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TITLE 3—THE PRESIDENT

EXECUTIVE ORDER 9980

REGULATIONS GOVERNING FAIR EMPLOYMENT PRACTICES WITHIN THE FEDERAL ESTABLISHMENT

WHEREAS the principles on which our Government is based require a policy of fair employment throughout the Federal establishment, without discrimination because of race, color, religion, or national origin; and

WHEREAS it is desirable and in the public interest that all steps be taken necessary to insure that this long-established policy shall be more effectively carried out:

NOW, THEREFORE, by virtue of the authority vested in me as President of the United States, by the Constitution and the laws of the United States, it is hereby ordered as follows:

1. All personnel actions taken by Federal appointing officers shall be based solely on merit and fitness; and such officers are authorized and directed to take appropriate steps to insure that in all such actions there shall be no discrimination because of race, color, religion, or national origin.

2. The head of each department in the executive branch of the Government shall be personally responsible for an effective program to insure that fair employment policies are fully observed in all personnel actions within his department.

3. The head of each department shall designate an official thereof as Fair Employment Officer. Such Officer shall be given full operating responsibility, under the immediate supervision of the department head, for carrying out the fair-employment policy herein stated. Notice of the appointment of such Officer shall be given to all officers and employees of the department. The Fair Employment Officer shall, among other things—

(a) Appraise the personnel actions of the department at regular intervals to determine their conformity to the fair-employment policy expressed in this order.

(b) Receive complaints or appeals concerning personnel actions taken in the department on grounds of alleged discrimination because of race, color, religion, or national origin.

(c) Appoint such central or regional deputies, committees, or hearing boards, from among the officers or employees of the department, as he may find necessary or desirable on a temporary or permanent basis to investigate, or to receive, complaints of discrimination.

(d) Take necessary corrective or disciplinary action, in consultation with, or on the basis of delegated authority from, the head of the department.

4. The findings or action of the Fair Employment Officer shall be subject to direct appeal to the head of the department. The decision of the head of the department on such appeal shall be subject to appeal to the Fair Employment Board of the Civil Service Commission, hereinafter provided for.

5. There shall be established in the Civil Service Commission a Fair Employment Board (hereinafter referred to as the Board) of not less than seven persons, the members of which shall be officers or employees of the Commission. The Board shall—

(a) Have authority to review decisions made by the head of any department which are appealed pursuant to the provisions of this order, or referred to the Board by the head of the department for advice, and to make recommendations to such head. In any instance in which the recommendation of the Board is not promptly and fully carried out the case shall be reported by the Board to the President, for such action as he finds necessary.

(b) Make rules and regulations, in consultation with the Civil Service Commission, deemed necessary to carry out the Board's duties and responsibilities under this order.

(c) Advise all departments on problems and policies relating to fair employment.

(d) Disseminate information pertinent to fair-employment programs.

(e) Coordinate the fair-employment policies and procedures of the several departments.

(f) Make reports and submit recommendations to the Civil Service Commission for transmittal to the President from time to time, as may be necessary to the

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THE PRESIDENT

EXECUTIVE AGENCIES

FEDERAL REGISTER

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CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

CODIFICATION GUIDE—Con.

maintenance of the fair-employment program.

6. All departments are directed to furnish to the Board all information needed for the review of personnel actions or for the compilation of reports.

7. The term "department" as used herein shall refer to all departments and agencies of the executive branch of the Government, including the Civil Service Commission. The term "personnel action," as used herein, shall include failure to act. Persons failing of appointment who allege a grievance relating to discrimination shall be entitled to the remedies herein provided.

8. The means of relief provided by this order shall be supplemental to those provided by existing statutes, Executive orders, and regulations. The Civil Service Commission shall have authority, in consultation with the Board, to make such additional regulations, and to amend existing regulations, in such manner as may be found necessary or desirable to carry out the purposes of this order.

HARRY S. TRUMAN

THE WHITE HOUSE,
July 26, 1948.

[F. R. Doc. 48-6852; Filed, July 27, 1948; 10:39 a. m.]

EXECUTIVE ORDER 9981

ESTABLISHING THE PRESIDENT'S COMMITTEE ON EQUALITY OF TREATMENT AND OPPORTUNITY IN THE ARMED SERVICES

WHEREAS it is essential that there be maintained in the armed services of the United States the highest standards of democracy, with equality of treatment and opportunity for all those who serve in our country's defense:

NOW, THEREFORE, by virtue of the authority vested in me as President of the United States, by the Constitution and the statutes of the United States, and as Commander in Chief of the armed services, it is hereby ordered as follows:

1. It is hereby declared to be the policy of the President that there shall be equality of treatment and opportunity for all persons in the armed services without regard to race, color, religion or national origin. This policy shall be put into effect as rapidly as possible, having due regard to the time required to effectuate any necessary changes without impairing efficiency or morale.

2. There shall be created in the National Military Establishment an advisory committee to be known as the President's Committee on Equality of Treatment and Opportunity in the Armed Services, which shall be composed of seven members to be designated by the President.

3. The Committee is authorized on behalf of the President to examine into the rules, procedures and practices of the armed services in order to determine in what respect such rules, procedures and practices may be altered or improved with a view to carrying out the policy of this order. The Committee shall confer and advise with the Secretary of Defense, the Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force, and shall make such recommendations to the President and to said Secretaries as in the judgment of the Committee will effectuate the policy hereof.

4. All executive departments and agencies of the Federal Government are authorized and directed to cooperate with the Committee in its work, and to furnish the Committee such information or the services of such persons as the Committee may require in the performance of its duties.

5. When requested by the Committee to do so, persons in the armed services or in any of the executive departments and agencies of the Federal Government shall testify before the Committee and shall make available for the use of the Committee such documents and other information as the Committee may require.

6. The Committee shall continue to exist until such time as the President shall terminate its existence by Executive order.

HARRY S. TRUMAN

THE WHITE HOUSE,
July 26, 1948.

[F. R. Doc. 48-6853; Filed, July 27, 1948; 10:39 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Civil Air Regs., Amdt. 20-10]

PART 20—PILOT CERTIFICATES

CITIZENSHIP REQUIREMENTS

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 21st day of July 1948.

The present provisions of the Civil Air Regulations concerning citizenship requirements, promulgated as wartime regulations, lack uniformity of wording and do not prescribe standardized requirements. Certain sections provide for the granting of airman privileges to citizens of foreign governments which grant reciprocal privileges to citizens of the United States, while other sections do not provide reciprocal privileges. Information has been exchanged with a number of foreign governments relating to the granting of reciprocity in the issuance of airman certificates with commercial privileges. As a result of these conversions it is deemed desirable to prescribe standardized citizenship requirements permitting the issuance of an airman certificate to a national of any country which grants or has undertaken to grant reciprocal privileges to citizens of the United States.

Interested persons have been afforded an opportunity to participate in the making of this amendment, and due consideration has been given to all relevant matter presented.

In consideration of the foregoing the Civil Aeronautics Board hereby amends Part 20 of the Civil Air Regulations (14 CFR, Part 20, as amended) effective August 26, 1948:

By amending § 20.31 to read as follows:

§ 20.31 *Citizenship.* Applicant shall be a citizen of the United States or of a foreign government which grants or has undertaken to grant reciprocal commercial pilot privileges to citizens of the United States on equal terms and conditions with citizens of such foreign government. (Secs. 205 (a), 601, 602, 52 Stat. 984, 1007, 1008; 49 U. S. C. 425 (a), 551, 552)

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 48-6755; Filed, July 27, 1948; 8:56 a. m.]

[Civil Air Regs., Amdt. 21-5]

PART 21—AIRLINE TRANSPORT PILOT RATING

CITIZENSHIP REQUIREMENTS

Adopted by the Civil Aeronautics Board at its office in Washington, D. C. on the 21st day of July 1948.

The present provisions of the Civil Air Regulations concerning citizenship requirements, promulgated as wartime regulations, lack uniformity of wording and do not prescribe standardized requirements. Certain sections provide for the granting of airman privileges to citizens of foreign governments which grant reciprocal privileges to citizens of the United States, while other sections do not provide reciprocal privileges. Information has been exchanged with a number of foreign governments relating to the granting of reciprocity in the issuance of airman certificates with commercial privileges. As a result of these conversations it is deemed desirable to prescribe standardized citizenship requirements permitting the issuance of an airman certificate to a national of any country which grants or has undertaken to grant reciprocal privileges to citizens of the United States.

Interested persons have been afforded an opportunity to participate in the making of this amendment, and due consideration has been given to all relevant matter presented.

In consideration of the foregoing the Civil Aeronautics Board hereby amends Part 21 of the Civil Air Regulations (14 CFR, Part 21, as amended) effective August 26, 1948:

By amending § 21.12 to read as follows:

§ 21.12 *Citizenship.* Applicant shall be a citizen of the United States or of a foreign government which grants or has undertaken to grant reciprocal airline transport pilot privileges to citizens of the United States on equal terms and conditions with citizens of such foreign government. (Secs. 205 (a), 601, 602, 52 Stat. 984, 1007, 1008; 49 U. S. C. 425 (a), 551, 552)

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 48-6756; Filed, July 27, 1948; 8:56 a. m.]

[Civil Air Regs., Amdt. 22-4]

PART 22—LIGHTER-THAN-AIR PILOT CERTIFICATES

CITIZENSHIP REQUIREMENTS

Adopted by the Civil Aeronautics Board at its office in Washington, D. C. on the 21st day of July 1948.

The present provisions of the Civil Air Regulations concerning citizenship requirements, promulgated as wartime regulations, lack uniformity of wording and do not prescribe standardized requirements. Certain sections provide for the granting of airman privileges to citizens of foreign governments which grant reciprocal privileges to citizens of the United States, while other sections do not

provide reciprocal privileges. Information has been exchanged with a number of foreign governments relating to the granting of reciprocity in the issuance of airman certificates with commercial privileges. As a result of these conversations it is deemed desirable to prescribe standardized citizenship requirements permitting the issuance of an airman certificate to a national of any country which grants or has undertaken to grant reciprocal privileges to citizens of the United States.

Interested persons have been afforded an opportunity to participate in the making of this amendment, and due consideration has been given to all relevant matter presented.

In consideration of the foregoing the Civil Aeronautics Board hereby amends Part 22 of the Civil Air Regulations (14 CFR, Part 22, as amended) effective August 26, 1948:

By amending § 22.122 to read as follows:

§ 22.122 *Citizenship.* Applicant shall be a citizen of the United States or of a foreign government which grants or has undertaken to grant reciprocal commercial lighter-than-air pilot privileges to citizens of the United States on equal terms and conditions with citizens of such foreign government. (Secs. 205 (a), 601, 602, 52 Stat. 984, 1007, 1008; 49 U. S. C. 425 (a), 551, 552)

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 48-6757; Filed, July 27, 1948; 8:56 a. m.]

[Civil Air Regs., Amdt. 24-3]

PART 24—MECHANIC CERTIFICATES

CITIZENSHIP REQUIREMENTS

Adopted by the Civil Aeronautics Board at its office in Washington, D. C. on the 21st day of July 1948.

The present provisions of the Civil Air Regulations concerning citizenship requirements, promulgated as wartime regulations, lack uniformity of wording and do not prescribe standardized requirements. Certain sections provide for the granting of airman privileges to citizens of foreign governments which grant reciprocal privileges to citizens of the United States, while other sections do not provide reciprocal privileges. Information has been exchanged with a number of foreign governments relating to the granting of reciprocity in the issuance of airman certificates with commercial privileges. As a result of these conversations it is deemed desirable to prescribe standardized citizenship requirements permitting the issuance of an airman certificate to a national of any country which grants or has undertaken to grant reciprocal privileges to citizens of the United States.

Interested persons have been afforded an opportunity to participate in the making of this amendment, and due consideration has been given to all relevant matter presented.

In consideration of the foregoing the Civil Aeronautics Board hereby amends Part 24 of the Civil Air Regulations (14 CFR, Part 24, as amended) effective August 26, 1948:

By amending § 24.12 to read as follows:

§ 24.12 *Citizenship.* Applicant shall be a citizen of the United States or of a foreign government which grants or has undertaken to grant reciprocal mechanic privileges to citizens of the United States on equal terms and conditions with citizens of such foreign government. (Secs. 205 (a), 601, 602, 52 Stat. 984, 1007, 1008; 49 U. S. C. 425 (a), 551, 552)

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 48-6758; Filed, July 27, 1948; 8:56 a. m.]

[Civil Air Regs., Amdt. 25-5]

PART 25—PARACHUTE TECHNICIAN CERTIFICATES

CITIZENSHIP REQUIREMENTS

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 21st day of July 1948.

The present provisions of the Civil Air Regulations concerning citizenship requirements, promulgated as wartime regulations, lack uniformity of wording and do not prescribe standardized requirements. Certain sections provide for the granting of airman privileges to citizens of foreign governments which grant reciprocal privileges to citizens of the United States, while other sections do not provide reciprocal privileges. Information has been exchanged with a number of foreign governments relating to the granting of reciprocity in the issuance of airman certificates with commercial privileges. As a result of these conversations it is deemed desirable to prescribe standardized citizenship requirements permitting the issuance of an airman certificate to a national of any country which grants or has undertaken to grant reciprocal privileges to citizens of the United States.

Interested persons have been afforded an opportunity to participate in the making of this amendment, and due consideration has been given to all relevant matter presented.

In consideration of the foregoing the Civil Aeronautics Board hereby amends Part 25 of the Civil Air Regulations (14 CFR, Part 25, as amended) effective August 26, 1948:

By amending § 25.10 to read as follows:

§ 25.10 *Citizenship.* Applicant shall be a citizen of the United States or of a foreign government which grants or has undertaken to grant reciprocal parachute technician privileges to citizens of the United States on equal terms and conditions with citizens of such foreign government. (Secs. 205 (a), 601, 602, 52 Stat 984, 1007, 1008; 49 U. S. C. 425 (a), 551, 552)

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 48-6759; Filed, July 27, 1948; 8:56 a. m.]

[Civil Air Regs., Amdt. 26-4]

PART 26—AIR-TRAFFIC CONTROL-TOWER OPERATOR CERTIFICATES

CITIZENSHIP REQUIREMENTS

Adopted by the Civil Aeronautics Board at its office in Washington, D. C. on the 21st day of July 1948.

The present provisions of the Civil Air Regulations concerning citizenship requirements, promulgated as wartime regulations, lack uniformity of wording and do not prescribe standardized requirments. Certain sections provide for the granting of airman privileges to citizens of foreign governments which grant reciprocal privileges to citizens of the United States, while other sections do not provide reciprocal privileges. Information has been exchanged with a number of foreign governments relating to the granting of reciprocity in the issuance of airman certificates with commercial privileges. As a result of these conversations it is deemed desirable to prescribe standardized citizenship requirements permitting the issuance of an airman certificate to a national of any country which grants or has undertaken to grant reciprocal privileges to citizens of the United States.

Interested persons have been afforded an opportunity to participate in the making of this amendment, and due consideration has been given to all relevant matter presented.

In consideration of the foregoing the Civil Aeronautics Board hereby amends Part 26 of the Civil Air Regulations (14 CFR, Part 26, as amended) effective August 26, 1948:

By amending § 26.1 (d) to read as follows:

§ 26.1 *General.* * * *

(d) A citizen of the United States or of a foreign government which grants or has undertaken to grant reciprocal air-traffic control-tower operator privileges to citizens of the United States on equal terms and conditions with citizens of such foreign government.

(Secs. 205 (a), 601, 602, 52 Stat. 984, 1007, 1008; 49 U. S. C. 425 (a), 551, 552)

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 48-6760; Filed, July 27, 1948; 8:57 a. m.]

[Civil Air Regs., Amdt. 27-2]

PART 27—AIRCRAFT DISPATCHER CERTIFICATES

CITIZENSHIP REQUIREMENTS

Adopted by the Civil Aeronautics Board at its office in Washington, D. C. on the 21st day of July 1948.

The present provisions of the Civil Air Regulations concerning citizenship requirements, promulgated as wartime regulations, lack uniformity of wording and do not prescribe standardized requirements. Certain sections provide for the granting of airman privileges to citizens of foreign governments which grant reciprocal privileges to citizens of the

United States, while other sections do not provide reciprocal privileges. Information has been exchanged with a number of foreign governments relating to the granting of reciprocity in the issuance of airman certificates with commercial privileges. As a result of these conversations it is deemed desirable to prescribe standardized citizenship requirements permitting the issuance of an airman certificate to a national of any country which grants or has undertaken to grant reciprocal privileges to citizens of the United States.

Interested persons have been afforded an opportunity to participate in the making of this amendment, and due consideration has been given to all relevant matter presented.

