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Chapter II—Production and Marketing Administration (Commodity Credit)

[1948 C. C. C. Rye Bulletin 1]

PART 266—RYE LOANS AND PURCHASE AGREEMENTS

1948 RYE PRICE SUPPORT PROGRAM BULLETIN

This bulletin states the requirements with respect to the 1948 Rye Loan and Purchase Agreement Program formulated by Commodity Credit Corporation (hereinafter referred to as CCC) and the Production and Marketing Administration (hereinafter referred to as PMA). Loans and purchase agreements will be made available in accordance with this bulletin on eligible rye produced in 1948.

Sec.

AUTHORITY: §§ 266.201 to 266.224, inclusive, issued under sec. 302 (a), 52 Stat. 43, 7 U. S. C. 1302; sec. 4 (b), 55 Stat. 498, 15 U. S. C. 713a–8 (b); sec. 1 (d), Pub. Law 897, 80th Cong.; sec. 5 (a), Pub. Law 806, 80th Cong.

§ 266.201 *Administration.* The program will be administered in the field through CCC field offices, State PMA committees, and county agricultural conservation committees under the general supervision and direction of the Manager, CCC. Forms will be distributed through the offices of State and county committees. County committees will determine or cause to be determined the quantity and grade of the rye, the amount of the loan or purchase, and the value of the rye delivered under the program. All loan and purchase documents will be completed and approved by the county committee, which will retain copies of all such documents. The county committee may designate in writing certain employees of the county agricultural conservation association to approve forms on behalf of the committee.

The county committee will furnish the borrower with the names of local lending agencies approved for making disbursement on loan documents or with the address of the CCC field office to which loan documents may be forwarded for disbursement.

§ 266.202 *Availability of loans and purchase agreements*—(a) *Area.* (1) Loans shall be available on eligible rye in eligible farm storage in the States and counties for which loan rates are shown in § 266.224.

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

(3) Purchase agreements shall be available on eligible rye in all areas where loans are available.

(b) *Time.* Loans and purchase agreements shall be available through December 31, 1948, and the applicable documents must be signed by the producer and delivered or mailed to the county committee not later than such date.

(c) *Source.* Loans shall be made available to producers direct by CCC field offices and by lending agencies under lending agency agreements with CCC. Purchase agreements shall be available through the offices of county agricultural conservation committees.

§ 266.203 *Approved lending agencies.* An approved lending agency shall be any bank, cooperative marketing association, corporation, partnership, individual, or

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FEDERAL REGISTER

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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.

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other legal entity with which the CCC has entered into a Lending Agency Agreement (Form PMA–97, or other form prescribed by the CCC).

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

§ 266.205 *Eligible rye.* Eligible rye shall be rye which was produced in 1948, grading No. 2 or better, or grading No. 3 solely on the factor of test weight but otherwise grading No. 2 or better. The beneficial interest in the rye must be in the producer tendering the rye for a loan or purchase and must always have been in him, or in him and a former producer whom he succeeded before the rye was harvested. Rye grading tough, light smutty, smutty, light garlicky, garlicky, weevily or rye containing in excess of 1 percent ergot shall not be eligible as collateral for loan or for purchase. In order to be eligible for a loan, rye stored on the farm must have been stored in the granary or bin at least 30 days prior to inspection for measurement, sampling, and sealing, unless otherwise approved by the State PMA committee.

§ 266.206 *Eligible storage.* Eligible storage for rye shall meet the following requirements:

(a) Under the loan program eligible farm storage shall consist of farm bins and granaries which, as determined by

the county committee, are of such substantial and permanent construction as to afford safe storage of rye for a period of two years, permit effective fumigation for the destruction of insects and afford protection against rodents, other animals, thieves, and weather.

(b) Under the loan and purchase program, eligible warehouse storage shall consist of (1) public grain warehouses for which a Uniform Grain Storage Agreement (CCC Form H Revised) for the 1948 crop has been executed; or (2) warehouses operated by eastern common carriers under tariffs approved by the Interstate Commerce Commission. A list of approved warehouses will be furnished State offices and county committees.

