gas Corporation, Federal Water Service Corporation, and Utility Operators Company (File Nos. 34-9, 34-41, 70-28) ("Merger Proceeding"), and for the consolidation of the record in that proceeding with that in the present proceeding, and having requested reconsideration of certain questions involved in the Merger Proceeding and modification of the decision entered therein;

Percival E. Jackson, et al. having filed a motion requesting entry and immediate enforcement of an interim order authorizing partial distribution of Federal's assets; and

New York Water Service Corporation having filed a petition making certain requests relating to claims asserted by it against Federal;

A hearing having been held, briefs having been filed, and argument having been heard, and the Commission having this day issued its findings and opinion herein in which it set forth, among other things, that it would approve the amended plan if it were further amended, within 15 days or such additional time as may be granted upon a proper showing, in the respects indicated in said findings and opinion, and further set forth the reasons for taking the action herein ordered, on the basis of said findings and opinion

It is ordered, That the application of Chenery et al. for permission to intervene and their requests for consolidation and for reconsideration and for modification of the action taken in the merger proceeding be and they hereby are denied; and

It is further ordered, That, except to the extent otherwise noted in the said findings and opinion, the request of Chenery et al. for the introduction into evidence in this proceeding of the record in the merger proceeding be and it hereby is denied; and

It is further ordered, That, except to the extent otherwise noted in the said

findings and opinion, the said motion of Percival E. Jackson, et al., be and it hereby is denied, and action on the said petition of New York Water Service Corporation is deferred; and

It is further ordered, Pursuant to section 11 (b) (2) of the act, that Federal be and it hereby is directed to divest itself of its holdings of the common stock of Southern Natural Gas Company, Southern Production Company, Inc. and Scranton-Spring Brook Water Company and distribute its remaining assets and dissolve.

By the Commission.

[SEAL] ORVAL L. DUBOIS,  
Secretary.

[F. R. Doc. 48-6295; Filed, July 14, 1948;  
8:49 a. m.]

[File No. 70-1840]

NEW JERSEY POWER & LIGHT CO.

SUPPLEMENTAL ORDER RELEASING JURISDICTION

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 8th day of July 1948.

New Jersey Power & Light Company ("New Jersey"), a subsidiary of General Public Utilities Corporation, a registered holding company, having filed an application, and amendments thereto, pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935 for an exemption from the provisions of section 6 (a) thereof of the issue and sale by New Jersey, pursuant to the competitive bidding requirements of Rule U-50, of \$6,000,000 principal amount of First Mortgage Bonds due 1978; and

The Commission by order dated June 28, 1948 having granted said application, as amended, subject to the condition, among others, that the proposed sale of bonds shall not be consummated until the results of competitive bidding pursuant to Rule U-50 shall have been made a matter of record in this proceeding, and a further order shall have been entered in the light of the record so completed; and jurisdiction having been reserved over the payment of all legal fees and expenses in connection with the proposed transactions; and

New Jersey having, on July 8, 1948, filed a further amendment to said application in which it is stated that it has offered the bonds for sale pursuant to the competitive bidding requirements of Rule U-50 and has received the following bids:

Bidder	Price to New Jersey	Interest rate	Cost to New Jersey
Halsey, Stuart & Co., Inc.	Percent 101.319	Percent 3	2.5336
Harriman Ripley & Co., Inc.	100.705	3	2.9644
Salmon Bros. & Hutzler	100.6979	3	2.9647
Merrill Lynch, Pierce Fenner & Beant	100.6011	3	2.9696
The First Boston Corp. and Kidder, Peabody & Co.	100.6	3	2.6696
Union Securities Corp.	100.5999	3	2.9697
Glore, Forgan & Co.	100.55	3	2.9722
Equitable Securities Corp.	100.48	3	2.9757

The amendment further stating that New Jersey has accepted the bid of Halsey, Stuart & Co., Inc., for the bonds as set forth above and that the bonds will be offered for sale to the public at a price of 101.75% of the principal amount thereof, resulting in an underwriter's spread of 0.431%; and

The record having been completed only with respect to the legal fee of \$7,500 to be paid by the successful bidders to Cahill, Gordon, Zachry & Reindel, as Counsel; and

The Commission having examined said amendment and having considered the record herein and finding no basis for imposing terms and conditions with respect to the price to be received for said bonds, the redemption prices thereof, the interest rate thereon and the underwriter's spread; and

It appearing that the proposed legal fee of Cahill, Gordon, Zachry & Reindel is not unreasonable and that jurisdiction with respect thereto should be released:

*It is hereby ordered*, That jurisdiction heretofore reserved in connection with the sale of said bonds be, and the same hereby is, released, and that the said application, as further amended, be, and the same hereby is, granted forthwith, subject to the terms and conditions prescribed in Rule U-24 of the general rules and regulations under the act.