In consideration of the foregoing the Civil Aeronautics Board hereby amends Part 27 of the Civil Air Regulations (14 CFR, Part 27, as amended), effective August 26, 1948:

By amending § 27.12 to read as follows:

§ 27.12 *Citizenship.* Applicant shall be a citizen of the United States or of a foreign government which grants or has undertaken to grant reciprocal aircraft dispatcher privileges to citizens of the United States on equal terms and conditions with citizens of such foreign government. (Secs. 205 (a), 601, 602, 52 Stat. 984, 1007, 1008; 49 U. S. C. 425 (a), 551, 552)

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN, *Secretary.*

[F. R. Doc. 48-6761; Filed, July 27, 1948; 8:57 a. m.]

[Civil Air Regs., Amdt. 51-3]

PART 51—GROUND INSTRUCTOR RATING

CITIZENSHIP REQUIREMENTS

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 21st day of July 1948.

The present provisions of the Civil Air Regulations concerning citizenship requirements, promulgated as wartime regulations, lack uniformity of wording and do not prescribe standardized requirements. Certain sections provide for the granting of airman privileges to citizens of foreign governments which grant reciprocal privileges to citizens of the United States, while other sections do not provide reciprocal privileges. Information has been exchanged with a number of foreign governments relating to the granting of reciprocity in the issuance of airman certificates with commercial privileges. As a result of these conversations it is deemed desirable to prescribe standardized citizenship requirements permitting the issuance of an airman certificate to a national of any country which grants or has undertaken to grant reciprocal privileges to citizens of the United States.

Interested persons have been afforded an opportunity to participate in the making of this amendment, and due consideration has been given to all relevant matter presented.

In consideration of the foregoing the Civil Aeronautics Board hereby amends Part 51 of the Civil Air Regulations (14 CFR, Part 51, as amended) effective August 26, 1948:

By amending § 51.1 (c) to read as follows:

§ 51.1 *Ground instructor rating and certificate requirements.* * * *

(c) *Citizenship.* Applicant shall be a citizen of the United States or of a foreign government which grants or has undertaken to grant reciprocal ground instructor privileges to citizens of the United States on equal terms and conditions with citizens of such foreign government.

(Secs. 205 (a), 601, 602, 52 Stat. 984, 1007, 1008; 49 U. S. C. 425 (a), 551, 552)

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN, *Secretary.*

[F. R. Doc. 48-6762; Filed, July 27, 1948; 8:57 a. m.]

TITLE 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Federal Security Agency

PART 141—TESTS AND METHODS OF ASSAY FOR ANTIBIOTIC DRUGS

PART 146—CERTIFICATION OF BATCHES OF PENICILLIN- OR STREPTOMYCIN-CONTAINING DRUGS

MISCELLANEOUS AMENDMENTS

Correction

In Federal Register Document 48-6575, appearing at page 4186 of the issue for Thursday, July 22, 1948, the following changes should be made:

1. In the fifth line of § 141.7 (c) (3) the word "black" should read "back."

2. In the sixth line of § 141.26 (e) the word "weight" should read "weigh."

3. The last sentence of § 141.26 (i) should read "The percent penicillin K=(98.46— percent found in buffer) × 3.34."

4. In § 146.40 (d) (2) (ii), the comma at the end of line 6 should be deleted.

TITLE 22—FOREIGN RELATIONS

Chapter I—Department of State

[Departmental Reg. 108.73]

PART 60—VISAS, DIPLOMATIC: REGULATIONS

APPLICATIONS FOR DIPLOMATIC VISAS, AND REPORTS AS TO GRANTING OF SUCH VISAS

JULY 20, 1948.

The following amendments to Part 60, Chapter I, Title 22, Code of Federal Regulations (Departmental Regulation 12, 10 F. R. 12679) are hereby prescribed:

1. Paragraph (b) of § 60.7 is amended to read as follows:

§ 60.7 *Applications for diplomatic visas.* * * *

(b) As a general rule an alien seeking a diplomatic visa should apply in person at the office from which he desires to obtain the visa. However, the chief of the office may, in his discretion, waive the personal appearance of the applicant. Application for a diplomatic visa shall be made on Foreign Service Forms 257a to 257d, inclusive, for each person 14 years of age or over, even if several persons are to be included in one visa. No oath will be required. Forms 257a, 257b, and 257d shall be given to the bearer of the visa for delivery to the immigration inspector at the port of entry in the United States. Form 257c shall be retained for the office files. When the personal appearance of an applicant is waived the diplomatic or consular officer should complete the application as far as possible from the information available and pin or clip Forms 257a, 257b and 257d to the applicant's passport. In the absence of specific instructions to the contrary, the requirement of a photograph of the applicant may be waived in the discretion of the responsible officer.

2. Paragraph (a) of § 60.13 is amended to read as follows:

§ 60.13 *Reports to Department.* (a) Whenever a diplomatic visa is granted in any month the office concerned shall report the granting of such visa in its monthly report to the Department on Foreign Service Form 258 in accordance with the instructions printed on that form.

These regulations shall become effective on the date of their publication in the FEDERAL REGISTER. The provisions of section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U. S. C., 1003) relative to proposed rule-making and delayed effective date are inapplicable because these regulations involve foreign-affairs functions.

(Sec. 3, 43 Stat. 154, sec. 24, 43 Stat. 166, sec. 30, 54 Stat. 673, sec. 37a, 54 Stat. 675, sec. 3, sec. 15, 54 Stat. 711; 8 U. S. C. 203, 215, 222, 451, 458; E. O. 5435, Sept. 2, 1930)

Approved: July 20, 1948.

[SEAL] G. C. MARSHALL, *Secretary of State.*

Recommended, so far as the provisions of the Immigration Act of 1924 and the Alien Registration Act, 1940, are concerned, by:

TOM C. CLARK, *Attorney General.*

[F. R. Doc. 48-6748; Filed, July 27, 1948; 8:53 a. m.]

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter II—Fiscal Service, Department of the Treasury

Subchapter A—Bureau of Accounts

[Dept. Circ. 570, Rev. Apr. 20, 1943, 1948, 22d Supp.]

PART 226—SURETY COMPANIES ACCEPTABLE ON FEDERAL BONDS

TRADERS & GENERAL INSURANCE CO.

JULY 22, 1948.

A certificate of authority has been issued by the Secretary of the Treasury to

the following company under the act of Congress approved August 13, 1894, 28 Stat. 279–80, as amended by the act of Congress approved March 23, 1910, 36 Stat. 241 (6 U. S. C. 6–13), as an acceptable surety on Federal bonds. An underwriting limitation of $130,000.00 has been established for the company. Further details as to the extent and localities with respect to which the company is acceptable as surety on Federal bonds will appear in the next issue of Treasury Department Form 356, copies of which, when issued, may be obtained from the Treasury Department, Bureau of Accounts, Section of Surety Bonds, Washington 25, D. C.

Section 226.1 *Surety companies acceptable on Federal bonds; acceptable reinsurance companies* is hereby amended by adding the following company:

Name of Company, Location of Principal Executive Office and State in Which Incorporated

Texas, Traders & General Insurance Company, Dallas, Texas.

(28 Stat. 279–80, 36 Stat. 241; 6 U. S. C. 6–13)

[SEAL] E. H. FOLEY, Jr.,
Acting Secretary of the Treasury.

[F. R. Doc. 48-6738; Filed, July 27, 1948; 8:50 a. m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 2—ADJUDICATION: VETERANS' CLAIMS (APPENDIX)

INSTRUCTIONS RELATING TO ADJUSTMENT OF AWARDS UNDER PUBLIC LAW 876, 80TH CONGRESS

1. Public Law 876, 80th Congress, approved July 2, 1948, is as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, effective the first day of the first month following the passage of this Act, paragraph II of part II of Veterans Regulation Numbered I (a), as amended, is amended to read as follows:

II. For the purposes of Part II, paragraph I (a) hereof, if the disability results from injury or disease, the compensation shall be equal to 80 per centum of the compensation now or hereafter payable for the disability, had it been incurred in or aggravated by active military or naval service during a period of war service as provided in part I of this regulation.

2. Adjustments under this enactment are effective August 1, 1948, and will be, as far as possible, automatically made from the finance records without individual adjudications. This adjustment includes those cases wherein payments are being made based on disabilities incurred in or aggravated by service other than in time of war under part II of Veterans Regulation 1 (a), as amended, and which are based only on the regular rates shown in paragraph 6 of this Instruction. Automatic adjustments will not be made in those cases receiving wartime rates under Public Law 359, 77th Congress; Public Law 788, 74th Congress; the General Law (act of July 14, 1862); nor on cases involving statutory increases.

3. The following procedure will be used by finance divisions, regional offices, to effect automatic adjustments: The regional disbursing office will be requested to prepare an extra copy of the July book-run for Code 7B2. Immediately after the July book-runs for this code have been completed and certified, the award account cards, which carry an old rate shown in paragraph 6 of this Instruction, will be adjusted to the new rate shown in that paragraph. The necessary entries will be posted on the award account cards to reflect the increase in amount and authority therefor. The authority will be shown as "Adj. PL 876, 80th Cong." which may be made by rubber stamp. As the award account cards are adjusted, the new monthly rate will be entered on the extra copy of the July book-run opposite the name of each payee. Extreme care will be exercised to insure that such entries are clearly legible. Local agreements should be made with the regional disbursing offices concerning the transmittal of annotated book-runs. It may be desirable to transmit portions of book-runs as they are prepared. Awards which are not automatically adjusted, including those at regular rates about which there is doubt as to the propriety of automatic adjustments, will be posted to 3 x 5 cards which will be forwarded to the Adjudication Division for individual authorizations. In these cases, the word "Same" will be entered on the book-run opposite the name of the payee. Prior to preparing the August book-run, the regional disbursing office will change the rates in the addressograph plates from the annotated copies of the July book-runs. Consequently, the August book-runs will contain the new rates. Prior to making any addressograph plate changes after the preparation of the August book-run, the regional disbursing office will also imprint each addressograph plate for Code 7B2 on an individual tabulating machine card. It will be the responsibility of the chief, finance division, in each regional office, to secure from the chief, administrative division, the necessary tabulating card stock for this purpose and arrange to have such stock transported to the regional disbursing office. The reverse side of any available card will be suitable for this purpose. Such cards will also bear the notation "Adj. PL 876, 80th Cong." Upon receipt of these cards in the finance division, they will be carefully compared against the award account cards to insure that there is a tabulating card for each award account card. During this comparison, the tabulating cards corresponding to those awards which were not adjusted will be segregated and destroyed. The group of "adjusted" cards will be forwarded to the adjudication division, abstract group, for eventual filing in the claims folder.

4. Awards subject to adjustment under this law which are under the jurisdiction of central office will be automatically adjusted in substantially the same manner as that outlined in paragraph 3 of this Instruction. Payees accounts service will forward 3 x 5 cards, corresponding to those accounts which are not automatically adjusted, to the chief, claims division, veterans claims service, for the preparation of individual authorizations. The tabulating machine cards received from the division of disbursement will be processed as indicated in paragraph 3 of this Instruction and forwarded to the claims statistics service, central office.

5. Cases in which no automatic adjustments of payments were made by the finance activity will be reviewed in numerical sequence and the amended compensation awards submitted without delay. However, in any case in this category which is before an adjudicating agency for some other purpose, the amended award will be prepared at that time. Amended awards will not be prepared to support the automatic adjustments made by the finance activity in the other cases until such time as an amended award is otherwise in order or unless an automatic adjustment is discovered to be in error when a case is otherwise before an adjudicating agency. Any reduction occasioned by decrease in the rates automatically adjusted will be effective the date of last payment. The amended compensation award, when signed by the adjudicating activity, will be forwarded to the payees accounts service, central office, or to the finance division, field station, for appropriate payment action.

6. The rates of compensation provided by Public Law 876, 80th Congress are as follows:

Percent	Old rate	New rate
10	10.35	11.04
20	20.70	22.08
30	31.05	33.12
40	41.40	44.16
50	51.75	55.20
60	62.10	66.24
70	72.45	77.28
80	82.80	88.32
90	93.15	99.36
100	103.50	110.40

Automatic adjustments will be made by finance activities only on those cases being paid at the above "old rates."

(a) If the disabled person, as the result of service incurred disability, has suffered the anatomical loss or loss of use of one foot or one hand, or blindness of one eye having only light perception, the rates of compensation provided in paragraph 6 above shall be increased by $33.60 per month; and in the event of anatomical loss or loss of use of one foot, or one hand, or blindness of one eye having only light perception, in addition to the requirement for any of the rates specified in subparagraphs (l) to (n), inclusive, set forth in paragraph 6 (b) of this Instruction, the rate of compensation shall be increased by $33.60 per month for each such loss or loss of use but in no event to exceed $288.00 per month.

(b) Where entitlement under Part II, paragraph II (l) to (o) is established,

the rate of compensation will be as follows:

Subparagraph (l)—$192.00.
Subparagraph (m)—$225.60.
Subparagraph (n)—$254.40.
Subparagraph (o)—$288.00.
Subparagraph (p)—Present intermediate rates will be increased from $195.75 to $208.80; $211.50 to $225.60; $225.00 to $240.00.

The above rates are basic rates and do not reflect any allowances for dependents as provided by section 2, Public Law 877, 80th Congress.

7. The 3 x 5 cards forwarded to the chief, claims division, central office, or to the adjudication divisions, regional offices, will be used for individual authorization actions. The cases will be drawn from file for review as soon as possible and adjusted by award action, (subject to the provisions of § 2.2025 (i) and (j) in Public Law 788, 80th Congress, and General Law cases). While the General Law rates are not increased, a determination will be made as to the amount payable upon the current evaluation under the 1933 Schedule where the service connected disability is based upon service prior to April 21, 1898, and under the 1945 Schedule where the service connected disability is based upon service on or after April 21, 1898, and the greater benefit awarded. Although Public No. 788, 74th Congress, limits the maximum benefits to 75 percent of the wartime rates, the rates under this act should be computed upon the basis of the evaluation under the 1945 Schedule and if this is greater than the amount which is payable under Public No. 788, 74th Congress, the greater benefit will be awarded.

8. In automatically adjusting the accounts of veterans whose awards have been apportioned, including special apportionments, the increased amount will be prorated among the payees in accordance with the existing apportionment.

9. In cases where an institutional award has been authorized, any increase in the veteran's award will be deposited in Funds Due Incompetent Beneficiaries, provided deposits are being currently made into this fund, otherwise such adjustment will be accomplished by award action. Where there is an institutional award and the balance is being paid to a guardian or other fiduciary, the increased amount will be paid to the guardian or fiduciary.

10. The increased rates authorized by Public Law 876, 80th Congress, will be effective from August 1, 1948. In new or reopened awards where the effective date of entitlement is prior to August 1, 1948, the former rates will apply to that date and the new rates from August 1, 1948. If the award shows entitlement only from or after August 1, 1948, the new rates will be applicable from the beginning date of the award. When adjusting awards pursuant to this instruction, there will be entered on VA Form 8–553 a notation specifying Public Law 876, 80th Congress, as authority for the award.

11. All amended award action on cases affected by this law will be held in the adjudication organizational units pending completion of the automatic adjustments described herein unless overpayment would result. Finance offices will notify the adjudication organizational units when the automatic adjustment is completed. Where conditions at any station are such that all amended awards can be processed simultaneously with the automatic adjustments and without retarding the latter process, the finance offices will so advise the adjudication organizational unit, and such amended awards may then be released to the finance office.

12. Where the awards are not automatically adjusted by the finance activities, the veteran, his representative, if any, or guardian will be notified of the action taken as a result of the review under Public Law 876, 80th Congress.

(Pub. Law 876, 80th Cong.)

[SEAL] O. W. CLARK,
Executive Assistant Administrator.

[F. R. Doc. 48–6743; Filed, July 27, 1948; 8:53 a. m.]

PART 2—ADJUDICATION: VETERANS' CLAIMS (APPENDIX)

INSTRUCTIONS RELATING TO INCREASE IN MONTHLY RATES OF DEATH COMPENSATION AND PENSION PAYABLE TO DEPENDENTS OF DECEASED VETERANS AT AN APPORTIONED RATE

1. *Review.* Paragraph 6, Veterans' Administration Instruction No. 1, Public Law 868, 80th Congress, provides that the finance offices will furnish the adjudicating offices lists of all active cases under the codes affected in which payments are apportioned between a widow and a child or children. Upon receipt of the lists the adjudicating offices will obtain and review the XC-folders as rapidly as the condition of work permits.

2. *Apportioned rates.* Effective September 1, 1948, the rate payable for the widow shall be $60 monthly, where the death of the veteran was due to wartime service, or $48 monthly where death was due to peacetime service. The remainder of the amount which would be payable to the widow if all children were in her custody will be divided equally among the children. The amount payable on behalf of any child in the widow's custody will be added to the widow's share.

3. *Award procedure.* On awards amended pursuant to the provisions of this Instruction, the following statement will be made under "Reason for amendment" on the supplemental award brief face, VA Form 8–553c: "Increase under Pub. Law 868, 80th Congress." The number of beneficiaries and apportionment status must also be shown, for example: "Award apportioned between widow with one child in her custody and two children not in her custody." It will not be necessary to show any of the rates in effect prior to September 1, 1948.