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

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

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

(c) *Purchase Agreement documents.* The Purchase Agreement documents shall consist of the Purchase Agreement (Commodity Purchase 1) and Purchase Agreement Settlement (Commodity Purchase 4) signed by the producer and approved by the county committee, negotiable warehouse receipts, and such other forms as may be prescribed by CCC.

(d) *Warehouse receipts.* Rye in eligible warehouse storage under the loan and purchase agreement program must be represented by warehouse receipts which satisfy the following requirements:

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

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

(3) The warehouse receipt and the rye represented thereby may be subject to warehouse charges only from May 15, 1948, or the date of the warehouse receipt, whichever is later.

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

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

§ 266.208 *Determination of quantity.* A bushel shall be 56 pounds of clean rye free of dockage when determined by weight, or 1.25 cubic feet of rye testing 56 pounds per bushel when determined by measurement. A deduction of ¾ of a pound for each sack will be made in determining the net quantity of the rye when stored as sacked rye. In determining the quantity of rye in farm storage by measurement, fractional pounds of the bushel test weight will be disregarded, and the quantity determined as above will be the following percentages of the quantity determined for 56-pound rye:

For rye testing	*Percent*
56 pounds or over	100
55 pounds or over, but less than 56 pounds	98
54 pounds or over, but less than 55 pounds	96
53 pounds or over, but less than 54 pounds	95
52 pounds or over, but less than 53 pounds	92
51 pounds or over, but less than 52 pounds	91
50 pounds or over, but less than 51 pounds	89
49 pounds or over, but less than 50 pounds	87

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

§ 266.210 *Liens.* The rye must be free and clear of all liens and encumbrances, except for warehouse charges as provided in § 266.207 (d) (3), or if liens or encumbrances exist on the rye, proper waivers must be obtained.

§ 266.211 *Service fees*—(a) *Loans.* Where the rye under loan is farm-stored, the producer shall pay a service fee of 1 cent per bushel on the number of bushels placed under loan, or $3.00, whichever is greater, and where the rye under loan is warehouse-stored, the producer shall pay a service fee of ½ cent per bushel on the number of bushels placed under loan, or $1.50, whichever is greater.

(b) *Purchase agreements.* At the time the producer signs a purchase agreement he shall pay a service fee of ½ cent per bushel on the number of bushels specified on Commodity Purchase 1 as the maximum quantity he may deliver, or $1.50, whichever is greater. No refund of service fees will be made.

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

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

§ 266.214 *Transfer of producer's equity*—(a) *Loans.* The right of the producer to transfer either his right to redeem the rye under loan or his remaining interest may be restricted by CCC.

(b) *Purchase agreements.* The producer may not assign his interest in the purchase agreement.

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

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

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

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

§ 266.219 *Maturity and satisfaction*—(a) *Loans.* Loans mature on demand but not later than April 30, 1949. In the case of farm-storage loans, the producer is required to pay off his loan on or before maturity, or to deliver the mortgaged rye in accordance with instruc-

tions of the county committee. Credit will be given at the applicable settlement value for the total quantity so delivered provided it was stored in the bin(s) in which the rye under loan was stored. If the settlement value of the rye delivered exceeds the amount due on the loan, the amount of the excess shall be paid to the producer. If the settlement value of the rye is less than the amount due on the loan, the amount of the deficiency, plus interest, shall be paid by the producer to CCC, or may be set off against any payment which would otherwise be made to the producer under any agricultural programs administered by the Secretary of Agriculture, or any other payments which are due or may become due to the producer from CCC or any other agency of the United States. In the event the farm is sold or there is a change of tenancy, the rye may be delivered before the maturity date of the loan upon prior approval by the county committee. In the case of warehouse storage loans, if the producer does not repay his loan upon maturity, CCC shall have the right to sell or pool the rye in satisfaction of the loan in accordance with the provisions of the note and loan agreement and § 266.220.