*It is further ordered*, That jurisdiction heretofore reserved over the legal fees and expenses in connection with the proposed transactions be, and the same hereby is, continued, except as to the legal fee to be paid to Cahill, Gordon, Zachry & Reindel, which jurisdiction be, and the same hereby is, released.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 48-6292; Filed, July 14, 1948;  
8:49 a. m.]

[File No. 70-1846]

NORTHERN STATES POWER CO.  
ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 8th day of July A. D. 1948.

Northern States Power Company ("Northern States"), a Minnesota corporation, a registered holding company and an operating utility company and a subsidiary of Northern States Power Company, a Delaware corporation, also a registered holding company, having filed an application and an amendment thereto, pursuant to sections 9 (a) and 10 of the Public Utility Holding Company Act of 1935, with respect to the following transaction:

Northern States proposes to acquire from the village of Maynard, Minnesota, for the cash consideration of \$25,340, certain utility assets owned by said village, consisting principally of the municipal electric distribution and overhead street lighting systems in the village of Maynard and electric transmission and rural lines in rural territory adjacent

thereto, all located in Chippewa County, Minnesota; including also meters and appurtenances now owned by the village, lists of customers, and all right and interest of the village in and to its electric business. The property proposed to be acquired serves electric energy at retail to approximately 230 customers in Maynard, Minnesota, and adjacent rural territory. Northern States will receive from the village a 20-year franchise for the distribution of electric energy.

The village of Maynard is located in the service area of the company and is almost completely surrounded by its properties. The company proposes to construct a new transmission line three miles long to connect the village system with the company's present transmission line system, and to rebuild the distribution system within the village. The company's standard schedule of rates will be extended to the village customers. These rates are somewhat lower than those presently charged by the village of Maynard.

The application states that the purchase price is \$4,733 in excess of the estimated original cost of the properties less straight line depreciation, and that such excess will be charged to the earned surplus account of Northern States upon consummation of the transaction.

No fees or commissions will be paid in connection with the transaction, and it is estimated that miscellaneous expenses will not exceed \$500.

Such application as amended having been duly filed, and notice of its filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for hearing with respect thereto within the period specified in said notice or otherwise, and not having ordered a hearing thereon; and

It appearing to the Commission that there is no state commission having jurisdiction over the proposed transaction, and that it is appropriate in the public interest and in the interests of investors and consumers to grant applicant's request for permission to consummate the proposed transaction without delay;

*It is therefore ordered*, Pursuant to Rule U-23 and the applicable provisions of the act, and subject to the terms and conditions prescribed by Rule U-24, that the application as amended be and the same hereby is granted, and that the proposed transaction may be consummated forthwith.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 48-6298; Filed, July 14, 1948;  
8:50 a. m.]

[File No. 70-1854]

MICHIGAN CONSOLIDATED GAS CO.  
ORDER PERMITTING DECLARATION TO  
BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its

office in the city of Washington, D. C. on the 8th day of July A. D. 1948.

Michigan Consolidated Gas Company, a public utility subsidiary of American Light & Traction Company, a registered holding company subsidiary of United Light and Railways Company, a registered holding company, having filed a declaration and amendments thereto, pursuant to the Public Utility Holding Company Act of 1935 ("act") and the rules and regulations promulgated thereunder, in which it is proposed to submit to the holders of its outstanding 4¾% preferred stock a proposal to modify the Articles of Incorporation so as to increase the amount of unsecured indebtedness which may be issued or assumed by the company, and to solicit proxies from the preferred stockholders to vote upon such modification; and, said declaration, as amended, also proposing that Michigan Consolidated Gas Company employ the firm of Georgeson & Company to assist it in the solicitation of proxies from its preferred stockholders; and

Declarant having requested acceleration of the effective date of the Commission's order herein; and

A public hearing having been held, after appropriate notice, with respect to said declaration, as amended, and the Commission having considered the record and having made and filed its memorandum opinion herein; and

The Commission observing no basis for adverse findings under the standards of the applicable provisions of the act, and the rules and regulations promulgated thereunder, and it appearing appropriate that the request for acceleration of the effectiveness of the Commission's order be granted:

*It is ordered*, That the said declaration, as amended, be, and the same hereby is, permitted to become effective forthwith, subject to the terms and conditions contained in Rule U-24 and to the following further condition:

That the resolution to be submitted to the preferred stockholders of Michigan Consolidated Gas Company be amended so as to provide that the \$7,500,000 additional unsecured debt borrowing capacity being sought shall be reduced concurrently with and to the extent that Michigan Consolidated Gas Company is relieved of its obligation in respect of the presently outstanding notes of Austin Field Pipe Line Company.

*It is further ordered*, That a copy of the memorandum opinion and the order of the Commission in this matter shall accompany the solicitation material to be submitted to the preferred stockholders of Michigan Consolidated Gas Company.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 48-6291; Filed, July 14, 1948;  
8:48 a. m.]