4. *Current awards.* In awards of death compensation which are currently approved covering periods both prior and subsequent to September 1, 1948, where the increased rates provided by this act are payable, the award will be apportioned in accordance with the provisions of paragraph 2, above, for periods on and after September 1, 1948.

(Pub. Law 868, 80th Cong.)

[SEAL] O. W. CLARK,
Executive Assistant Administrator.

[F. R. Doc. 48–6744; Filed, July 27, 1948; 8:53 a. m.]

PART 2—ADJUDICATION: VETERANS' CLAIMS (APPENDIX)

PRESUMPTION OF SERVICE CONNECTION FOR CHRONIC AND TROPICAL DISEASES

1. *Provisions of section 1, Public Law 748.* Section 1, Public Law 748, 80th Congress, amends Veterans Regulation 1 (a), as amended, to provide that:

(a) If the conditions of paragraph I (c), Part I, of Veterans Regulation 1 (a), are met and subject to the limitations thereof the following chronic diseases, in addition to those listed in § 2.1086 and the following tropical diseases, will be considered as having been incurred in wartime service if manifest to a degree of 10 percent or more within one year from the date of separation from active wartime service or within one year after the pertinent date prior to which a disability must have been incurred as provided in Veterans Regulation 1 (a), as amended, whichever is the earlier.

(1) *Chronic diseases.*

Bronchiectasis.
Calculi of the kidney, bladder or gall bladder.
Cirrhosis of the liver.
Coccidiomycosis.
Osteomalacia.
Scleroderma.
Raynaud's disease.
Tumors of the peripheral nerves.
Ulcer peptic (gastric or duodenal).

(2) *Tropical diseases.*

Cholera.
Dysentery.
Filariasis.
Leishmaniasis.
Leprosy.
Loiasis.
Malaria, including black water fever.
Onchocerciasis.
Oroya fever.
Dracontiasis.
Pinta.
Plague.
Schistosomiasis.
Yaws.
Yellow fever.

(b) The resultant disorders or diseases originating because of therapy, administered in connection with the above cited tropical diseases or as a preventive of these diseases, will be considered as having been incurred in service if the conditions set forth in paragraph 1 (a) of this Instruction are met.

(c) Section 1, Public Law 748, 80th Congress, also provides that service incurrence will be established under paragraph I (a), Part I, Veterans' Regulation 1 (a), as amended, for any of the above cited tropical diseases when shown to exist at a time when standard and accepted treatises indicate that the incubation period of the diseases commenced during active service.

2. *Provisions of section 2, Public Law 748.* Section 2, Public Law 748, 80th

Congress, amends Veterans Regulation 1 (a), Part II, paragraph I, as amended, by adding a new subparagraph (d) thereto, providing that:

(a) Where a person served in the military or naval service for six months or more, was honorably discharged therefrom, and one of the tropical diseases listed below becomes manifest to a degree of ten percent or more within one year from date of separation from service, such tropical disease shall be deemed to have been incurred in active service for the purposes of paragraph I (a), Part II, Veterans Regulation 1 (a), as amended, unless shown by clear and unmistakable evidence to have had its inception prior or subsequent to such service. The tropical diseases encompassed by the legislation are:

Cholera.	Onchocerciasis.
Dracontiasis.	Oroya fever.
Dysentery.	Pinta.
Filariasis.	Plague.
Leishmaniasis.	Schistosomiasis.
Leprosy.	Yaws.
Loiasis.	Yellow fever.
Malaria, including black water fever	

(b) The resultant disorders or diseases originating because of therapy administered in connection with the tropical diseases listed in paragraph 2 (a) of this Instruction or as a preventative of these diseases will be considered as having been incurred in service if the conditions set forth in paragraph 2 (a) of this instruction are met.

(c) Section 2, Public Law, 748, 80th Congress, also provides that service incurrence will be established under paragraph I (a), Part II, Veterans Regulation No. 1 (a) as amended, for any of the tropical diseases listed in paragraph 2 (a) of this Instruction when shown to exist at a time when standard and accepted treatises indicate that the incubation period commenced during active service.

3. *Rebuttal of presumption of service connection.* The expression "clear and unmistakable evidence" appearing in paragraph I (d), Part II, of Veterans Regulation 1 (a), shall be construed to be synonymous with the expression "affirmative evidence to the contrary" contained in paragraph I (c), Part I, of Veterans Regulation 1 (a). As to tropical diseases, incurred in either wartime or peacetime service, the fact that the veteran had no service in the tropics or in a locality having a high incidence of the disease, may be considered as evidence to rebut the presumption. The record must be negative as to inception prior or subsequent to service, and residence during the year following this service must not have been in the tropics or in a region where the particular disease is endemic. It is further necessary in disability claims that the conditions other than malaria be properly diagnosed on Veterans' Administration examination. The known incubation period for such diseases should be used as a factor in the rebuttal of service connection, that is, to show inception prior or subsequent to active service.

4. *Effective dates of awards and evaluations.* The effective dates of awards and evaluations will be in accordance with the provisions of controlling regulations provided that in no event will benefits under Public Law 748, 80th Congress, be awarded prior to the date of enactment thereof. It should be borne in mind that benefits may be in order prior to the date of enactment of Public Law 748, 80th Congress, when the requirements of § 2.1095 as to peptic ulcer and § 2.1102 as to amebic dysentery, bacillary dysentery, filariasis (Bancroft's type), leishmaniasis, including kala-azar, schistosomiasis, trypanasomiasis, yaws and malaria, are met.

(Pub. Law 748, 80th Cong.)

[SEAL] O. W. CLARK,
Executive Assistant Administrator.

[F. R. Doc. 48-6745; Filed, July 27, 1948; 8:53 a. m.]

PART 2—ADJUDICATION: VETERANS' CLAIMS (APPENDIX)

INSTRUCTIONS RELATING TO INCREASE IN MONTHLY RATES OF DEATH COMPENSATION AND PENSION PAYABLE TO DEPENDENTS OF DECEASED VETERANS

1. *Public Law 868, 80th Congress.* Public Law 868, 80th Congress, approved July 1, 1948 provides as follows:

Be it enacted, * * *, That paragraph IV of part I of Veterans Regulation Numbered 1 (a), as amended, is hereby amended to read as follows:

The surviving widow, child or children, and dependent mother or father of any deceased person who died as the result of injury or disease incurred in or aggravated by active military or naval service as provided in part I, paragraph I hereof, shall be entitled to receive compensation at the monthly rates specified next below:

Widow but no child, $75; widow with one child, $100 (with $15 for each additional child); no widow but one child, $58; no widow but two children, $82 (equally divided); no widow but three children, $106 (equally divided) (with $20 for each additional child; total amount to be equally divided); dependent mother or father, $60 (or both), $35 each.

SEC. 2. Subparagraph (c), paragraph I, part II, Veterans Regulation Numbered 1 (a), as amended, is hereby amended to read as follows:

(c) Any veteran or the dependents of any deceased veteran otherwise entitled to compensation under the provisions of part II of this regulation or the general pension law shall be entitled to receive the rate of compensation provided in part I of this regulation, if the disability or death of such veteran resulted from an injury or disease received in line of duty (1) as a direct result of armed conflict, or (2) while engaged in extra-hazardous service, including such service under conditions simulating war, or (3) while the United States is engaged in war.

SEC. 3. Paragraph III of part II of Veterans Regulation Numbered 1 (a), as amended, is hereby amended to read as follows:

The surviving widow, child or children, and dependent mother or father of any deceased person who died as a result of injury or disease incurred in or aggravated by active military or naval service as provided for in part II, paragraph I hereof, shall be entitled to receive compensation at 80 per centum of the rates specified for such dependents in paragraph IV, part I hereof, as now or hereafter amended.

SEC. 4. The increases provided by this act shall be effective from the first day of the second month following the passage of this act.

2. *Cases affected.* The increased rates of death compensation are applicable to widows, children and dependent parents where the death of the veteran was due to service during any war or peacetime, or where the death of the veteran resulted under the conditions set forth in section 31, Public No. 141, 73d Congress, section 12, Public No. 866, 76th Congress, or section 2 (Veterans Regulation No. 1 (a), as amended, Part VII, Paragraph 4), Public No. 16, 78th Congress. The increased rates are not applicable, however, to cases in which a protected rate is being paid under the provisions of section 20, Public No. 78, 73d Congress or section 28, Public No. 141, 73d Congress.

3. *Current awards.* The provisions of this law will be applied in awards for periods on and after September 1, 1948.

4. *Automatic adjustments.*—(a) *Central office cases.* The payees accounts service, central office, will review the award account cards under codes 5A1, 6A1, 7B1, 7B3, 10A, 16A and 16A1, of widows, children and dependent parents. Except where the award has been apportioned between a widow and a child or children not in her custody, the total payable monthly under the award will be increased effective September 1, 1948 as provided in the attached Tables A, B or C, whichever is applicable.

(1) The division of disbursement will be requested to prepare transcripts of the plates for the finance office on cards 3¼ x 7⅜. These cards will bear in addition to name, address, XC-number and amount, the notation "Adj: Public Law 868, 80th Cong." Cards in those cases not automatically adjusted will be segregated. In those cases which are automatically adjusted, the finance office will enter the new rates thereon, after which these cards will be forwarded to the office in charge of abstracting, and will then be filed in the XC-folder over the most recent award.

(2) Where there is doubt as to whether the adjustment in rates should be automatically accomplished, such doubtful cases should be referred to dependents and beneficiaries claims service for preparation of an amended award.

(b) *Branch office cases.* Finance service will automatically adjust codes 6A1, 7B1, and 10A effective September 1, 1948. The regional disbursing office will be requested to prepare an extra copy of the August book-run. Immediately after the August book-runs have been completed and certified, the award account cards will be automatically adjusted to the new rates shown in Tables A, B or C, with the exception of those awards which are apportioned between a widow and a child or children. Such awards will continue to be paid at the old rates until individually adjudicated. A list of apportioned awards will be prepared, in duplicate, simultaneously with the automatic adjustment process (see paragraph 6 of this Instruction). The duplicate copy will be retained in finance service. Where an

automatic adjustment is made, the necessary entries will be posted on the award account cards, to reflect the increase in amount and authority therefor. The authority will be shown as "Adj. P. L. 868, 80th Cong." which may be made by rubber stamp. As the award account cards are adjusted, the new monthly rate will be entered on the extra copy of the August book-run opposite the name of each payee. Extreme care will be exercised to insure that such entries are clearly legible. Local agreements should be made with the regional disbursing offices concerning the transmittal of annotated book-runs. It may be desirable to transmit portions of book-runs containing 200 or 500 names as they are prepared.

(1) Where there is doubt as to the propriety of an automatic adjustment, such doubtful cases will be referred to the dependents and beneficiaries claims division for preparation of an amended award. A pencil notation of this action will be made on the award account card. In these cases and in apportionment cases, the word "same" will be entered on the book-run opposite the name of the payee. A copy of the lists of apportionment cases and doubtful cases which were not adjusted will be retained in the finance service for use in processing tabulating cards furnished by the regional disbursing office (see subparagraph (b) (2) of this paragraph).

(2) Prior to preparing the September book-run, the regional disbursing office will change the rates in the addressograph plates from the annotated copies of the August book-run. Consequently the September book-run will contain the new rates. Prior to making any addressograph plate changes after the preparation of the September book-run, the regional disbursing office will imprint each addressograph plate for codes 6A1, 7B1 and 10A on an individual tabulating machine card. Such cards will also bear the notation "Adj. P. L. 868, 80th Cong." Upon the receipt of these cards by finance service, they will be carefully compared against the award account cards to insure that there is a tabulating card for each award account card. During this comparison, the tabulating cards corresponding to those awards which were not adjusted will be segregated. After all "unadjusted" tabulating cards are segregated, they will be compared with the lists of unadjusted awards prepared for apportioned and doubtful cases. The two groups of cards, clearly marked "adjusted" and "unadjusted" respectively, will then be forwarded to the claims records section. The "adjusted" cards will eventually be filed in the XC-folders as evidence of the automatic adjustment.

(c) *General.* In any cases in which a subsequent review of the file discloses that the automatic adjustment was erroneously made either in central office or a branch office, an amended award will be made to show the correct rate payable. Any reduction occasioned by decrease in the rates automatically adjusted will be effective date of last payment.

5. *Cases to be reviewed.* The payees accounts service, central office, will furnish the adjudicating division, dependents and beneficiaries claims service, a list of all active cases in which payments are being made based on service rendered during the Civil War or Indian Wars (Codes 2A and 4A), to a widow for herself at the monthly rate of $60, or to a widow for herself and a child or children in which the monthly rate for the widow is $60. The adjudicating division will obtain and review the XC-folders in these cases.

(a) The increased rates provided in Table A will be authorized effective September 1, 1948, in those cases in which death is service-connected. It should be borne in mind that the increase in rate provided by this act is applicable to widows who are receiving compensation at the monthly rate of $60 based on service-connected death, but is not applicable where death is not service-connected and pension is being paid at this rate because the widow was the wife of the soldier during his war service.

(b) On awards amended pursuant to the provisions of this paragraph, the following statement will be made under "Reason for amendment" on the supplemental award brief face VA Form 8–553c: "Increase under section 1, Public No. 868, 80th Congress." The number of beneficiaries involved must also be shown, for example: "W. and 1 ch." (widow and 1 child). It will not be necessary to show any of the rates in effect prior to September 1, 1948.

6. *Apportioned awards.* The payees accounts service in central office will furnish the dependents and beneficiaries claims service a list of all active cases under codes 5A1, 6A1, 7B1, 7B3, 10A, 16A and 16A1, and the finance service in the branch offices will furnish the dependents and beneficiaries claims divisions a list of all active cases under codes 6A1, 7B1 and 10A, in which payments are apportioned between a widow and a child or children. Pending the issuance of subsequent instructions, no action will be taken to effect an adjustment under this act. Specific instructions will be promulgated at a later date.

7. *Change of award from one law to another.* The provisions of § 2.2552 (b) are applicable to cases in which benefits are being paid under one law and the payee becomes entitled to a greater benefit under the provisions of this act; for example, cases in which the widow of a Spanish-American War veteran is receiving $60 monthly pension by reason of having been the wife of the soldier during his military service, or pension is being paid under the provision of Public No. 484, 73d Congress, as amended, and the payee is also entitled to benefits under the provisions of section 31, Public No. 141, as amended. In cases in this category, death compensation may be payable at the increased rates provided by this act effective the date of receipt of a claim (formal or informal) constituting an election to receive the greater rate of compensation, but in no event prior to September 1, 1948.

8. *Prior adjudications.* Previous determinations on which an award was predicated will be accepted as correct in the absence of clear and unmistakable error or fraud.

TABLE A

Codes	Wartime rates of death compensation	Present rate	New rate effective Sept. 1, 1948
	Widows		
2A; 4A; 5A1; 6A1; 7B1 (Pub. Law 359, 77th Cong.); 7B3 (Pub. No. 140, 73d Cong.); 10A.	Widow	$60.00	$75
	Widow with 1 child	78.00	100
	Each additional child	15.60	15
	Children where there is no widow (total payable equally divided).		
	1 child	30.00	58
	2 children	45.60	82
	3 children	57.60	106
	Each additional child	12.00	20
	Parents		
	Dependent mother or father	54.00	60
	(Or both) each	30.00	35
16A	The foregoing rates are payable in pesos rather than in dollars.		

TABLE B

SECTION 31, PUBLIC NO. 141, 73D CONGRESS, OR SECTION 12 PUBLIC NO. 866, 76TH CONGRESS

Codes	Wartime and peacetime rates	Present rate	New rate effective Sept. 1, 1948
	WARTIME RATES		
	Widows		
2A; 4A; 5A1; 6A1; 7B1 (Pub. Law 359, 77th Cong.); 10A.	Widow under 50 years of age	$36.00	$75.00
	Widow 50 to 65 years of age	42.00	75.00
	Widow over 65 years of age	48.00	75.00
	Additional for 1 child under or over 10 years of age	12.00 or 18.00	25.00
	Additional for each additional child under or over 10 years of age	9.60 or 15.60	15.00
	Children where there is no widow (total payable equally divided)		
	1 child	24.00	58.00
	2 children	39.60	82.00
	3 children	55.20	106.00
	Each additional child	9.60	20.00
	Parents		
	Dependent mother or father	24.00	60.00
	(Or both) each	18.00	35.00
	PEACETIME RATES		
	Widows		
	Widow under 50 years of age	22.00	60.00
	Widow 50 to 65 years of age	26.00	60.00
	Widow over 65 years of age	30.00	60.00
	Additional for 1 child under or over 10 years of age	7.00 or 11.00	20.00
7B1 (other than Pub. Law 359, 77th Cong.).	Additional for each additional child under or over 10 years of age	6.00 or 9.00	12.00

TABLE B—Continued

SECTION 31, PUBLIC NO. 141, 73D CONGRESS, OR SECTION 12, PUBLIC NO. 868, 76TH CONGRESS—continued

Codes	Wartime and peacetime rates	Present rate	New rate effective Sept. 1, 1948
	PEACETIME RATES—continued		
	Children where there is no widow (total payable equally divided)		
7B1 (other than Pub. Law 359, 77th Cong.).	1 child	$15.00	$46.40
	2 children	24.00	65.60
	3 children	34.00	84.80
	Each additional child	6.00	16.00
	Parents		
	Dependent mother or father	15.00	48.00
	(Or both) each	11.00	28.00

TABLE C

Codes	Peacetime rates of death compensation	Present rate	New rate effective 9/1/48
	Widows		
	Widow	$38.00	$60.00
	Widow with 1 child	49.00	80.00
	Each additional child	10.00	12.00
	Children where there is no widow (total payable equally divided)		
7B1 (other than Pub. Law 359, 77th Cong.).	1 child	19.00	46.40
	2 children	28.00	65.60
	3 children	36.00	84.80
	Each additional child	8.00	16.00
	Parents		
	Dependent mother or father	30.00	48.00
	(Or both) each	20.00	28.00
16A1	The foregoing rates are payable in pesos rather than in dollars.		