(b) *Purchase agreements.* The producer who signs a purchase agreement (Commodity Purchase 1) shall not be obligated to deliver any rye to CCC. He may deliver any amount up to but not in excess of the number of bushels shown on Commodity Purchase 1. If the producer desires to deliver rye to CCC, he shall, within 30 days following April 30, 1949, the maturity date for rye loans, or such earlier date as demand for payment of rye loans may be made, submit warehouse receipts representing eligible rye stored in eligible warehouse storage to the county committee for the quantity of such rye he elects to sell to CCC, but not in excess of the number of bushels shown on Commodity Purchase 1, or, in the case of rye stored in other than eligible warehouse storage, he shall notify the county committee of his intention to sell and request delivery instructions. The producer must then complete delivery within a 15-day period immediately following the date the county committee issues delivery instructions, unless the county committee determines more time is needed for delivery. Rye stored in other than eligible warehouse storage will be purchased on delivery at points designated by CCC. When delivery is completed, payment shall be made by a sight draft drawn on CCC by the State PMA office on the basis of approved Commodity Purchase 4. The producer shall direct on such form to whom payment of the purchase price shall be made.

Eligible rye will be purchased on the basis of the weight, grade, and other quality factors shown on the warehouse receipts and accompanying documents, or, if such rye is delivered to a CCC bin site, on the basis of the weight, grade, and other quality factors determined by the county committee (in accordance with instructions for the determination of such factors under the loan program) and approved by the producer at the time of delivery.

(c) *Track-loaded rye.* Under the loan and purchase agreement program a loading payment of 2 cents per bushel will be made to the producer on rye delivered on track at a country point.

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

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

§ 266.222 *Purchase of notes.* CCC will purchase, from approved lending agencies, notes evidencing approved loans which are secured by chattel mortgages or negotiable warehouse receipts. The purchase price to be paid by CCC will be the principal sums remaining due on such notes, plus accrued interest from the date of disbursement to the date of purchase at the rate of 1½ percent per annum. Lending agencies are required to submit a weekly report to CCC and to the county committees on CCC Commodity Form F, or such other form as CCC may prescribe, of all payments received on producer's notes held by them, and are required to remit promptly to CCC an amount equivalent to 1½ percent interest per annum, on the amount of the principal collected, from the date of disbursement to the date of payment. Lending agencies shall submit notes and reports to the CCC field office serving the area.

§ 266.223 *CCC Field offices.* The CCC field offices and the areas served by them are shown below:

Address and Area

Atlanta 3, Ga., 449 West Peachtree St., N. E.: Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee, Virginia.

Chicago 5, Illinois, 623 South Wabash Ave.: Illinois, Indiana, Iowa, Michigan, Ohio.

Dallas 2, Texas, 1114 Commerce St.: Arkansas, Louisiana, New Mexico, Oklahoma, Texas.

Kansas City 6, Mo., 417 East 13th St.: Colorado, Kansas, Missouri, Nebraska, Wyoming.

Minneapolis 1, Minn., 328 McKnight Building: Minnesota, Montana, North Dakota, South Dakota, Wisconsin.

New York 4, New York, 67 Broad St.: Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, West Virginia.

Portland 5, Oreg., 515 S. W. Tenth Ave.: Idaho, Oregon, Washington.

San Francisco 2, Calif., 30 Van Ness Ave.: Arizona, California, Nevada, Utah.

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

FREIGHT CERTIFICATE FOR TERMINALS

The rye represented by attached warehouse receipt No. _____ was received by rail freight from _____
(Town)
_____
(County)
_____
(State)
point of origin, as evidenced by freight bill described as follows:

Way bill, date _____
Car No. _____
Freight bill, date _____
Carrier _____
Freight rate in _____
No. _____
Initial _____
No. _____
Transit wt. _____
Amt. collected _____
Number unused transit stops _____

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

_____
(Warehouseman's signature)
_____
(Address)
_____
(Date of signature)

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

(1) *Terminal rates for eligible rye.* Terminal rates for eligible rye, stored in eligible warehouse storage at the following terminal markets, shall be as follows:

Terminal market:	*Rate per bushel*
Baltimore, Maryland	$1.62
Chicago, Illinois	1.51
Duluth, Minnesota	1.47
Kansas City, Missouri	1.47
Los Angeles, California	1.54
Memphis, Tennessee	1.57
Minneapolis, Minnesota	1.47
Omaha, Nebraska	1.47
Portland, Oregon	1.54
Philadelphia, Pennsylvania	1.62
San Francisco, California	1.54
St. Louis, Missouri	1.51
Superior, Wisconsin	1.47

(2) *Discount for ergot.* The rate for rye containing in excess of 3/10 of 1 percent but not in excess of 1 percent ergot shall be discounted 1 cent for each 1/10 of 1 percent ergot in excess of 3/10 of 1 percent.