[File No. 70-1871]

## MONONGAHELA POWER CO. ET AL.

## ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C. on the 9th day of July A. D. 1948.

In the matter of Monongahela Power Company, The Marietta Electric Company, Monterey Utilities Corporation; File No. 70-1871.

Monongahela Power Company ("Monongahela"), a public utility subsidiary of a registered holding company, and its wholly owned subsidiaries, The Marietta Electric Company ("Marietta") and Monterey Utilities Corporation ("Monterey") have filed a joint application-declaration, and one amendment thereto, with this Commission pursuant to the Public Utility Holding Company Act of 1935 and certain rules and regulations promulgated thereunder regarding the following transactions:

Monongahela, presently the owner of 4,000 shares of capital stock, par value \$100 per share, and \$185,000 principal amount of open account advances of Marietta, the total long term debt and capital stock of that company outstanding, proposes to acquire from Marietta, and Marietta proposes to issue and sell, 4,000 shares of additional capital stock for a cash consideration of \$400,000. Monongahela, presently the owner of 200 shares of capital stock, par value \$100 per share, and \$146,000.86 principal amount of open account advances of Monterey, the total long term debt and capital stock of that company outstanding, proposes to acquire from Monterey, and Monterey proposes to issue and sell, 1,800 shares of additional capital stock of Monterey for a cash consideration of \$180,000. At the present time the outstanding shares of capital stock of Marietta and Monterey are pledged under the indenture securing Monongahela's First Mortgage Bonds, it being proposed to pledge the additional capital stock of Marietta and Monterey as additional collateral. Monongahela presently has funds in its treasury in excess of the aggregate purchase price of the capital stocks being acquired from Marietta and Monterey.

Marietta and Monterey propose to use the proceeds from the sale of the additional shares of capital stock to pay their indebtedness to Monongahela and for the construction of property additions and improvements.

The filing, among other things, contains copies of orders of the Public Utilities Commission of Ohio and the State Corporation Commission of Virginia authorizing the issuance of the new common stock by Marietta and Monterey, respectively, and of the Public Service Commission of West Virginia approving the acquisition by Monongahela of these shares of new common stock.

The filing was made with this Commission on June 11, 1948 and the amendment thereto was filed on June 23, 1948. Notice of this filing was duly given in the form and manner prescribed by Rule U-23, promulgated pursuant to the act, the Commission not having received a

request for a hearing with respect thereto within the period specified in said notice, or otherwise, and not having ordered a hearing thereon.

The Commission finding with respect to this joint application-declaration that the applicable statutory standards are satisfied, that there is no basis for any adverse findings, and deeming it appropriate in the public interest and in the interest of investors and consumers that said joint application-declaration be granted and permitted to become effective, and further deeming it appropriate to grant the request of applicants-declarants that this order should become effective upon issuance;

*It is hereby ordered*, Pursuant to said Rule U-23 and the applicable provisions of the act and subject to the terms and conditions prescribed in Rule U-24, that this joint application-declaration be, and the same hereby is, granted and permitted to become effective forthwith.

By the Commission.

[SEAL]

NELLYE A. THORSEN,  
Assistant Secretary.[F. R. Doc. 48-6297; Filed, July 14, 1948;  
8:50 a. m.]

[File No. 70-1874]

## EBASCO SERVICES, INC.

## ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C. on the 9th day of July A. D. 1948.

Ebasco Services, Incorporated ("Ebasco"), a wholly owned service company subsidiary of Electric Bond and Share Company, a registered holding company, having filed an application and an amendment thereto, pursuant to sections 9 and 10 of the Public Utility Holding Company Act of 1935, regarding the following proposed transactions:

Ebasco has entered into a preliminary agreement with Creole Petroleum Corporation ("Creole"), a subsidiary of Standard Oil Company of New Jersey, whereby Ebasco has undertaken to perform certain construction and engineering services in connection with major extensions of Creole's industrial and other facilities in the Lake Maracaibo area of Venezuela and in other parts of that country, which facilities are expected to cost approximately \$20,000,000.

Ebasco deems it most advantageous to conduct such operations through a wholly owned subsidiary organized under the laws of the State of Delaware and in connection therewith proposes to have the incorporators of Meridian Engineering Company, Inc., an inactive name-saving corporation organized in 1944 under the laws of the State of Delaware, elect as its directors five officers of Ebasco; to cause the name of Meridian Engineering Company, Inc., to be changed to Ebasco Engineering Company, Inc.; to cause the number of shares of stock which such company shall be authorized to issue to be changed from 100 shares of common stock, having a par value of \$10 per share, to 1,000 shares of

common stock having a par value of \$50 per share; and to purchase all of such 1,000 shares of common stock at the par value thereof aggregating \$50,000.