[SEAL] O. W. CLARK,
Executive Assistant Administrator.

[F. R. Doc. 48-6746; Filed, July 27, 1948; 8:53 a. m.]

PART 4—ADJUDICATION: VETERANS' CLAIMS, CENTRAL OFFICE SECTION (APPENDIX)

PART 17—FINANCE (APPENDIX)

PART 35—VETERANS' REGULATIONS

INSTRUCTIONS RELATING TO ADJUDICATION

CROSS REFERENCE: For instructions relating to adjustment of awards under Public Law 876, 80th Congress; to increase in monthly rates of death compensation and pension payable to dependents of deceased veterans at an apportioned rate; and to presumption of service connection for chronic and tropical diseases, see Part 2, *supra*.

PART 25—MEDICAL

OCCUPATIONAL THERAPY

1. In Part 25, §§ 25.6080, 25.6081, 25.6082, 25.6083, 25.6084, 25.6085, 25.6086, 25.6087, 25.6088, 25.6089, 25.6093, 25.6094, and 25.6095 are hereby canceled.

§ 25.6080 *Definition.* [Canceled July 12, 1948.]

§ 25.6081 *Account of supplies and equipment; determination of values by appraisers.* [Canceled July 12, 1948.]

§ 25.6082 *Account of supplies issued to patients.* [Canceled July 12, 1948.]

§ 25.6083 *Disposition of fabricated articles.* [Canceled July 12, 1948.]

§ 25.6084 *Disposal through extra-administration agencies.* [Canceled July 12, 1948.]

§ 25.6085 *Tagging of finished articles.* [Canceled July 12, 1948.]

§ 25.6086 *Entry of disposition of articles.* [Canceled July 12, 1948.]

§ 25.6087 *Boards of appraisers.* [Canceled July 12, 1948.]

§ 25.6088 *Considerations in fixing prices; record of repairs to Government property.* [Canceled July 12, 1948.]

§ 25.6089 *Reappraisal.* [Canceled July 12, 1948.]

§ 25.6093 *By-products taken for Government use.* [Canceled July 12, 1948.]

§ 25.6094 *Preparation of appraisers' lists.* [Canceled July 12, 1948.]

§ 25.6095 *Surplus occupational therapy by-products.* [Canceled July 12, 1948.]

(Sec. 7, 48 Stat. 9; 38 U. S. C. 707)

[SEAL] O. W. CLARK,
Executive Assistant Administrator.

[F. R. Doc. 48-6742; Filed, July 27, 1948; 8:52 a. m.]

TITLE 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 127—INTERNATIONAL POSTAL SERVICE: POSTAGE RATES, SERVICE AVAILABLE, AND INSTRUCTIONS FOR MAILING

STATE OF ISRAEL; LIMITED MAIL SERVICE INITIATED

In Part 127, Title 39, Code of Federal Regulations (13 F. R. 892), make the following changes:

1. In the Table of Contents, Part 127, Subpart D, "Rates and conditions applicable to articles in the regular (Postal Union) mails and to parcel post packages," (13 F. R. 893), insert, in the list of countries therein contained, between § 127.280, Iraq (Mesopotamia), and § 127.281, Italy, a new section number and country, § 127.280a, Israel (State of).

2. In § 127.3, *Letters and letter packages* (13 F. R. 894), make the following change in paragraph (g): Insert, between Guatemala (ordinary), and Japan and dependencies, in the list of countries therein contained, a new country, Israel (State of).

3. In § 127.10, *Small packets* (13 F. R. 899), make the following change in paragraph (f): Insert, between Iraq and Italy, in the list of countries therein contained, a new country, Israel (State of).

4. In § 127.199, *Alphabetical index to Subpart D* (13 F. R. 929), make the following change: Insert, between "Ireland (Northern), 127.268 *Great Britain and Northern Ireland,*" and "Italy, 127.281," in the list of countries and section numbers headed "Country and Section," a new country and section number, "Israel (State of), 127.280a."

5. In Subpart D, Rates and Conditions Applicable to Articles in the Regular (Postal Union) Mails and to Parcel Post Packages (13 F. R. 929), insert a new § 127.280a, *Israel (State of)*, reading as follows:

§ 127.280a *Israel (State of)*—(a) *Regular mails.* See Table No. 1, § 127.200, for classifications, weight limits, rates and dimensions. Service limited to letters and post cards only. Small packets not accepted. There is no provision for registry service.

(1) *Special delivery.* No service.

(2) *Air mail service.* Postage rate, 25 cents one-half ounce. (See § 127.20.)

(3) *Observations.* The following are the principal post offices and postal agencies in the State of Israel:

Post Offices

Affula.
Binyamina.
Bnei Braq.
Givat Ayim.
Hadera.
Haifa.
Hertseliya.
Holon.
Jerusalem.
Karkur.
Kfar Ata.
Kfar Saba.
Kfar Vitkin.
Kinneret.
Metula.
Nahalal.
Nahariya.
Nathanya.
Nes Tsiona.
Pardesa Hanna.
Petah-Tiqva.
Quiryat Hayim.
Quiryat Motzkin.
Raanana.
Ramat Ayim.
Ramat Gan.
Rehovot.
Rishon-Le-Tsion.
Rosh Pina.
Safad.
Tel Aviv.
Tel Mond.
Tiberias.
Yajur-Nesher.
Zichron-Yaakov.

Postal Agencies

Afikim Alonim.
Ahuzat Herbert Samuel.
Ashkot-Yaacov.
Atlit.
Ayelet Hashahar.
Bat Galim.
Bat Yam.
Beer Tuviya.
Beit Alpha.
Beit Hakerem.
Ben Shemen.
Ein Harod.
Ein Hashofet.
Even Yehuda.
Gedera.
Gevat.
Givat Brenner.
Givat Hayim.
Heftsi Bah.
Kfar Bahadraga.
Kfar Baruch.
Kfar Hassidim.
Kfar Shmaryahu.
Kfar Sirkin.
Kfar Tabor.
Kfar Yedidya.
Kfar Yehoshua.
Kfar Yona.
Kiryat Anavim.
Maabarot.
Maoz Hayim.
Marhaviya.
Meir-Shefeyah.
Meshek Yajur.
Migdal.
Mishmar Haemek.
Mizra Naan.
Nahlat Yehuda.
Ramat Hakovesh.
Ramat Hasharon.
Sde-Yaaqov.
Ske-Nahum.
Tirat Tsvi.
Yavneel.
Yokneam.

(4) *Prohibitions.* Dutiable articles (merchandise) in letters and packages prepaid at letter rate.

(b) *Parcel post (Israel, State of).* No provision for service.

(R. S. 161, 396, 398, secs. 304, 309, 42 Stat. 24, 25, 48 Stat. 943; 5 U. S. C. 22, 369, 372)

V. C. BURKE,
Acting Postmaster General.

[F. R. Doc. 48-6717; Filed, July 27, 1948; 8:46 a. m.]

PART 127—INTERNATIONAL POSTAL SERVICE: POSTAGE RATES, SERVICE AVAILABLE, AND INSTRUCTIONS FOR MAILING

OPTIONAL AND COMPULSORY PREPAYMENT

In § 127.29, *Optional and compulsory prepayment,* of Subpart A, (13 F. R. 903), make the following changes:

1. Amend paragraph (a) to read as follows:

(a) Except as noted below, the sender must fully prepay postage on all articles in the regular mails, including letter packages and "business" letters evidently not being exchanged between branches of the same firm or corporation and also both halves of reply-paid post cards.

Exceptions: Excluding, as above stated, "business" letters evidently not being exchanged between branches of the same firm or corporation, prepayment of postage is optional with the sender on unregistered letters in their usual and ordinary form and unregistered post cards (single). However, when a large number of letters or single post cards are mailed unprepaid or insufficiently prepaid by the same sender, they shall not be dispatched. (See § 127.45 of this chapter concerning postage chargeable on certain reforwarded articles, which postage need not be prepaid.)

2. In paragraph (b), delete the first phrase reading "All articles which are required to be fully or partially prepaid," and substitute therefor the following: "All articles which are required to be fully prepaid before dispatch from this country but which are not so prepaid, * * *."

(R. S. 161, 396, 398, secs. 304, 309, 42 Stat. 24, 25, 48 Stat. 943; 5 U. S. C. 22, 369, 372)

V. C. BURKE,
Acting Postmaster General.

[F. R. Doc. 48-6716; Filed, July 27, 1948; 8:46 a. m.]

PART 127—INTERNATIONAL POSTAL SERVICE: POSTAGE RATES, SERVICE AVAILABLE AND INSTRUCTIONS FOR MAILING

ALBANIA; PARCEL POST RATES

In § 127.203 *Albania,* of Subpart D, (13 F. R. 932), make the following change:

In subparagraph (1) *Table of rates,* of paragraph (b) *Parcel post,* substitute the following for the table of rates therein contained, the explanatory footnotes remaining the same:

[Rates include transit charges and surcharges]

Pounds:	*Rate*	Pounds:	*Rate*
1	$0.83	12	$2.25
2	.97	13	2.39
3	1.09	14	2.53
4	1.23	15	2.67
5	1.37	16	2.81
6	1.51	17	2.95
7	1.65	18	3.09
8	1.77	19	3.23
9	1.91	20	3.37
10	2.05	21	3.51
11	2.19	22	3.65

(R. S. 161, 396, 398, secs. 304, 309, 42 Stat. 24, 25, 48 Stat. 943; 5 U. S. C. 22, 369, 372)

J. M. DONALDSON,
Postmaster General.

[F. R. Doc. 48-6715; Filed, July 27, 1948; 8:45 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF THE TREASURY

Bureau of Customs

[19 CFR, Ch. I]

CONVERSION OF CANADIAN DOLLAR AND NEWFOUNDLAND DOLLAR

NOTICE OF PROPOSED INSTRUCTIONS FOR PURPOSE OF ASSESSMENT OF DUTY ON MERCHANDISE IMPORTED INTO UNITED STATES

Notice is hereby given that, pursuant to section 251 of the Revised Statutes and sections 522 and 624 of the Tariff Act of 1930 (19 U. S. C. 66, 31 U. S. C. 372, 19 U. S. C. 1624), it is proposed to issue instructions for the conversion of Canadian dollars and Newfoundland dollars for the purpose of the assessment of duties on merchandise imported into the United States, the terms of which proposed instructions, in tentative form, are as follows:

To Collectors of Customs and Others Concerned:

Reference is made to the certification by the Federal Reserve Bank of New York, pursuant to section 522 (c) of the Tariff Act of 1930 (31 U. S. C. 372 (c)), of dual rates of exchange, designated "Official" and "Free", for the Canadian dollar and the Newfoundland dollar since March 22, 1940. Reference is also made to the instructions contained in T. D. 50134, April 15, 1940 (5 F. R. 1447), regarding the conversion of these currencies into currency of the United States for the assessment and collection of duties upon imported merchandise. The Federal Reserve Bank of New York still certifies both the "Official" rate and the "Free" rate for the Canadian dollar and the Newfoundland dollar. The "Official" rate is the higher rate (i. e., shows the higher amount of United States money as the equivalent of the Canadian or Newfoundland dollar).

It is understood from available information that all exchange transactions in Canada take place through official channels and at the "Official" rate; that the market for the Canadian dollar at the "Free" rate is located entirely outside Canada; that Canadian dollars purchased at the "Free" rate are usable in making capital investments in Canada and, when brought in by tourists, for tourist expenses and purchases; that, with the exception of purchases by tourists and some other limited cases for which the Canadian exchange control authorities permit the use of the "Free" rate, the "Official" rate only is used in payment for exports from Canada. The Department has no information that the "Free" rate is used uniformly and legally in payment for any type of commodity.

It is understood that the use of the "Official" and "Free" rates for the Newfoundland dollar is substantially the same as the use of the "Official" and "Free" rates for the Canadian dollar.

In the case of any importation of merchandise exported from Canada or Newfoundland on or after March 22, 1940, the appraiser and collector shall proceed, respectively, with the appraisement and liquidation according to the following procedure:

1. No rate of exchange shall be used for customs purposes under these instructions except a rate certified by the Federal Reserve Bank of New York for the date of exportation of the merchandise, unless there is a proclaimed value for the Canadian or Newfoundland currency which varies by less than 5 per cent from the certified rate determined to be applicable to that merchandise in accordance with the numbered paragraphs below, in which case that proclaimed value shall be used as to that merchandise.

2. Where the appraisement is made in Canadian or Newfoundland currency the appraiser shall designate in his report to the collector the class of currency in which appraisement is made by using the term "Official" dollars or "Free" dollars, as the case may be, to identify the two types of currency for which the Federal Reserve Bank has certified rates.

3. For all purposes of appraisement and assessment of duties, the amount of any value established in Canadian or Newfoundland dollars shall be considered to be in the class of dollars designated in the certifications of the Federal Reserve Bank of New York as "Official", except that if the appraiser or collector has credible information that the "Free" rate of exchange, or any rate other than the "Official" rate, was used uniformly during any period in connection with the payment for the particular merchandise on which duty is being assessed and all other merchandise of the same type, appraisement shall be withheld and liquidation shall be suspended as to all merchandise of the type involved exported to the United States during the period involved, and a detailed report shall be transmitted immediately to the Bureau of Customs.

In all cases of importations from Canada or Newfoundland where the conversion of Canadian or Newfoundland currency is involved, estimated duties shall be calculated with the use of the "Official" rate.

Following the issuance of these instructions both the "Official" and the "Free" rates for the Canadian dollar and the Newfoundland dollar, as certified by the Federal Re-

serve Bank, will be published in the Treasury Decisions.

FRANK DOW,
Acting Commissioner of Customs.

Approved: July 21, 1948.

THOMAS J. LYNCH,
Acting Secretary of the Treasury.

This notice is published pursuant to section 4 of the Administrative Procedure Act (Public Law 404, 79th Congress). Prior to the issuance of the proposed instructions, consideration will be given to any relevant data, views, or arguments pertaining thereto which are submitted in writing to the Commissioner of Customs, Bureau of Customs, Washington 25, D. C., and received not later than 20 days from the date of publication of this notice in the FEDERAL REGISTER. No hearing will be held.

[SEAL] FRANK DOW,
Acting Commissioner of Customs.

Approved: July 21, 1948.

THOMAS J. LYNCH,
Acting Secretary of the Treasury.

[F. R. Doc. 48-6739; Filed, July 27, 1948; 8:51 a. m.]

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR, Part 927]

HANDLING OF MILK IN NEW YORK METROPOLITAN MILK MARKETING AREA

DECISION WITH RESPECT TO PROPOSED MARKETING AGREEMENT AND PROPOSED AMENDMENT TO ORDER, AS AMENDED

Pursuant to 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 (hereinafter referred to as the "act"), and the rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders (7 CFR, Supps. 900.1 et seq., 12 F.R. 1159, 4904), a public hearing was held at New York City on June 14 and 15, 1948, upon certain proposed amendments to the tentative marketing agreement heretofore approved by the Secretary of Agriculture and to the order, as amended, regulating the handling of milk in the New York metropolitan milk marketing area.

The only material issue presented on the record of this hearing is whether minimum floor prices for Class I–A milk should be established for a limited period of time beginning July 1, 1948, and the level at which such minimum floor prices should be established.

A notice of recommended decision and opportunity to file written exceptions to recommended findings and conclusions on this issue was filed on July 2, 1948 and published in the FEDERAL REGISTER (13 F. R. 3764). The recommended decision contains rulings upon the proposed findings and conclusions submitted by interested parties in this proceeding. Such rulings are confirmed except as they are modified by the findings and conclusions set forth herein.