(b) *Rates at other than designated terminal points.* CCC determines the rates for rye in storage on the farm or in country warehouses by deducting from the designated terminal market rate an amount equal to (1) the receiving and loading-out charges computed in accordance with the schedule of rates of the Uniform Grain Storage Agreement (CCC Form H) plus (2) the average all-rail interstate freight rate (plus tax) from all shipping points in the county.

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

The warehouse receipts, in addition to other required documents, must be accompanied by the original paid freight bills duly registered for transit privileges or by a statement in the following form signed by the warehouseman, or a warehouseman's supplemental certificate containing such information:

FREIGHT CERTIFICATE FOR OTHER THAN TERMINAL POINTS

The rye represented by attached warehouse receipt No. _____ was received by rail freight from _____
(Town)
_____ _____
(County) (State)
point of origin, as evidenced by freight bill described as follows:

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

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

_____
(Warehouseman's signature)
_____
(Address)
_____
(Date of signature)

(c) *Storage allowance.* There shall be no storage allowance on rye under the loan and purchase program.

A deduction of 7 cents per bushel shall be made from the applicable loan rate on rye under loan in a warehouse, unless evidence is submitted with the warehouse receipt that all warehouse charges except receiving charges have been prepaid through April 30, 1949.

In the case of warehouse-stored rye delivered under a purchase agreement, evidence must be submitted with the warehouse receipts that all warehouse charges except receiving charges have been paid through the date on which the warehouse receipts are tendered to the county committee, or a deduction of 7 cents per bushel will be made from the applicable purchase price, and CCC will assume the accrued warehouse charges on the rye, provided that CCC will not assume any charges in excess of those provided under the Uniform Grain Storage Agreement, CCC Form H, Revised, for the 1948 crop.

(d) *County rates.* The rates per bushel of eligible rye for the respective States and counties are listed below:

CALIFORNIA

County	*Rate*	*County*	*Rate*
Lassen	$1.27	San Joaquin	$1.41
Modoc	1.23	Siskiyou	1.27
San Bernardino	1.40		

COLORADO

Baca	$1.20	Logan	$1.19
Bent	1.19	Moffat	1.06
Cheyenne	1.20	Morgan	1.19
Douglas	1.19	Phillips	1.21
Elbert	1.19	Prowers	1.20
El Paso	1.19	Rio Blanco	1.06
Jefferson	1.19	Routt	1.06
Kiowa	1.20	Sedgwick	1.21
Kit Carson	1.20	Washington	1.19
Larimer	1.19	Weld	1.19
Las Animas	1.19	Yuma	1.20
Lincoln	1.19		

DELAWARE

	Rate
All counties	$1.42

IDAHO

County	*Rate*	*County*	*Rate*
Oneida	$1.12	Washington	$1.22
Power	1.12		

ILLINOIS

Adams	$1.32	Knox	$1.33
Bond	1.33	Lake	1.37
Brown	1.33	Lawrence	1.32
Bureau	1.34	Lee	1.33
Carroll	1.33	McDonough	1.32
Cass	1.34	McHenry	1.36
Champaign	1.34	Macoupin	1.36
Christian	1.34	Madison	1.36
Clark	1.34	Marion	1.34
Coles	1.34	Mason	1.34
Cook	1.37	Menard	1.34
Crawford	1.33	Mercer	1.32
Cumberland	1.34	Montgomery	1.35
De Kalb	1.36	Morgan	1.34
Du Page	1.37	Ogle	1.34
Edgar	1.34	Peoria	1.34
Edwards	1.33	Pike	1.34
Effingham	1.34	Rock Island	1.33
Fayette	1.35	Sangamon	1.34
Fulton	1.33	Schuyler	1.34
Greene	1.35	Scott	1.34
Hancock	1.32	Shelby	1.34
Henderson	1.32	Stark	1.34
Henry	1.33	Stephenson	1.33
Iroquois	1.35	Tazewell	1.34
Jasper	1.34	Vermilion	1.35
Jefferson	1.34	Warren	1.33
Kane	1.37	Whiteside	1.33
Kankakee	1.36	Will	1.37
Kendall	1.36	Winnebago	1.34