The funds received by the new company will be used for initial working capital, it being Ebasco's understanding with Creole that the latter shall furnish substantially all of the working capital necessary for the proposed Venezuelan operations.

It is represented that the new company will perform no services for any associate company in the Electric Bond and Share system.

Said application having been filed on June 15, 1948, and notice of such filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for a hearing thereon within the period specified in said notice or otherwise and not having ordered a hearing thereon; and

Applicant having requested the Commission to issue its order granting said application as promptly as practicable and having requested that such order become effective immediately upon issuance, and the Commission deeming it appropriate to grant such request; and

The Commission finding with respect to said application, as amended, that the requirements of the applicable provisions of the act and rules thereunder are satisfied and that no adverse findings are necessary, and deeming it appropriate in the public interest and in the interest of investors and consumers that said application, as amended, be granted:

*It is hereby ordered*, Pursuant to Rule U-23 and the applicable provisions of said act, and subject to the terms and conditions prescribed in Rule U-24, that the aforesaid application, as amended, be, and the same hereby is, granted effective forthwith.

By the Commission.

[SEAL]

NELLYE A. THORSEN,  
Assistant Secretary.[F. R. Doc. 48-6296; Filed, July 14, 1948;  
8:49 a. m.]

## DEPARTMENT OF JUSTICE

## Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 11517]

MATHILDE VOGT

In re: Estate of Mathilde Vogt, deceased. File D-28-12235. E. T. sec. 16455.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Hans Erich David, Mathilda David, Ernest Gunter David, Joachim David, Hans Peter David, Ann Mahlen David, Claus Vogt, Lissalot Vogt, Irma Vogt, Elizabeth Vogt and Hennie Stock,

whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the persons named in subparagraph 1 hereof in and to the Estate of Mathilde Vogt, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany);

3. That such property is in the process of administration by Carl W. Berner, as Executor, acting under the judicial supervision of the Superior Court of the State of California in and for the County of Los Angeles;

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on June 25, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,  
Assistant Attorney General,  
Director, Office of Alien Property.

[F. R. Doc. 48-6306; Filed, July 14, 1948;  
8:52 a. m.]

[Vesting Order 11553]

VICTOR AHBEL

In re: Bank account owned by Victor Ahbel. F-28-29005-E-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Victor Ahbel, whose last known address is Lechbruck, I/Aligau, Kries Fussen, Bavaria, Haus 217 $\frac{1}{4}$ , Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Victor Ahbel, by The National City Bank of New York, 55 Wall Street, New York, New York, arising out of a Checking Account, entitled Victor Ahbel, maintained at the aforesaid bank,

and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 1, 1948.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,  
Deputy Director,  
Office of Alien Property.

[F. R. Doc. 48-6307; Filed, July 14, 1948;  
8:52 a. m.]

MARCEL DEL DRAGO

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No. and Property and Location

Marcel del Drago, Rome, Italy, 9360; \$36,610.86 in the Treasury of the United States.

All right, title, interest and claim of any kind or character whatsoever of Marcel del Drago in and to the trust created under Paragraph Eighth of the will of Josephine del Drago, deceased; Trustee: Corn Exchange Bank Trust Company, New York, New York.

Executed at Washington, D. C., on July 8, 1948.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,  
Deputy Director,  
Office of Alien Property.

[F. R. Doc. 48-6314; Filed, July 14, 1948;  
8:53 a. m.]

COMPAGNIE ELECTRO-MÉCANIQUE

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property located in Washington, D. C., including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., and Property

Compagnie Electro-Mecanique, Paris, France, 28174; Property described in Vesting Order No. 666 (8 F. R. 5047, April 17, 1943), relating to United States Letters Patent No. 2,149,510.

Executed at Washington, D. C., on July 8, 1948.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,  
Deputy Director,  
Office of Alien Property.

[F. R. Doc. 48-6315; Filed, July 14, 1948;  
8:53 a. m.]

[Return Order 151]

BERNARD J. BECKER AND FRANK BAUMGARTNER

Having considered the claim set forth below and having issued a determination allowing the claim, which is incorporated by reference herein and filed herewith,<sup>1</sup>

It is ordered, That the claimed property, described below and in the determination, be returned, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant and Claim Number, Notice of Intention to Return Published and Property

Bernard J. Becker, executor of the estate of Frank Baumgartner, Brooklyn, New York, 33226, June 3, 1948 (13 F. R. 2980); \$500.00 in the Treasury of the United States.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on July 8, 1948.

For the Attorney General:

[SEAL] HAROLD I. BAYNTON,  
Deputy Director,  
Office of Alien Property.

[F. R. Doc. 48-6313; Filed, July 14, 1948;  
8:53 a. m.]

<sup>1</sup> Filed as part of the original document.