Exceptions to the recommended decision were filed on behalf of the Milk Dealers' Association of Metropolitan New York, Inc.; H. P. Hood & Sons, Inc.; Metropolitan Cooperative Milk Producers Bargaining Agency, Inc.; Dairymen's League Co-operative Association, Inc.; Mutual Cooperative of Independent Producers, Inc.; District No. 50, United Mine Workers of America; Eastern Milk Producers Cooperative Association, Inc.; United Farmers of New England; Milton Cooperative Dairy Corporation; Grand Isle County Cooperative Creamery; Mt. Mansfield Cooperative Creamery and Grain Association; Bethel Cooperative Creamery; Richmond Cooperative Creamery; New England Milk Producers' Association; Northern Farms Cooperative, Inc.; and Maine Dairymen's Association.

All exceptions filed were considered in making the findings and conclusions set forth in this decision. Rulings on certain of the exceptions are hereinafter set forth in connection with the findings and conclusions with respect to which the exception referred. Exceptions not otherwise ruled upon are denied to the extent to which they are at variance with the findings and conclusions herein set forth.

Exception was taken to the failure to set forth as material issues in the recommended decision the questions of (1) "whether a competitive advantage is conferred upon handlers under Order No. 4 in their competition with New York handlers for producer patronage, and (2) whether the relationship between the level of the Class I price as established in Orders Nos. 4 and 27 should be readjusted in such manner as to terminate such advantages." These questions are regarded as being included in the material issue as set forth both in the recommended decision and in this decision. They constitute factors incidental to the question of the level at which minimum floor prices (if any) for Class I–A milk should be established, and were given full and complete consideration in arriving at the findings and conclusions herein set forth. Accordingly, the exception is denied.

Findings and conclusions. The following findings and conclusions on the material issue are based upon evidence introduced at the hearing and the record thereof.

(1) Minimum floor prices per hundredweight of Class I–A milk should be established for the months July through December 1948 as follows: $5.46 for July, $5.68 for August and September, and $6.12 for October, November, and December, or, for each of the months of August through December, the 201–210 mile zone price established under Order No. 4 for Class I milk for the Greater Boston marketing area, minus 19 cents, whichever is higher. Proposals considered at the hearing for specific floor prices higher than these, and for floor prices 3 cents higher than the Boston Class I price under Order No. 4, should not be adopted.

Exceptions were taken to the proposed findings and conclusions, and to the recommended effectuating amendments, as to the level of minimum floor prices for Class I–A milk for the months of July through December 1948. It was alleged in support of these exceptions that such proposed findings and conclusions and recommended amendments (1) are contrary to, and not supported by, evidence in the hearing record, (2) do not provide prices consistent with the standards of section 8c (18) of the act, (3) will not establish and maintain orderly marketing conditions, and (4) do not establish prices high enough to provide an increase (over 1947) in producer returns more than commensurate with the increased cost of production, and, therefore, will do nothing to arrest the trend of declining production during recent months. A further review of the evidence in the hearing record reveals inadequate support for these exceptions. It is apparent from the findings in the recommended decision (and herein adopted with minor revision) that the recommended floor prices may reasonably be expected to result in an increase in producer returns in 1948 which is enough greater than the increase (over 1947) in costs to arrest the recently prevailing trend of declining production. These exceptions, accordingly, are denied.

A reduction in the number of dairies from which milk was delivered to pool plants, together with a reduction in the receipts of milk per day per dairy, has resulted in a smaller quantity of milk received at pool plants in each of the months of November 1947 through May 1948 than in the same month a year earlier. Milk was received at pool plants from 46,176 dairies in May 1947 and from 45,079 in May 1948. The record does not indicate what part of this reduction of 1,097 in the number of dairies delivering milk to pool plants is accounted for by shifting to other plants or to discontinuing operation. Deliveries of milk per day per dairy declined from 443 pounds in May 1947 to 434 pounds in May 1948. The reductions in the total quantity of pool milk in relation to a year earlier ranged from 2.6 percent in November to 9.3 percent in April, and was about 8 percent for the first 5 months of 1948. The receipts in May 1948 were 4.3 percent lower than in May 1947.

Total milk production (receipts of milk at all plants) in New York State, the source of about 80 percent of all pool milk, likewise has been less than a year earlier in each month since October 1947, in amounts ranging from 1.4 percent in November to 5.5 percent in March and April. Such lower total production appears to be due to lower production of milk per cow. Cow numbers remain unchanged from, or perhaps only slightly lower than, a year ago. Continuing relatively high prices for dairy cattle sold for beef results in a continuing tendency to sell cows and heifers which would otherwise be retained for milk. The amount of grain fed per cow was less than the amount fed a year earlier in each month since November 1947, and the quality of roughage fed was below average.

Estimates of changes in the average cost of producing milk in New York State indicate that such cost for the 12-month period from May 1947 through April 1948 was about 12 percent higher than for the

corresponding period ending in April 1947, and that the level of costs in May 1948 remains about 10 percent higher than in May 1947. Prices paid by farmers for dairy feed declined about 10 percent from January to May 1948. Favorable weather conditions up to the middle of June this year provide a reasonable prospect (though no absolute assurance) of lower feed prices than during the last half of 1947, and of an improved supply of home-grown grains and roughage. The prospect, however, of a continuing high level of other costs, including farm wage rates, machinery and equipment, and interest and taxes makes any significant reduction during 1948 in the total cost of milk production appear unlikely.

The price for Class I–A milk was 31.4 percent higher in June 1948 than in June 1947 and averaged for the first half of 1948 about 16 percent higher than for the same period in 1947. The price payable to producers for all milk delivered (uniform price) is estimated at approximately 34 to 35 percent higher for June 1948 than for June 1947, and will average for the first half of 1948 about 20 percent higher than for the same period in 1947. The minimum floor prices set forth herein for Class I–A milk for the last half of 1948 average about 15 percent above the average of Class I–A prices for the same period in 1947, and barring unforeseen shifts in utilization or in the level of other class prices, should result in an average of uniform prices during the last half of 1948 at least 16 to 17 percent higher than in the last half of 1947. Such prices for 1948 will be more favorable relative to prospective feed prices and other costs than in 1947.

The total annual volume of milk produced for the New York market, and in the Northeast generally, is more than adequate to meet requirements for fluid milk and cream. Extreme seasonal variation in production, however, results in excessive supplies at one season and shortages at another season. The percentage of pool milk utilized in Class I–A average about 55 percent for the year 1947 and ranged from 39 percent in June to 77 percent in November.

Receipts of pool milk per day per dairy has increased materially in recent years, but the increase during the spring and summer months has been much more pronounced than during the fall and winter months. Such receipts were 28 percent higher in June 1947 than in June 1941 but only 2.1 percent higher in November 1947 than in November 1941.

Receipts of milk per day per dairy in 1941 were 63 percent as high in November as in June, while in 1947, November receipts were only 50 percent as high as in June. This trend of wider seasonal variation, and particularly the absence of any significant increase in the level of production in the fall months, together with a substantial increase in fluid milk sales since 1941, has resulted in a relatively unfavorable supply-demand condition during the fall months. The need for higher fall production is sufficiently acute to justify a continuation of a seasonal pricing policy under which producers receive a uniform price during the short season substantially higher than during the long season. The Class I–A minimum floor prices herein set forth will contribute substantially to that objective.

Sales of fluid milk in the marketing area in 1947 were 1.3 percent below 1946, and for the first 5 months of this year were about 2.6 percent lower than during the same period in 1947, but were still at a level substantially higher (about 23 percent) than in 1940. The increase since 1940 in the retail price of milk is less than the increase in the average of retail food prices. The average weekly earnings of factory workers in New York City would buy, at prevailing retail prices, about 13 percent less milk in April 1948 than in April 1947, and (at the April 1948 level) less than for any year since 1941. A decline for the year 1948 of no more than 4 percent in the 1947 level of fluid milk sales appears to be in prospect. Increases in consumer milk prices to a level resulting in a substantial decline in sales would not be in the public interest.

Adoption of the proposal for a minimum floor price for New York Class I–A milk of 3.5 percent butterfat 3 cents higher than the Boston Class I price for 3.7 percent milk would result in a New York Class I–A price 22 cents higher in relation to the Boston Class I price than the relationship which has prevailed generally since October 1946. Evidence in the record reveals pronounced disagreement and differences of opinion as to the proper relationship between New York and Boston Class I prices. Consideration of the problem, and its appropriate solution, is complicated and aggravated by existence of differences between the two markets in the butterfat test of milk for which minimum basic prices are established, and in the butterfat and transportation differentials used in adjusting established prices (both Class I and uniform prices). Existence of these differences precludes establishment of Class I prices which are identical for milk received at all competing plants and for milk containing different amounts of butterfat. Evidence in the record appears to be in conflict, not only as to the butterfat test and transportation zone which should be used in making comparisons, but also as to the actual butterfat test of milk received in areas where New York and Boston handlers directly compete for milk supplies. In view of these differences and of these apparent conflicts, the evidence in this record is considered not to constitute an adequate basis for changing the relationship which has prevailed generally since October 1946 between the New York and Boston Class I prices.

Adoption for an indefinite or extended period of a provision for automatic changes in the New York Class I–A price equivalent to changes in the Boston Class I price would relegate to the Boston Class I price formula, as a price determining mechanism, a function beyond that for which it was designed, and would preclude recognition of differences, both actual and potential, between the two markets in their respective supply-demand relationships. However, no significantly divergent changes between the two markets in their respective supply-demand relations are expected to occur during the next few months.

Evidence in the record indicates little, if any, prospect that the Boston Class I prices (for 3.7 percent milk) will be lower than $5.87 per hundredweight for August and September, and $6.31 for October, November, and December. These prices are 19 cents higher than the respective specific Class I–A minimum floor prices (for 3.5 percent milk) set forth herein for New York. Evidence does indicate, however, a real possibility of Boston Class I prices higher than $5.87 and $6.31. Such higher Boston Class I prices under conditions likely to prevail during this definite and relatively short period would constitute a factor of sufficient importance to justify a New York Class I–A price higher, in an equivalent amount, than the specific floor prices of $5.68 and $6.12 herein set forth. Thus, the foregoing conclusion that in no event should the New York Class I–A price be lower than the Boston Class I price minus 19 cents during any of the months of August through December of this year.

Exceptions were taken to the proposed conclusions that (1) the proposal made at the hearing for a Class I–A price floor of 3 cents higher than the Boston Class I price should not be adopted, and that (2) a minimum floor price should be established for Class I–A milk of not less than the Boston Class I price minus 19 cents. Exceptions were taken also to certain of the findings set forth in the recommended decision in support of these conclusions. The findings herein modify and expand to some extent the findings in the recommended decision to which exception was taken. Otherwise, the exceptions to these findings and conclusions as set forth in the recommended decision are denied. It was asserted in support of these exceptions that evidence of premium payments by New York handlers to producers and of the shifting of milk from New York pool plants to Boston pool plants compels conclusions that (1) the prevailing relationship between New York and Boston Class I prices confers upon Boston handlers an advantage in the competition between them and New York handlers for milk supplies, and that (2) the New York Class I–A price for 3.5 percent milk should be no less than the Boston Class I price for 3.7 percent milk, plus 3 cents. Evidence of any significant shift of milk from New York pool plants to Boston pool plants is not found in the record, and the payment by New York handlers to producers of premiums over the uniform price is evidence that there has been active competition among handlers for milk supplies but has only limited application in determining the proper relationship between New York and Boston Class I prices.

It was further asserted that failure to recommend revision of the prevailing New York-Boston Class I price relationship ignores evidence of different historical relationships, and that the prevailing relationship is not justified by evidence in the hearing record. Data in the record showing price relationships for extended periods of time back as far as 1921 have only limited application. Price relationships are accentuated when supplies become short. A relationship that existed when supplies were more

than adequate is not necessarily appropriate during periods of generally short supply. The conclusion set forth herein (that the New York Class I-A price for the months of August through December of this year shall be no less than the Boston Class I price minus 19 cents) recognizes a relationship which is already established and has prevailed for a considerable period of time. Evidence in the record of this hearing on proposals to establish a different relationship does not justify adoption of such proposals, nor does it constitute an adequate basis upon which to reach a conclusion as to what such different relationship should be.

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

(b) The proposed marketing agreement and the proposed amendments to the order, as amended, regulates the handling of milk in the same manner and is applicable only to persons in the respective classes of industrial and commercial activity specified in the said tentatively approved marketing agreement upon which the hearings have been held; and

(c) The prices calculated to give milk produced for sale in the said marketing area a purchasing power equivalent to the purchasing power of such milk as determined pursuant to section 2 and section 8 (e) of the act are not reasonable in view of the price of feed, available supplies of feeds, and other economic conditions which affect market supply and demand for such milk, and the minimum prices specified in the proposed marketing agreement and the proposed amendments to the order, as amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest.

Marketing agreement and order. Annexed hereto and made a part hereof are two documents entitled "Marketing Agreement Regulating the Handling of Milk in the New York Metropolitan Milk Marketing Area" and "Order Amending the Order, As Amending, Regulating the Handling of Milk in the New York Metropolitan Milk Marketing Area" 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 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 marketing agreement, be published in the FEDERAL REGISTER. The regulatory provisions of said marketing agreement are identical with those contained in the attached order amending the order, as amended, which will be published with the decision.

This decision filed at Washington, D. C., this 23d day of July 1948.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

Order Amending the Order, as Amended, Regulating the Handling of Milk in the New York Metropolitan Milk Marketing Area [1]

§ 927.0 *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 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 (hereinafter referred to as the "act"), and the rules of practice and procedure covering the formulation of marketing agreements and orders (7 CFR, Supps. 900.1 et seq., 12 F. R. 1159, 4904), a public hearing was held upon certain proposed amendments to the tentative marketing agreement heretofore approved by the Secretary of Agriculture and to the order, as amended, regulating the handling of milk in the New York metropolitan milk marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

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

(2) The prices calculated to give milk produced for sale in said marketing area a purchasing power equivalent to the purchasing power of such milk as determined pursuant to sections 2 and 8 (e) of the act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supplies of and demand for such milk and the minimum prices specified in the order as amended, and as hereby further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order, as amended and as hereby further amended, regulates the handling of milk in the same manner as and is applicable only to persons in the respective classes of industrial and commercial activity specified in a marketing agreement upon which hearings have been held.

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

Amend § 927.5 (a) (1) (ii) to read as follows:

(ii) The Class I–A price per hundredweight for the months of August through December 1948 shall not be less than the higher of: (*a*) $5.68 for the months of August and September, and $6.12 for the months of October, November, and December; or (*b*) the 201–210 mile zone price per hundredweight established under Order No. 4 for Class I milk containing 3.7 percent butterfat for the Greater Boston marketing area, minus 19 cents.

[F. R. Doc. 48-6750; Filed, July 27, 1948; 8:54 a. m.]

[1] 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.

[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; EXTENSION OF TIME FOR FILING EXCEPTIONS

The time within which interested parties may file exceptions to the recommended decision (13 F. R. 4020) of the Assistant Administrator, Production and Marketing Administration, with respect to the proposed amendments to the amended marketing agreement and order regulating the handling of Tokay grapes grown in the State of California is hereby extended to not later than the close of business on August 2, 1948.

(48 Stat. 31, as amended; 7 U. S. C. 601 et seq.; 7 CFR Supps. 900.1 et seq.)

Done at Washington, D. C., this 23d day of July 1948.

[SEAL] JOHN I. THOMPSON,
Assistant Administrator, Production and Marketing Administration.

[F. R. Doc. 48-6751; Filed, July 27 1948; 8:54 a. m.]

[7 CFR, Part 978]

HANDLING OF MILK IN NASHVILLE, TENN., MARKETING AREA

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

Pursuant to the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and marketing 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 a recommended decision of the Assistant Administrator, Production and Marketing Administration, United States Department of Agriculture, with respect to a proposed

amendment to the tentative marketing agreement and to the order regulating the handling of milk in the Nashville, Tennessee, marketing area, 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.).

Interested parties may file exceptions to this recommended decision with the Hearing Clerk, Room 1844, South Building, United States Department of Agricuplture, Washington 25, D. C., not later than the 7th day after the publication of this recommended decision in the FEDERAL REGISTER. Exceptions should be filed in quadruplicate.

Preliminary statement. A public hearing, on the record of which the proposed amendment to the tentative marketing agreement and to the order has been formulated, was called by the Production and Marketing Administration, United States Department of Agriculture, following receipt of proposals for amendment filed by the Nashville Milk Producers, Inc., and by the handlers in the marketing area. The public hearing was held in Nashville, Tennessee, on June 15, 1948, pursuant to a notice isued on June 7, 1948 (13 F. R. 3130).

The material issues presented on the record of the hearing were whether:

(1) The definition of "other source milk" should be revised to exclude nonfluid milk products received and disposed of in the same form.

(2) The allocation provisions should be revised to provide for the prorating of other source skim milk whenever receipts of producer skim milk are less than 105 percent of the skim milk used in Class I, Class II, and cottage cheese.

(3) The provisions with respect to the computation of the uniform price to producers should be revised to provide for the adoption of a fall premium payment plan whereby a specified amount per hundredweight would be deducted in computing the uniform price for producer milk received during the delivery periods of April, May, and June and paid to the market administrator to be held in escrow for payment to producers during the subsequent delivery periods of September, October, and November.