INDIANA

Adams	$1.32	Greene	$1.31
Allen	1.31	Hamilton	1.32
Bartholomew	1.31	Hancock	1.32
Benton	1.34	Hendricks	1.32
Boone	1.31	Henry	1.32
Carroll	1.34	Howard	1.31
Cass	1.33	Huntington	1.31
Clark	1.33	Jackson	1.30
Clay	1.32	Jasper	1.36
Clinton	1.33	Jefferson	1.33
Daviess	1.29	Jennings	1.29
Dearborn	1.31	Johnson	1.30
Decatur	1.31	Knox	1.32
De Kalb	1.32	Kosciusko	1.32
Delaware	1.32	Lagrange	1.31
Dubois	1.27	Lake	1.36
Elkhart	1.32	La Porte	1.35
Fayette	1.32	Lawrence	1.31
Fountain	1.32	Makison	1.32
Franklin	1.32	Marion	1.32
Fulton	1.33	Marshall	1.33
Gibson	1.32	Miami	1.33
Grant	1.31	Monroe	1.32

INDIANA—continued

County	Rate	County	Rate
Montgomery	$1.34	Starke	$1.35
Morgan	1.34	Steuben	1.32
Newton	1.36	Sullivan	1.34
Noble	1.31	Tippecanoe	1.34
Owen	1.33	Tipton	1.31
Parke	1.32	Union	1.32
Porter	1.36	Vermillion	1.35
Pulaski	1.35	Vigo	1.33
Putnam	1.34	Wabash	1.32
Randolph	1.32	Warren	1.34
Ripley	1.30	Washington	1.33
Rush	1.32	Wayne	1.32
St. Joseph	1.33	Wells	1.32
Shelby	1.31	White	1.36
Spencer	1.27	Whitley	1.32

IOWA

Adams	$1.31	Johnson	$1.31
Allamakee	1.29	Jones	1.31
Benton	1.30	Kossuth	1.28
Black Hawk	1.30	Lee	1.31
Bremer	1.28	Linn	1.31
Buchanan	1.30	Louisa	1.31
Buena Vista	1.29	Lyon	1.28
Butler	1.28	Marshall	1.29
Calhoun	1.29	Mills	1.34
Cass	1.32	Monona	1.32
Cedar	1.31	Montgomery	1.32
Cerro Gordo	1.28	Muscatine	1.32
Cherokee	1.29	O'Brien	1.29
Chickasaw	1.28	Osceola	1.28
Clay	1.29	Page	1.32
Clayton	1.30	Palo Alto	1.28
Clinton	1.32	Plymouth	1.30
Crawford	1.32	Pocahontas	1.28
Dallas	1.29	Polk	1.28
Delaware	1.30	Pottawattamie	1.33
Des Moines	1.31	Sac	1.30
Dickinson	1.28	Scott	1.32
Emmet	1.29	Shelby	1.32
Fayette	1.29	Sioux	1.29
Fremont	1.33	Story	1.28
Greene	1.30	Tama	1.29
Hamilton	1.27	Taylor	1.31
Hancock	1.28	Van Buren	1.30
Hardin	1.28	Wapello	1.30
Harrison	1.33	Washington	1.30
Henry	1.31	Webster	1.29
Humboldt	1.28	Winneshiek	1.29
Ida	1.30	Woodbury	1.30
Jackson	1.32	Worth	1.29
Jasper	1.28	Wright	1.27
Jefferson	1.30		