Findings and conclusions. The proposed findings and conclusions with respect to the aforementioned material issues, all of which are based on the evidence introduced at the hearing and the record thereof, are as follows:

(1) The definition of "other source milk" should be revised to exclude all nonfluid milk products (Class III products) which are received and disposed of in the same form. The present provisions of the order require that a handler report the receipts of and pay administrative assessment on all producer milk and other source milk received at a fluid milk plant. The record shows that the elimination of the requirement that handlers report the receipt of nonfluid milk products received and disposed of in the same form would not affect the type or detail of records required to be kept by handlers to enable the market administrator to verify or audit handler receipts and utilization of milk. It would, however, relieve both the market administrator and handlers of the paper work necessitated by the present provision in the reporting and classification of such nonfluid milk products. The proposed change would not affect the price producers receive for milk but would slightly reduce the cost which some handlers are required to pay for the administration of the order. No objections were made to this proposal.

(2) The allocation provisions should be revised to provide for the prorating between Class I and Class II of the receipts of other source skim milk which are in excess of skim milk in Class III, less allowable shrinkage, whenever receipts of skim milk from producers and from other handlers are less than 105 percent of the amount of Class I and Class II skim milk disposed of by the handler to any person other than by transfer or diversion pursuant to § 978.4 (d). The present provisions of the order provide that other source skim milk be assigned in the lowest-priced available utilization after subtracting allowable shrinkage from Class III.

The record indicates that there is sufficient producer butterfat to supply the market with products required to be made from graded supplies during virtually all the periods of the year. There is, however, insufficient skim milk to meet minimum needs in all periods except the flush months of production. Because of the day-to-day fluctuations in receipts and sales, it is necessary in the Nashville market at this time that the amount of milk delivered by producers be at least 5 percent in excess of the actual amount used in products required to be made from graded supplies if the market is to be adequately supplied. Producers expressed a feeling of some responsibility in supplying the market requirements for graded milk and proposed that when they fail to fulfill this responsibility that any other source skim milk needed for production of graded products take the same status as producer milk in the allocation of skim milk.

It was proposed that the 105 percent rule apply to milk used in Class I, Class II, and cottage cheese. However, the record shows that cottage cheese is not required by the health department to be made from Grade A milk. While handlers argued that cottage cheese is considered an essential part of the fluid milk business, there is no justification for penalizing Nashville producers for their failure to produce milk to be used for products other than those required to be made from graded supplies.

Both handlers and producers originally proposed that the allocation of other source skim milk be based on the combined utilization of all handlers in the market. The record shows the impracticability of administering the proposal on other than an individual-handler basis as well as the inequities which could arise between handlers with sufficient supplies of producer skim milk and those who were required to purchase additional supplies from approved sources.

(3) The uniform price provisions should be revised to include a fall premium payment plan which would provide for the deduction of 45 cents per hundredweight in computing the uniform price to producers for the delivery periods of April, May, and June; such amount to be paid by each handler, for each hundredweight of producer milk received by him, to the market administrator and held in escrow for distribution to producers through the producer-settlement fund during subsequent delivery periods of September, October, and November.

Seasonal pricing under the present order provisions is limited to the seasonal pattern of manufactured milk prices as reflected in the basic formula and to the effect on the blend price of the greater volume of milk in Class III during the months of flush production. Producers and handlers argued that such seasonal changes in prices are insufficient to shift production to the pattern needed to adequately supply market requirements throughout the year. Both contended that a differential of $1.50 per hundredweight between spring and fall prices was needed to produce the desired pattern and that to reflect such a difference in the class price differentials paid by handlers would produce an undesirable and adverse pattern of retail price. Producers proposed to withhold 40 cents per hundredweight from the uniform price during the months of April, May, and June while handlers contended that 50 cents per hundredwegiht was necessary to provide the $1.50 differential between spring and fall prices.

The problem of maintaining an adequate fluid milk supply at all seasons of the year is acute in the Nashville market. The record shows that for each year since 1945 receipts of producer milk during the shortest month of production have been less than 60 percent of such receipts during the months of highest production. Thus, an appropriate approach to the problem is to induce producers to shift part of their flush production to the short production season of September, October, and November.

The so-called "fall premium payment plan" of leveling milk production is a simple and expedient method of providing a monetary incentive to producers to make a shift in their production pattern by withholding from the uniform price a specified amount per hundredweight of milk delivered during the months of April, May, and June and by subsequently distributing to the producers through the producer-settlement fund during each of the months of September, October, and November, one-third of the amount of money so deducted. The plan does not change the use-class price of milk to handlers and does not effect a control of production since it does not establish a maximum or minimum quantity of milk that producers either individually or collectively may ship to the market. Under the plan all producers receive the same price per hundredweight of milk of similar test delivered during any particular delivery period. Each producer is free to determine his own yearly production pattern. This plan has the support of both producers and handlers. It is concluded to be a logical and effective means of influencing a more even production pattern in the Nashville market.

Rulings on proposed findings and conclusions. The time for filing briefs, recommended findings, and conclusions has expired. No briefs, recommended findings, or conclusions were filed.

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

1. Delete § 978.1 (m) and substitute therefor the following:

(m) "Other source milk" means all skim milk and butterfat received in any form from a producer-handler or from a source other than producers or other handlers, except any nonfluid milk product which is received and disposed of in the same form.

2. Delete the semicolon at the end of § 978.4 (f) (1) (ii) and add the following: ": *Provided*, That, if the receipts of skim milk from producers and from other handlers are less than 105 percent of the amount of Class I and Class II skim milk disposed of by such handler to any person other than by transfer or diversion pursuant to paragraph (d) of this section, the pounds of skim milk in other source milk which is in excess of the remaining pounds of skim milk in Class III milk shall be subtracted pro rata from the pounds of skim milk in Class I and Class II milk;"

3. Delete the period at the end of § 978.4 (f) (2) and add the following: ", except that the proviso in subparagraph (1) (ii) of this paragraph shall not apply."

4. Delete § 978.7 (b) (3) and (5) and substitute therefor the following:

(3) (i) Add an amount equivalent to the cash balance on hand in the producer-settlement fund established by the provisions of subparagraph (5) (i) of this paragraph, less the total amount of contingent obligations to handlers pursuant to § 978.8 (d);

(ii) For each of the delivery periods of September, October, and November, beginning September 1949, add an amount equivalent to one-third of the total of the three amounts representing the cash balance established, during the delivery periods of April, May, and June immediately preceding, as a fall season production incentive pursuant to subparagraph (5) (ii) of this paragraph.

* * * * *

(5) (i) Subtract not less than 4 cents nor more than 5 cents for the purpose of retaining in the producer-settlement fund a cash balance to provide against errors in reports and payments or delinquencies in payments by handlers;

(ii) For each of the delivery periods of April, May, and June, beginning April 1949, subtract 45 cents, for the purpose of establishing in the producer-settlement fund a cash balance for distribution pursuant to subparagraph (3) (ii) of this paragraph. This result shall be known as the "uniform price" per hundredweight for such delivery period for producer milk containing 4.0 percent butterfat, f. o. b. fluid milk plant.

Filed at Washington, D. C., this 23d day of July 1948.

[SEAL] JOHN I. THOMPSON,
Assistant Administrator.

[F. R. Doc. 48-6749; Filed, July 27, 1948; 8:54 a. m.]

[7 CFR, Part 980]

HANDLING OF MILK IN TOPEKA, KANS., MARKETING AREA

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

Pursuant to the rules of practice and procedure governing proceedings to formulate 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, United States Department of Agriculture, with respect to a proposed amendment to the tentative marketing agreement and to the order regulating the handling of milk in the Topeka, Kansas, marketing area. Interested parties may file written exceptions to the 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 amendment to the tentative marketing agreement and to the order was formulated was conducted at Topeka, Kansas on June 4, 1948, pursuant to notice thereof which was published in the FEDERAL REGISTER on May 12, 1948 (13 F. R. 2571).

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 introduced at the hearing and the record pertaining thereto.

The Class I differential should be increased from 60 cents to 85 cents during the months of March to August, inclusive, and to $1.30 during the months of September to February, inclusive.

The Class II differential should be increased from 35 cents to 60 cents during the months of March to August, inclusive, and to $1.05 during the months of September to February, inclusive.

Immediate action must be taken if the Topeka market is to avoid a serious shortage of milk during the fall and winter months. Average production per farm on the Topeka market during each of the first four months of 1948 was substantially under that of the corresponding month of 1947. While the number of producers is somewhat higher than it was in early 1947, it is well below the peak which was reached in July of 1947.

Fluid milk sales on the Topeka market have been much greater during the first four months of 1948 than they were during the corresponding period of 1947. A comparison of sales and receipts by those handlers for whom records are available for both years shows that consumption is increasing much more rapidly than production. There will be a much greater increase in demand during the next few months as a result of the reactivation of military installations within the marketing area. The personnel of these bases together with their families will represent a substantial increase in population.

Since Topeka has been for several years a short market, having enough milk for its Class I and Class II requirements only during the months of flush production, it is evident that if present trends continue the shortage later in the year will be much greater than in recent years.

The market was extremely short of milk during the fall months of 1947, and it was necessary to use substantial quantities of other source milk in Class I and Class II. The amount of milk in excess of Class I and Class II requirements in the spring of 1947, however, was much greater than in 1948. With the great increase in consumption that has taken place since last fall it is evident that the shortage during the coming fall will be far greater unless production can be very materially increased.

Under the existing conditions the present differentials are failing to maintain the existing supply of milk let alone increase it to the volume needed. As pointed out above the number of producers has declined since August 1947, and average production per producer is substantially under a year ago. While a great many factors have contributed to this decline in the milk supply there are two which are of greatest importance. These are (1) the fact that the Topeka market lies principally in a diversified farm area, and producers may shift from dairying to other farm enterprises as they become more favorable and (2) the Topeka milk shed in part overlaps the milk shed of the Greater Kansas City market and producers can readily shift to that market if the prices on the Topeka market lag behind those on the Kansas City market.

Over the past eighteen months the production of beef, hogs and grains has been relatively more favorable than milk production. The price of cows for slaughter has been at an all time high. The result has been that producers have greatly reduced their herds and have concentrated on the production of more profitable commodities. This movement is clearly reflected in the decline in average production per farm.

Both producer and handler witnesses testified that the class prices on the Topeka market had to be maintained in their normal relationship to the prices on the Greater Kansas City market. It has been demonstrated that when the difference in price between the two markets varies much from 15 cents milk will shift from one market to the other. Last

fall when the Kansas City price was more than 15 cents over the Topeka price, Topeka lost several producers to the Kansas City market.

If sufficient milk is to be induced on the market, the price of milk must be brought into a more favorable relationship with competing enterprises and must be maintained in its proper relationship to the Greater Kansas City market. Under the conditions likely to prevail in the immediate future the Class I and Class II differentials should be increased to 85 cents and 60 cents, respectively, during the months of March to August, inclusive, and to $1.30 and $1.05 respectively, during the remaining months of the year in order to attract sufficient milk to the market.

The proposal contained in the notice of hearing provided that these increased differentials should continue to April 1, 1950 and after that date should be reduced by 25 cents during the months of March to August, inclusive, and by 50 cents during the remaining months. The weight of the evidence, however, fails to substantiate a change in differentials on that date. It was the contention of the proponent's witness that there must be an assurance of increased prices at least until that date if an additional supply of milk is to be induced on the market. His testimony on this point, however, was vague since he indicated that it might be necessary to extend the proposed differentials beyond that date or it might be necessary to revise them before that time. It is concluded that the increased differentials should be continued until changing conditions of supply and demand on the Topeka market indicate the need for revision.

The increase in differentials was objected to principally on the ground that it would result in a decrease in consumption. The weight of the record evidence does not substantiate this view. The population of the marketing area is on the increase and employment is at a high level and promises to continue so for some time to come. It appears, therefore, that the effects upon total consumption which might result from the increased differentials will be negligible.

Rulings on proposed findings and conclusions. Briefs were filed on behalf of the Shawnee County Milk Producers Association and Beatrice Foods Company, Inc. 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 proposed 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 this decision.

Recommended marketing agreement and order. The following amendment to the order is recommended as the detailed and appropriate means by which the foregoing conclusions may be carried out. The proposed amendment to the tentative marketing agreement is not repeated in this decision because the regulatory provisions thereof would be identical with the following:

Amend § 980.5 (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 85 cents during the months of March through August of each year and plus $1.30 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 60 cents during the months of March through August of each year and plus $1.05 during all other months of each year.

Filed at Washington, D. C., this 22d day of July 1948.

[SEAL] JOHN I. THOMPSON,
Assistant Administrator.

[F. R. Doc. 48-6723; Filed, July 27, 1948; 8:48 a. m.]

NOTICES

CIVIL AERONAUTICS BOARD

[Docket No. 2967]

NATIONAL AIRLINES, INC.

POSTPONEMENT OF HEARING

In the matter of an application under section 401 of the Civil Aeronautics Act of 1938, as amended, for an amendment of its certificates of public convenience and necessity authorizing scheduled air transportation of persons, property and mail on Route No. 31 and on its foreign route between the co-terminal points Tampa, Florida, and Miami, Florida, and the terminal point Havana, Cuba.

At the request of counsel for National Airlines, Inc., the date for hearing in the above-entitled proceeding is hereby postponed from July 27, 1948, to August 11, 1948, at 10:00 a. m. (eastern daylight saving time), in Room 131, Wing C, Temporary Building No. 5, 16th Street and Constitution Avenue NW., Washington, D. C., before Examiner F. Merritt Ruhlen.

Dated at Washington, D. C., July 23, 1948.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 48-6753; Filed, July 27, 1948; 8:55 a. m.]

[Docket No. SA-174]

ACCIDENT OCCURRING NEAR DENVER, COLO.

NOTICE OF HEARING

In the matter of investigation of accident involving aircraft of United States Registry NC 206 which occurred near Denver, Colorado, on January 21, 1948.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly section 702 of said act, in the above-entitled proceeding that hearing is hereby assigned to be held on Tuesday, August 3, 1948, at 8:30 a. m. (local time) in Room 409, New Custom House Building, 17th and Stout Streets, Denver, Colorado.

Dated at Washington, D. C., July 22, 1948.

[SEAL] ROBERT W. CHRISP,
Presiding Officer.

[F. R. Doc. 48-6754; Filed, July 27, 1948; 8:55 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-882]

TRUNKLINE GAS SUPPLY CO.

ORDER ADVANCING DATE OF HEARING

JULY 22, 1948.

It appears to the Commission that:

(a) By its order entered June 22, 1948, the hearing which had been fixed to commence June 28, 1948, concerning the application filed March 20, 1947, by Trunkline Gas Supply Company (Applicant), in the above-entitled matter, was postponed to November 8, 1948.

(b) On June 25, 1948, Applicant filed a motion requesting an advancement in the hearing date from November 8, 1948, to not later than September 13, 1948, urging that it will be prepared to present its entire case at any date before or not later than September 13, 1948.

(c) No objection or protest to the advancement of the hearing date has been filed with the Commission.

(d) Due notice has been given of the filing on March 20, 1947, of the application, and on June 18, 1948, of Applicant's "First Amendment to Original Application," including publication in the FEDERAL REGISTER on April 12, 1947, and July 15, 1948, respectively (12 F. R. 2415; 13 F. R. 4026).

(e) It is appropriate that the date of hearing be advanced from November 8, to September 8, 1948.

(f) It is appropriate, in connection with advancing the date of hearing and in the interest of expediting the proceeding, to provide that Applicant and interveners supporting the amended application herein, file with the Commission and serve upon the parties to the proceeding, not later than August 25, 1948, copies of all exhibits which Appli-

cant and such interveners propose to offer on direct examination at the hearing.

The Commission, therefore, orders that:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, as amended, and the Commission's rules of practice and procedure, the hearing in the above-entitled matter now set for November 8, 1948, be advanced to commence on September 8, 1948, at 10:00 a. m. (e. d. s. t.), in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the matters involved and the issues represented by the application, as amended, and other pleadings in this proceeding.

(B) Applicant and interveners supporting the amended application herein, file with the Commission and serve upon the parties to this proceeding, not later than August 25, 1948, copies of all exhibits which Applicant and such interveners propose to offer upon direct examination at the hearing.

(C) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) of the said rules of practice and procedure.

Date of issuance: July 23, 1948.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 48-6726; Filed, July 27, 1948; 8:48 a. m.]

[Docket No. G-1081]

IROQUOIS GAS CORP.

NOTICE OF APPLICATION

JULY 21, 1948.

Notice is hereby given that on July 13, 1948, an application was filed with the Federal Power Commission by Iroquois Gas Corporation (Applicant), a New York corporation with its principal place of business at Buffalo, New York, 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 natural-gas facilities:

(A) *Construction.* Approximately 13 miles of 22-inch I. D. welded pipe line as a loop section in Applicant's transmission lines from Eckhardt Road junction near the boundary lines of the Towns of Eden and Hamburg, Erie County, New York, extending in a northerly direction in the Towns of Eden, Hamburg, City of Lackawanna, and the Town of West Seneca, to Mineral Spring Works located on Mineral Spring Road, West Seneca, Erie County, New York.