KANSAS

Allen	$1.30	Leavenworth	$1.33
Barber	1.25	Lincoln	1.26
Barton	1.25	Linn	1.31
Bourbon	1.31	Logan	1.23
Brown	1.31	McPherson	1.26
Butler	1.27	Marion	1.27
Cheyenne	1.22	Marshall	1.29
Clay	1.28	Miami	1.32
Cloud	1.27	Mitchell	1.27
Coffey	1.30	Montgomery	1.29
Comanche	1.24	Morris	1.28
Cowley	1.27	Nemaha	1.30
Decatur	1.24	Neosho	1.30
Dickinson	1.27	Osborne	1.26
Douglas	1.32	Ottawa	1.27
Edwards	1.25	Pawnee	1.25
Ellsworth	1.26	Phillips	1.25
Finney	1.23	Pottawatomie	1.30
Ford	1.24	Pratt	1.25
Geary	1.28	Reno	1.26
Grant	1.22	Republic	1.27
Gray	1.23	Rice	1.26
Greenwood	1.28	Riley	1.29
Hamilton	1.22	Rooks	1.25
Harper	1.26	Russell	1.25
Harvey	1.27	Saline	1.26
Hodgeman	1.24	Sedgwick	1.27
Jefferson	1.32	Shawnee	1.31
Jewell	1.26	Sherman	1.22
Johnson	1.33	Smith	1.26
Kingman	1.26	Stafford	1.25
Kiowa	1.25	Sumner	1.27
Labette	1.29	Thomas	1.23

KANSAS—continued

County	Rate	County	Rate
Wabaunsee	$1.30	Wilson	$1.29
Wallace	1.22	Woodson	1.80
Washington	1.28	Wyandotte	1.34

KENTUCKY

	Rate
All counties	$1.36

MARYLAND

	Rate
All counties	$1.45

MICHIGAN

County	Rate	County	Rate
Allegan	$1.30	Leelanau	$1.25
Alpena	1.24	Lenawee	1.33
Antrim	1.24	Livingston	1.32
Arenac	1.26	Macomb	1.34
Barry	1.30	Manistee	1.26
Bay	1.29	Mason	1.28
Benzie	1.25	Mecosta	1.28
Berrien	1.31	Midland	1.28
Branch	1.30	Missaukee	1.26
Calhoun	1.31	Monroe	1.34
Cass	1.32	Montcalm	1.29
Clare	1.28	Muskegon	1.29
Clinton	1.29	Newaygo	1.28
Eaton	1.30	Oakland	1.32
Genesee	1.32	Oceana	1.28
Gladwin	1.26	Ogemaw	1.26
Grand Traverse	1.25	Osceola	1.26
Gratiot	1.29	Otsego	1.24
Hillsdale	1.32	Ottawa	1.30
Huron	1.30	Presque Isle	1.24
Ingham	1.30	Saginaw	1.31
Ionia	1.29	St. Clair	1.34
Iosco	1.25	St. Joseph	1.32
Isabella	1.28	Sanilac	1.32
Jackson	1.31	Shiawassee	1.30
Kalamazoo	1.32	Tuscola	1.31
Kent	1.29	Van Buren	1.31
Lake	1.27	Washtenaw	1.33
Lapeer	1.32	Wayne	1.34
		Wexford	1.26

MINNESOTA

Aitkin	$1.32	Murray	$1.29
Anoka	1.35	Nicollet	1.32
Becker	1.28	Nobles	1.28
Beltrami	1.29	Norman	1.26
Benton	1.31	Olmsted	1.31
Big Stone	1.28	Otter Tail	1.29
Blue Earth	1.31	Pennington	1.26
Brown	1.31	Pine	1.32
Carlton	1.33	Pipestone	1.28
Carver	1.34	Polk (East)	1.27
Cass	1.30	Polk (West)	1.26
Chippewa	1.30	Pope	1.30
Chisago	1.33	Ramsey	1.35
Clay	1.27	Red Lake	1.26
Cottonwood	1.30	Redwood	1.30
Crow Wing	1.31	Renville	1.31
Dakota	1.34	Rice	1.33
Douglas	1.30	Rock	1.28
Faribault	1.30	Roseau	1.25
Fillmore	1.29	St. Louis (North)	1.80
Freeborn	1.31	St. Louis (South)	1.32
Goodhue	1.32	Scott	1.34
Grant	1.29	Sherburne	1.33
Hennepin	1.35	Sibley	1.32
Houston	1.29	Stearns	1.31
Hubbard	1.29	Steele	1.31
Isanti	1.33	Stevens	1.30
Jackson	1.29	Swift	1.30
Kanabec	1.32	Todd	1.30
Kandiyohi	1.32	Traverse	1.28
Kittson	1.24	Wabasha	1.31
Lac Qui Parle	1.29	Wadena	1.30
Le Sueur	1.33	Waseca	1.31
Lincoln	1.29	Washington	1.34
Lyon	1.29	Watonwan	1.31
McLeod	1.32	Wilkin	1.28
Mahnomen	1.27	Winona	1.31
Marshall	1.25	Wright	1.33
Martin	1.29	Yellow Medicine	1.30
Meeker	1.32		
Mille Lacs	1.31		
Morrison	1.31		
Mower	1.31		

MISSOURI

County	Rate	County	Rate
Andrew	$1.32	Jasper	$1.29
Atchison	1.30	Jefferson	1.37
Barry	1.27	Johnson	1.32
Barton	1.30	Knox	1.32
Bates	1.32	Laclede	1.31
Boone	1.33	Lafayette	1.32
Buchanan	1.32	Lawrence	1.28
Caldwell	1.32	Lewis	1.33
Cape Girardeau	1.33	Livingston	1.32
Carroll	1.32	McDonald	1.28
Cass	1.33	Marion	1.34
Chariton	1.31	Mississippi	1.33
Christian	1.28	Montgomery	1.34
Clark	1.32	New Madrid	1.31
Clay	1.33	Newton	1.28
Clinton	1.32	Nodaway	1.30
Cole	1.32	Perry	1.34
Cooper	1.32	Pettis	1.31
Crawford	1.34	Platte	1.33
Dade	1.29	Polk	1.29
Daviess	1.32	Ray	1.32
Dunklin	1.29	St. Charles	1.38
Franklin	1.36	Saline	1.32
Greene	1.28	Scott	1.31
Harrison	1.30	Stoddard	1.32
Holt	1.31	Texas	1.26
Jackson	1.34	Webster	1.29

MONTANA

Blaine	$1.12	Lewis and Clark	$1.15
Cascade	1.15	McCone	1.13
Chouteau	1.15	Park	1.15
Custer	1.12	Phillips	1.10
Daniels	1.12	Ravalli	1.16
Fallon	1.15	Roosevelt	1.15
Fergus	1.15	Sheridan	1.14
Flathead	1.19	Stillwater	1.15
Gallatin	1.15	Valley	1.15
Jefferson	1.15	Wibaux	1.11
Lake	1.19		1.15

NEBRASKA

Adams	$1.28	Howard	$1.29
Antelope	1.28	Jefferson	1.30
Blaine	1.25	Johnson	1.31
Boone	1.30	Kearney	1.27
Box Butte	1.21	Keith	1.23
Boyd	1.27	Kimball	1.19
Brown	1.25	Knox	1.28
Buffalo	1.28	Lancaster	1.32
Burt	1.32	Lincoln	1.25
Butler	1.32	Logan	1.25
Cass	1.33	Madison	1.30
Cedar	1.29	Merrick	1.30
Chase	1.22	Morrill	1.21
Cherry	1.23	Nance	1.30
Cheyenne	1.19	Nemaha	1.31
Clay	1.28	Nuckolls	1.28
Colfax	1.32	Otoe	1.32
Cuming	1.32	Pawnee	1.30
Custer	1.26	Perkins	1.22
Dakota	1.30	Phelps	1.27
Dawes	1.20	Pierce	1.29
Dawson	1.27	Platte	1.31
Deuel	1.21	Polk	1.31
Dixon	1.30	Redwillow	1.25
Dodge	1.33	Richardson	1.30
Douglas	1.33	Rock	1.26
Dundy	1.22	Saline	1.31
Fillmore	1.30	Sarpy	1.34
Franklin	1.27	Saunders	1.33
Frontier	1.25	Scotts Bluff	1.19
Furnas	1.25	Seward	1.32
Gage	1.31	Sheridan	1.21
Garden	1.22	Sherman	1.28
Garfield	1.28	Sioux	1.19
Gosper	1.26	Stanton	1.30
Grant	1.22	Thayer	1.29
Greeley	1.29	Thomas	1.24
Hall	1.29	Thurston	1.32
Hamilton	1.30	Valley	1.28
Harlan	1.26	Washington	1.33
Hayes	1.22	Wayne	1.29
Hitchcock	1.23	Webster	1.28
Holt	1.27	York	1.30
Hooker	1.23		