(B) *Underground storage*—(1) *New development.* (a) Natural gas storage field to be named Collins Storage Field with active and protective leaseholds in the Town of Collins, Erie County, New York, comprising Lots 19, 20, 21, 22, 23, 29, 30, 31, 32, 33, 34, 39, 40, 41, 42, 43, 44, 47, 48, 49, 50, 65, and 76 of Town 6, Range 8 of the Holland Land Company's survey.

(b) Nine existing wells to be reconditioned to operate on pressures up to 800 pounds.

(c) 15 to 20 new storage wells to be drilled.

(d) Construction of approximately 4 miles of 4-inch and 8-inch gas lines to transport gas to and from the storage wells.

(2) *Expansion of existing storage in Zoar storage field.* (a) Natural gas storage field consisting of active and protective leaseholds in the Town of Collins, Erie County, New York, in Lots 9 and 18, Town 6, Range 8; and in Lots 30, 31, 32, 33, 34, 35, 36, 37, 38, 50, 51, 52, 63, and 64, Town 6, Range 7, of the Holland Land Company's survey; and in the Town of Concord in said county in Lots 46, 47, 48, 49, 56, 57, 58, 59, 60, 61, 62, 66, 67, 70, 71, 72, 73, and 81, Town 6, Range 7, of the Holland Land Company's survey.

(b) Existing wells and lines to be reconditioned to permit carrying of higher pressures.

(c) Four additional wells to be drilled providing a total of 34 with an estimated storage capacity of 1 million Mcf from an initial pressure of 140 pounds to a storage pressure of 450 pounds.

(3) *Expansion of existing storage in Quaker storage field.* (a) Natural-gas storage field consisting of active and protective leaseholds, located in the Town of Collins, Erie County, New York, in Lot 41, Town 7, Range 8, and in Lots 44, 45, 49, 51, 52, 53, 54, 57, 59, 60, 61, 62, 67, 68, 69, and 70, Town 6, Range 8 of the Holland Land Company's survey.

(b) Eleven existing wells and lines to be reconditioned to operate on pressures up to 800 pounds.

Applicant states the proposed projects will help it meet heavy winter peak day demands particularly in Buffalo and is part of a general program to increase deliverability from storage on peak days without choking back deliveries coming from the south through the United Natural Gas Company; that loop section (Line "T") for which authorization is sought (13 miles of 22-inch line extending northerly from Eckhardt Road junction, Erie County, New York) will serve to eliminate excessive pressure drops now occurring in its transmission system north of Zoar By-pass Station, and will provide additional transmission capacity needed to carry additional gas from storage.

Applicant further states the construction program will increase the capacity of lines between Zoar By-pass and Buffalo from 79,000 Mcf to approximately 92,500 Mcf daily, a total increase of 13,500 Mcf; that peak day send out for the winter of 1947-48 was 144,400 Mcf, which was not sufficient to meet the needs of its customers (90% on a volume basis being domestic and commercial) resulting in an estimated deficiency of 8,000 Mcf on that peak day; and that the estimated peak day requirement of 1948-49 will be 155,000 Mcf. The estimated total over-all capital costs of the proposed construction and storage projects will be $1,357,000, the cost of which will be met in part from existing funds, but principally from a portion of the proceeds of the sale to its parent company, National Fuel Gas Company, of 48,500 shares of common capital stock at $100 per share. Applicant states in this connection it has made application to the Public Service Commission of New York for authorization to issue and sell this stock; that an order was issued by the New York Commission on May 18 and 19, 1948 authorizing the sale of 15,000 shares and that a hearing concerning the remaining 33,500 shares was closed on July 1, 1948, but that no order has as yet been issued thereon. Applicant further states that a joint application-declaration has been filed by National Fuel Gas Company, United Natural Gas Company (also a subsidiary of National Fuel Gas Company) and Applicant with the Securities and Exchange Commission, and an order was issued by that Commission on June 30, 1948 describing the financial arrangements between the affiliates and approving them subject to the authority of certain specified further orders. Applicant also states National Fuel has represented in the joint application that, pending purchase of stock from Iroquois, it will make available to Applicant a line of credit on open account in the amount of $3,350,000 for a period of not exceeding 6 months.

Any interested State commission is requested to notify the Federal Power Commission whether the 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 creating of a board, or a joint or concurrent hearing, together with reasons for such request.

The application of Iroquois Gas Corporation 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 §§ 1.8 and 1.10, whichever is applicable, of the rules of practice and procedure.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 48-6714; Filed, July 27, 1948; 8:45 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-1868]

CENTRAL MAINE 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 20th day of July A. D. 1948.

Central Maine Power Company ("Central Maine") a public utility subsidiary of New England Public Service Company,

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, requesting an exemption from the provisions of section 6 (a) of the act, with respect to the issuance and sale, at competitive bidding, of $5,000,000 principal amount of First and General Mortgage Bonds, Series Q, __%, due 1978; the proceeds from the sale of the bonds being applied toward the retirement of outstanding short-term notes; and

Applicant having requested that the ten-day notice period for inviting bids for the purchase of its bonds, as provided in Rule U-50 (b), be shortened to five days so as to permit the opening of binds on July 26, 1948; and it appearing appropriate to grant such request; and

A public hearing having been held on said application, as amended, after appropriate notice, and the Commission having examined the record and having made and filed its findings and opinion herein;

It is ordered, That said application, as amended, be and the same hereby is granted forthwith, subject, however, to the terms and conditions prescribed in Rule U-24 and subject to the following additional conditions:

1. That the proposed issuance and sale of bonds by Central Maine shall not be consummated until the results of competitive bidding, pursuant to Rule U-50, have been made a matter of record in these proceedings and a further order shall have been entered by the Commission in the light of the record so completed, which order may contain further terms and conditions as may then be deemed appropriate, jurisdiction being reserved for such purpose; and

2. That jurisdiction be reserved with regard to the payment of all legal fees incurred or to be incurred in connection with the proposed bond financing.

It is further ordered, That the ten-day period for inviting bids on the bonds as provided by Rule-50 be, and the same hereby is, shortened to a period of not less than five days.

By the Commission.

[SEAL] NELLYE A. THORSEN, *Assistant Secretary.*

[F. R. Doc. 48-6718; Filed, July 27, 1948; 8:46 a. m.]

[File No. 70-1850]

BELLOWS FALLS HYDRO-ELECTRIC CORP. ET AL.

SUPPLEMENTAL ORDER REGARDING JURISDICTION AND GRANTING AND PERMITTING APPLICATION-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 21st day of July 1948.

In the matter of Bellows Falls Hydro-Electric Corporation, Connecticut River Power Company, New England Power Company, New England Electric System; File No. 70-1850.

New England Electric System, a registered holding company, and its subsidiary companies, New England Power Company ("NEPCO"), Connecticut River Power Company, and Bellows Falls Hydro-Electric Corporation, having filed a joint application-declaration and amendments thereto pursuant to the Public Utility Holding Company Act of 1935, with respect to, among other things, the issuance and sale by NEPCO, pursuant to the competitive bidding provisions of Rule U-50, of $11,000,000 principal amount of First Mortgage Bonds, __%, Series B, due 1978; and

The Commission, by order dated July 13, 1948, having granted and permitted to become effective said joint application-declaration, as amended, subject to the condition that the proposed issuance and sale of said Series B bonds shall not be consummated until the results of competitive bidding pursuant to Rule U-50 shall have been made a matter of record herein and a further order shall have been entered in the light of the record as so completed and subject to a further reservation of jurisdiction with respect, among other things, to the payment of fees and expenses of all counsel, including fees and expenses of counsel for the successful bidders, incurred in connection with the issuance and sale of said Series B bonds; and

NEPCO having filed a further amendment herein, stating therein that said Series B bonds have been offered for sale pursuant to the competitive bidding requirements of Rule U-50 and that the following bids for the securities have been received:

Bidding group headed by—	Interest rate (percent)	Price to company (percent of principal amount) [1]	Cost to company
Halsey, Stuart & Co., Inc.	3	100.51	2.9742
Merrill Lynch, Pierce, Fenner & Beane	3	100.399	2.9798
Kuhn, Loeb & Co.	3	100.17	2.9914
Lehman Bros.	3⅛	102.35997	3.0051
The First Boston Corp.	3⅛	102.29	3.0086
Kidder, Peabody & Co.	3⅛	102.06	3.0201
Harriman Ripley & Co., Inc.	3⅛	101.813	3.0325

[1] Plus accrued interest from July 1, 1948.

Said amendment having further stated therein that NEPCO has accepted the bid of Halsey, Stuart & Co., Inc. for said Series B bonds as set out above, and that said Series B bonds will be offered for sale to the public at a price of 100.99% of the principal amount thereof, plus accrued interest, resulting in an underwriting spread equal to 0.48% of the principal amount of said bonds; and

Said amendment having also set forth therein the nature and extent of legal services rendered and except with respect to Ryan, Smith and Carbine of Rutland, Vermont, and Sulloway, Pieper, Jones, Hollis, and Godfrey of Concord, New Hampshire, the fees requested therefor and the estimated expenses of counsel for which reimbursement is requested; and

It appearing to the Commission that further consideration should be given to the legal fees and expenses of counsel and that jurisdiction of such matters should not be released; 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 paid for said Series B bonds or the underwriting spread:

It is ordered, That the jurisdiction heretofore reserved with respect to the matters to be determined as a result of competitive bidding in connection with the said Series B bonds under Rule U-50, be, and the same hereby is, released and that the said joint application-declaration of NEPCO, as further amended, be, and the same hereby is, granted and permitted to become effective, subject, however, to the terms and conditions prescribed in Rule U-24 and the reservations of jurisdiction not released herein.

It is further ordered, That the jurisdiction heretofore reserved in said order of July 13, 1948 with respect to all counsel fees and expenses, including the fees and expenses of counsel for the successful bidder, to be paid in connection with the issuance and sale of said bonus be, and the same hereby is, continued.

By the Commission.

[SEAL] NELLYE A. THORSEN, *Assistant Secretary.*

[F. R. Doc. 48-6719; Filed, July 27, 1948; 8:46 a. m.]

[File No. 70-1633]

PHILADELPHIA CO. ET AL.

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 21st day of July 1948.

In the matter of Philadelphia Company, Pittsburgh and West Virginia Gas Company, Equitable Gas Company, Finleyville Oil and Gas Company; File No. 70-1633.

Philadelphia Company, a registered public utility holding company and a subsidiary of Standard Gas and Electric Company and Standard Power and Light Corporation, both registered holding companies, and certain of the subsidiaries of Philadelphia Company, to wit, Pittsburgh and West Virginia Gas Company, Equitable Gas Company, and Finleyville Oil and Gas Company, having filed a joint application-declaration and amendments thereto, pursuant to sections 6, 7, 9, 10, and 12 of the Public Utility Holding Company Act of 1935 regarding, among other matters, the issuance and sale by Equitable Gas Company pursuant to the competitive bidding requirements of Rule U-50 of $14,000,000 principal amount of twenty-five year __% First Mortgage Bonds; and

The Commission having by order dated June 30, 1948, and supplemental order dated July 16, 1948, granted said application, as amended, and permitted said declaration, as amended, to become effective, subject to the condition, among others, that the proposed issuance and sale of First Mortgage Bonds by Equitable Gas Company shall not be consummated until the results of competitive

bidding pursuant to Rule U-50 shall have been made a matter of record in these proceedings and a further order shall have been entered by the Commission in the light of the record so completed, jurisdiction being reserved, inter alia, to impose further terms and conditions as might then be deemed appropriate; and

Equitable Gas Company having, on July 21, 1948, filed a further amendment to said application-declaration 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:

Underwriting group headed by—	Price to equitable (percent)[1]	Interest rate (percent)	Cost to equitable
The First Boston Corp.	100.409	3¼	3.226
Halsey, Stuart & Co., Inc.	101.458	3⅜	3.289
Kuhn, Loeb & Co. and Smith, Barney & Co.	101.271	3⅜	3.299
Harriman Ripley & Co., Inc.	101.153	3⅜	3.307

[1] Plus accrued interest from July 1, 1948, to the date of delivery o' and payment for the bonds.

The amendment further stating that Equitable Gas Company has accepted the bid of The First Boston Corporation for the bonds as set forth above and that the bonds will be offered for sale to the public at a price of 100.84% of the principal amount thereof plus accrued interest, resulting in an underwriting spread of 0.431% of the principal amount of said bonds; and

The Commission having considered the record as so completed by said amendment and finding that the applicable standards of said act and the rules and regulations promulgated thereunder have been satisfied and finding no basis for imposing terms and conditions with respect to the price to be paid for said bonds, the redemption prices thereof, or the underwriters' spread and the allocation thereof:

It is ordered, Subject to the terms and conditions prescribed by Rule U-24, that jurisdiction heretofore reserved with respect to the matters to be determined as a result of competitive bidding pursuant to Rule U-50 be, and the same hereby is, released, and that said application-declaration, as further amended, be, and the same hereby is, granted and permitted to become effective forthwith, subject, however, to all other reservations, terms and conditions prescribed in the Commission's Order of June 30, 1948, as expressly modified by the Commission's Supplemental Order of July 16, 1948.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant Secretary.

[F. R. Doc. 48-6720; Filed, July 27, 1948; 8:46 a. m.]

[File Nos. 70-1792, 70-1799]

CENTRAL VERMONT PUBLIC SERVICE CORP. AND NEW ENGLAND PUBLIC SERVICE CO.

ORDER GRANTING APPLICATIONS AND DECLARATIONS

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 21st day of July A. D. 1948.

Central Vermont Public Service Corporation ("Central Vermont"), a public utility subsidiary of New England Public Service Company ("NEPSCO"), a registered holding company, having filed an application and declaration, and amendments thereto, pursuant to sections 6 (b), 7 (e), 12 (c), 12 (e) and 12 (f) of the Public Utility Holding Company Act of 1935 and Rules U-42, U-43, U-46, U-50 and U-62, promulgated thereunder, and NEPSCO, in connection with the filing by Central Vermont having also filed an application and declaration, and amendments thereto, pursuant to sections 9 (a), 10 and 12 (f) of the act and Rule U-45 promulgated thereunder; and

The Commission having, at the request of Central Vermont and NEPSCO, severed the issues herein, and having, on April 30, 1948, granted and permitted to become effective the application and declaration, as amended, of Central Vermont insofar as it related to proposed amendments to its Articles of Association, solicitation of proxies, payment of preferred dividends out of capital surplus, accounting entries, acquisition, retirement and issuance of shares of common stock pursuant to reduction of outstanding common stock of Central Vermont, and an exemption from competitive bidding of the proposed new issuance and sale of common stock and bonds, and having also permitted to become effective said declaration of NEPSCO insofar as it related to the surrender by it of shares of common stock of Central Vermont; and the Commission having reserved jurisdiction to pass upon all other aspects of the transactions proposed by Central Vermont and NEPSCO; and

A further hearing having been held, and the Commission having made and filed its supplemental findings and opinion herein with regard to (a) the issue and sale by Central Vermont of $1,900,000 principal amount of First Mortgage __% Bonds, Series E, due 1978, and a sufficient number of shares of common stock to raise approximately $2,600,000, and in connection therewith, the issue of transferable subscription warrants and forms to stockholders, (b) the issue and sale by NEPSCO of a one-year 2¼% promissory note to The First National Bank of Boston in an amount which will not exceed $500,000, and in connection therewith, the pledging of Central Vermont's common stock presently held by it, together with other common stock proposed to be acquired, as collateral for said loan, and (c) the acquisition by NEPSCO of sufficient number of shares to retain its approximate proportionate common stock interest in Central Vermont:

It is ordered, That said applications and declarations, as amended, of Central Vermont Public Service Corporation and New England Public Service Company, be, and the same hereby are, granted and permitted to become effective forthwith, subject, however, to the terms and conditions prescribed in Rule U-24 and to the following additional condition:

1. That Central Vermont obtain orders from the Vermont Public Service Commission and the New Hampshire Public Service Commission approving the issue of subscription warrants and forms.

2. That the proposed issue and sale of bonds and common stock by Central Vermont shall not be consummated until the results of negotiation, including the prices, the interest rate on the bonds, underwriters' commissions and allocation thereof, and the finder's fee, have been made a matter of record in these proceedings and a further order shall have been entered by the Commission in the light of the record so completed, which order may contain such further terms and conditions as may then be deemed appropriate, jurisdiction being reserved for such purpose.

3. That jurisdiction be reserved with respect to the payment of all legal fees incurred or to be incurred in connection with the proposed transactions.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant Secretary.

[F. R. Doc. 48-6721; Filed, July 27, 1948; 8:47 a. m.]

[File No. 70-1465]

REPUBLIC SERVICE CORP. AND PENNSYLVANIA POWER & LIGHT CO.

SUPPLEMENTAL ORDER GRANTING SALE AND TRANSFER OF STOCK

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C. on the 21st day of July A. D. 1948.

The Commission on September 29, 1947, having issued its findings, opinion, and order approving, among other things, the sale by Republic Service Corporation ("Republic") of all the outstanding securities of two public utility companies and one non-utility company, namely, The Mauch Chunk Heat, Power and Light Company, Renovo Edison Light, Heat and Power Company, and Renovo Heating Company to Pennsylvania Power & Light Company ("Pennsylvania") for the base consideration of $674,590 to be paid in shares of Pennsylvania common stock, and accordingly Republic having acquired 34,156 shares of Pennsylvania common stock; and

The Commission having conditioned its order with respect to the acquisition by Republic of the said Pennsylvania common stock as follows: "That Republic shall divest itself of all the shares of Pennsylvania's common stock, which it acquires as a result of this transaction, within six months from the date of acquisition"; and

Republic having subsequently sold 20,000 shares of such stock after notifying the Commission of its intention to do so and having requested the Commission to extend the time in which to dispose of the remaining 14,156 shares; and

The Commission having entered its findings, opinion, and order dated April 29, 1948 (*Republic Service Corporation and its Subsidiary Companies*, — S. E. C. — (1948), Holding Company Act Release No. 8170), approving Republic's Amended Joint Plan of Reorganization and, among other things, having extended the time in which Republic was required to sell

the remaining 14,156 shares of Pennsylvania's common stock to the date of the consummation of Republic's said Amended Joint Plan of Reorganization; and

Republic having subsequently sold an additional 3,356 shares of the common stock of Pennsylvania, leaving Republic owning a balance of 10,800 of such shares, and

Republic having now advised the Commission that it has entered into a contract to sell 5,000 shares of the common stock of Pennsylvania, and having requested that the Commission enter an appropriate order to conform to the requirements of sections 371 and 1808 of the Internal Revenue Code, as amended; and

The Commission deeming the sale of the common stock of Pennsylvania by Republic to be a step in compliance with the above-mentioned order and necessary or appropriate to effectuate the provisions of section 11 (b) of the act and deeming it appropriate to grant the request of Republic as to suggested recitals;

It is hereby ordered and recited, That the sale and transfer by Republic of 5,000 shares of said 34,156 shares of common stock of Pennsylvania are necessary or appropriate to the integration or simplification of the holding company system of which Republic is a member and are necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 48-6722; Filed, July 27, 1948; 8:47 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 11538]

KUWAICHI NONIN

In re: Stock owned by a debt owing to Kuwaichi Nonin, also known as K. Nonin and as Kuwato Nonin. F-39-5254-A-1; F-39-5254-A-2; F-39-5254-A-3; F-39-5254-D-2; F-39-5254-D-3.

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 Kuwaichi Nonin, also known as K. Nonin and as Kuwato Nonin, whose last known address is Nihomachi, Hiroshima City, Hiroshima, Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows:

a. Those certain shares of stock described in Exhibit A, attached hereto and by reference made a part hereof, registered in the names of the persons set forth in the aforesaid Exhibit A and presently in the custody of The Liberty Bank of Honolulu, 99 North King Street, Honolulu, T. H., together with all declared and unpaid dividends thereon, and

b. That certain debt or other obligation of Bishop National Bank of Hawaii at Honolulu, King and Bishop Streets, Honolulu, T. H., arising out of a savings account, Account Number 1679, entitled Kauai Soda Co., Ltd., Trustee for Kuwaichi Nonin, maintained at the branch office of the aforesaid bank located at Lihue, Kauai, T. H., 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, Kuwaichi Nonin, also known as K. Nonin and as Kuwato Nonin, the aforesaid national of a designated enemy country (Japan);

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 (Japan).

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.

EXHIBIT A

Name and address of issuer	Place of incorporation	Registered owner	Type of stock	Certificate No.	Number of shares	Par value
Growers Canning Association, Limited, Territory of Hawaii.	Territory of Hawaii	Kuwaichi Nonin	Common	106	5	$10
Hawaiian Fruit Packers, Limited, P. O. Box 338, Kapaa, Kauai, T. H.	do	do	do	39	5	No par
Kauai Soda Co., Ltd., Lihue, Kauai, T. H.	do	K. Nonin	do	A-22	30	$10

[F. R. Doc. 48-6728; Filed, July 27, 1948; 8:48 a. m.]

[Vesting Order 11540]

ROOHLIG & CO. ET AL.

In re: Cash owned by Roohlig & Co. and others.

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 Roohlig & Co., Hagel & Heyden, Dabig and Boden & Haac, each of whose last known address is Bremen, Germany, are corporations, partnerships, associations or other business organizations organized under the laws of Germany and which have or, since the effective date of Executive Order 8389, as amended, have had their principal places of business in Germany and are nationals of a designated enemy country (Germany);

2. That N. V. Ex. and Import Mij. Roessingh & Company, also known as N. V. Roessingh & Co., is a corporation organized under the laws of The Netherlands, whose principal place of business is Amsterdam, The Netherlands, and all of whose capital stock is or, since the effective date of Executive Order 8389, as amended, has been owned or controlled by the aforesaid Boden & Haac, and is a national of a designated enemy country (Germany);

3. That the property described as follows:

Cash in the amounts listed below presently in the possession of the Attorney General of the United States in the accounts whose titles and numbers are set forth below opposite said amounts as follows:

Amount of cash	Title of account	Account No.
$1.20	Roohlig & Co., Bremen, Germany.	28-200, 234
$14.98	Hagel & Heyden controlling A/C, Bremen, Germany.	28-200, 232
$30.00	Dabig, Bremen, Germany	28-200, 231
$187.85	N. V. Roesingh & Co., Amsterdam, Holland.	49-200, 225

is property within the United States owned or controlled by, payable or deliverable to, hold in behalf of or on account of, or owing to, or which is evidence of ownership or control by Roohlig & Co., Hagel & Heyden, Dabig and N. V. Ex. and Import Mij. Roessingh & Company, also known as N. V. Roessingh & Co., the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

4. That N. V. Ex. and Import Mij. Roessingh & Company, also known as N. V. Roessingh & Co., is controlled by or acting for or on behalf of a designated enemy country (Germany) or a person within such country and is a national of a designated enemy country (Germany); and

5. That to the extent that Roohlig & Co., Hagel & Heyden, Dabig, Boden & Haac and N. V. Ex. and Import Mij. Roessingh & Company, also known as N. V. Roessingh & Co., 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. 48-6729; Filed, July 27, 1948; 8:48 a. m.]

[Vesting Order 11543]

HERMAN SCHROEDER

In re: Stock owned by Herman Schroeder. F-28-8675-C-1; F-28-8675-D-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 Herman Schroeder, whose last known address is Arberger-Bremen Feldstrasse, Kreisachim, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: Forty-two (42) shares of no par value common capital stock of Inland Steel Company, 38 South Dearborn Street, Chicago 3, Illinois, a corporation organized under the laws of the State of Delaware, evidenced by a certificate numbered 5326, registered in the name of Herman Schroeder, together with all declared and unpaid dividends thereon,

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 June 25, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-6730; Filed, July 27, 1948; 8:49 a. m.]

[Vesting Order 11554]

S. ATSUUMI AND F. Y. OMUREI

In re: Stock owned by S. Atsuumi, also known as S. Atsumi and as Sakunojo Atsuumi, and F. Y. Omurei, also known as Fred Y. Omurei and as Fred Yohachiro Omurei. F-39-6213-A-1; F-39-6213-D-1; F-39-2279-D-2.

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 S. Atsuumi, also known as S. Atsumi and as Sakunojo Atsuumi, and F. Y. Omurei, also known as Fred Y. Omurei and as Fred Yohachiro Omurei, whose last known address is Japan, are residents of Japan and nationals of a designated enemy country (Japan);

2. That the property described as follows:

a. Two (2) shares of $25.00 par value common capital stock of The Waialua Garage Company, Ltd. (now Service Motor Company, Ltd.), a corporation organized under the laws of the Territory of Hawaii, evidenced by Certificate Number 314, registered in the name of Sakunojo Atsuumi, and presently in the custody of Yoshijiro Saito, P. O. Box 482, Waipahu, Oahu, T. H., and Certificate Number 313, registered in the name of F. Y. Omurei, and presently in the custody of Fred H. Akahoshi, Room 21, Dillingham Building Annex, Honolulu, T. H., together with all declared and unpaid dividends thereon, and

b. Ten (10) shares of $1.00 par value 6% cumulative preferred capital stock of The Waialua Garage Company, Ltd. (now Service Motor Company, Ltd.), a corporation organized under the laws of the Territory of Hawaii, evidenced by certificates numbered 32 for two (2) shares and 82 for six (6) shares, registered in the name of Sakunojo Atsuumi, and presently in the custody of Yoshijiro Saito, P. O. Box 482, Waipahu, Oahu, T. H., and Certificate Number 31 for two (2) shares, registered in the name of F. Y. Omurei, and presently in the custody of The Waialua Garage Company, Ltd., aforesaid, together with all declared and unpaid dividends thereon,

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 nationals of a designated enemy country (Japan);

and it is hereby determined:

3. 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 (Japan).

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.

This vesting order is issued nunc pro tunc to confirm the vesting of the said property by acceptance as aforesaid.

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. 48-6731; Filed, July 27, 1948; 8:49 a. m.]

[Vesting Order 11563]

HEINRICH NOLZEN

In re: Stock and interest in oil, gas and other minerals in certain lands owned by Heinrich Nolzen, also known as Henry Nolzen.

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 Heinrich Nolzen, also known as Henry Nolzen, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows:

a. Nineteen thousand four hundred (19,400) shares of $1 par value common capital stock of The Miami Mining and Milling Company, a corporation organized under the laws of the State of Colorado, evidenced by the certificates described in Exhibit A, attached hereto and by reference made a part hereof, presently in the possession of the Attorney General of the United States in Account No. 28-200,284, together with all declared and unpaid dividends thereon,

b. Bearer certificate No. 719 for one-twentieth (1/20) share of capital stock of Rahn Aircraft Corporation, a corporation organized under the laws of the State of Delaware, presently in the possession of the Attorney General of the United States in Account No. 28-200,284, together with any and all rights thereunder and thereto, and

c. An undivided one-three hundred thirtieth (1/330) interest in and to all of the oil, gas and other minerals in and under and that may be produced from the following described lands situated in Hughes County, State of Oklahoma, to wit:

Northwest quarter (NW¼) and West half (W½) of Northeast quarter (NE¼) and Southeast quarter (SE¼) of Northeast quarter (NE¼), and Northeast quarter (NE¼) of Southeast quarter (SE¼) and North half (N½) of North half (N½) of Southeast quarter (SE¼) of Southeast quarter (SE¼) (being 330 acres more or less) in Section 14, Township 7 North, Range 8 East of I. M.

together with any and all claims for royalties, rents, refunds, benefits or other payments arising from the ownership of such property.

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, Heinrich Nolzen, also known as Henry Nolzen, 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 in subparagraphs 2-a and 2-b hereof, and

There is hereby vested in the Attorney General of the United States the property described in subparagraph 2-c hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of a designated enemy country,

All such property so vested 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.

EXHIBIT A

Certificate Nos.	Number of shares	Name in which registered
1045/8	100 shares each	D. Gilbert.
1084/99	100 shares each	Do.
1111/5	100 shares each	C. J. Nicholas.
1124/49	100 shares each	Do.
1173/4	100 shares each	Do.
1198/224	100 shares each	Do.
1320/45	100 shares each	Do.
1350	100 shares	Do.
2434/7	100 shares each	Jesse W. Hedden.
2439/49	100 shares each	Do.
2470	100 shares	Fred F. Barlow.
2472	100 shares	Do.
2550/4	1,000 shares each	D. E. Sickles.
2556/7	1,000 shares each	Do.

[F. R. Doc. 48-6732; Filed, July 27, 1948; 8:49 a. m.]

[Vesting Order 11596]

SEIGO MIWA

In re: Bank account, bonds, household furniture and furnishings and certificate of deposit owned by Seigo Miwa, also known as J. S. Miwa. F-39-1242-A-1; F-39-1242-A-2; F-39-1242-C-1; F-39-1242-C-2.

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 Seigo Miwa, also known as J. S. Miwa, whose last known address is 874 Karugacho, Kure City, Honshu, Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows:

a. That certain debt or other obligation of The Liberty Bank of Honolulu, 99 North King Street, Honolulu, T. H., arising out of a savings account, Account Number 13969, entitled Seigo Miwa, by Shigeru Nakata, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same,

b. Two United States Savings Bonds, Series E, of $100 face value, bearing the numbers C2597329E and C2597333E registered in the name of Seigo Miwa, presently in the custody of Shigeru Nakata, 2556-A South Beretania Street, Honolulu, T. H., together with any and all rights thereunder and thereto,

c. One United States Savings Bond, Series E, of $50 face value, bearing the number L1776971E registered in the name of Seigo Miwa, presently in the custody of Shigeru Nakata, 2556-A South Beretania Street, Honolulu, T. H., together with any and all rights thereunder and thereto,

d. Five Imperial Japanese Government External Loan of 1930 5½% Bearer Bonds of $1,000 face value each, bearing serial numbers 23529, 23530, 23531, 35657 and 20531, presently in the custody of Bishop National Bank of Hawaii at Honolulu, P. O. Box 3200, Honolulu 1, T. H., together with any and all rights thereunder and thereto, and subject to such interest as the aforesaid Bishop National Bank of Hawaii at Honolulu may have as pledgee in said bonds,

e. One Certificate of Deposit Number 25902, issued by The Sumitomo Bank, Ltd., in the amount of ¥37,799.10, and presently in the possession of the Trustees for the Creditors and Stockholders of The Sumitomo Bank of Hawaii in Dissolution, P. O. Box 1200, Honolulu, T. H., and any and all rights in, to and under the aforementioned certificate of deposit, and

f. Household furniture and furnishings owned by Seigo Miwa, also known as J. S. Miwa, presently in the custody of Shigeru Nakata, 2556-A South Beretania Street, Honolulu, T. H., including but not limited to the property described in Exhibit A, attached hereto, and by reference made a part hereof,

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, Seigo Miwa, the aforesaid national of a designated enemy country (Japan);

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 (Japan).

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 2, 1948.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Deputy Director,
Office of Alien Property.

EXHIBIT A

Unit:	*Description*
1	Washing machine.
1	Gas stove.
1	Table.
6	Chairs.
1	Bed.
1	Mattress.
1	Book case.
1	Trunk and miscellaneous items.

[F. R. Doc. 48-6733; Filed, July 27, 1948; 8:49 a. m.]

[Vesting Order 11597]

GUSTAV ZIEGLER

In re: Debt owing to Gustav Ziegler, also known as G. Ziegler. F-28-25873-C-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 Gustav Ziegler, also known as G. Ziegler, whose last known address is Trostbrucke 11, Hamburg, Germany, is a resident of Germany and a national

of a designated enemy country (Germany);

2. That the property described as follows:

a. That certain debt or other obligation of Johnson & Higgins, 63 Wall Street, New York 5, New York, in the amount of $130.02, as of December 31, 1945, arising out of a refund of a General Average Deposit, paid as security for payment of charges due on a shipment, said shipment designated as Interest No. 641, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same, and

b. That certain debt or other obligation of Johnson & Higgins, 63 Wall Street, New York 5, New York, in the amount of $299.06, as of December 31, 1945, representing a balance from allowance to cargo for loss on a shipment, said shipment designated as Interest No. 641, together with any and all accruals thereto, 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, Gustav Ziegler, also known as G. Ziegler, 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 2, 1948.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 48-6734; Filed, July 27, 1948; 8:49 a. m.]

[Vesting Order 11619]

ELSA REINHOLD

In re: Bank account owned by Elsa Reinhold. F-28-27492-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 Elsa Reinhold, whose last known address is Berlin, 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 Elsa Reinhold by The Marine Trust Company of Buffalo, 237 Main Street, Buffalo, New York, arising out of a Thrift account, account number 6414, entitled Elsa Reinhold, maintained at the aforesaid bank, together with any and all rights to demand, enforce and collect the aforesaid debt or other obligation,

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 9, 1948.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 48-6735, Filed, July 27, 1948; 8:49 a. m.]

[Vesting Order 11620]

ANITA DOROTHEA RICHTER

In re: Bank account owned by Anita Dorothea Richter. F-28-28686-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 Anita Dorothea Richter, whose last known address is Kaiserstrasse 4, Berlin-Spandau, 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 of Crocker First National Bank of San Francisco, One Montgomery Street, San Francisco, California, arising out of a savings account, entitled Crocker First National Bank of San Francisco, Trustee for Anita Dorothea Richter, 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, Anita Dorothea Richter, 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 9, 1948.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 48-6736; Filed, Judy 27, 1948; 8:50 a. m.]