NEW JERSEY

	Rate
All counties	$1.43

NEW MEXICO

County	Rate	County	Rate
Colfax	$1.12	Rio Arriba*	$0.98
Curry	1.07	Socorro	.98
Quay	1.08	Union	1.13

*Loan rate based on Bernalillo in Sandoval County.

NEW YORK

	Rate
All counties	$1.41

NORTH DAKOTA

County	Rate	County	Rate
Adams	$1.18	McKenzie	$1.16
Barnes	1.25	McLean	1.21
Benson	1.22	Mercer	1.19
Billings	1.18	Morton	1.20
Bottineau	1.20	Mountrail	1.19
Bowman	1.18	Nelson	1.24
Burke	1.19	Oliver	1.20
Burleigh	1.22	Pembina	1.23
Cass	1.26	Pierce	1.22
Cavalier	1.22	Ramsey	1.23
Dickey	1.25	Ransom	1.26
Divide	1.18	Renville	1.19
Dunn	1.18	Richland	1.27
Eddy	1.24	Rolette	1.21
Emmons	1.22	Sargent	1.26
Foster	1.24	Sheridan	1.22
Golden Valley	1.16	Sioux	1.20
Grand Forks	1.25	Slope	1.16
Grant	1.19	Stark	1.19
Griggs	1.25	Steele	1.25
Hettinger	1.19	Stutsman	1.24
Kidder	1.23	Towner	1.22
La Moure	1.24	Traill	1.25
Logan	1.23	Walsh	1.24
McHenry	1.21	Ward	1.19
McIntosh	1.22	Wells	1.23
		Williams	1.18

NORTH CAROLINA

	Rate
All counties	$1.38

OHIO

County	Rate	County	Rate
Ashland	$1.36	Logan	$1.33
Ashtabula	1.37	Lorain	1.36
Butler	1.33	Lucas	1.34
Carroll	1.36	Madison	1.34
Champaign	1.33	Mahoning	1.37
Clark	1.33	Medina	1.36
Clinton	1.33	Mercer	1.33
Columbiana	1.37	Miami	1.33
Crawford	1.35	Montgomery	1.33
Cuyahoga	1.36	Morrow	1.35
Darke	1.33	Pickaway	1.34
Delaware	1.35	Portage	1.36
Erie	1.35	Preble	1.33
Fairfield	1.35	Putnam	1.34
Fayette	1.34	Richland	1.36
Franklin	1.35	Ross	1.34
Fulton	1.33	Sandusky	1.35
Geauga	1.37	Seneca	1.35
Greene	1.33	Stark	1.36
Hancock	1.35	Summit	1.36
Hardin	1.35	Trumbull	1.37
Henry	1.33	Tuscarawas	1.36
Highland	1.33	Van Wert	1.33
Holmes	1.36	Warren	1.33
Huron	1.35	Wayne	1.36
Knox	1.35	Williams	1.33
Lake	1.37	Wood	1.35
Licking	1.35	Wyandot	1.35

OKLAHOMA

County	Rate	County	Rate
Alfalfa	$1.24	Grady	$1.23
Beaver	1.20	Grant	1.24
Beckham	1.21	Greer	1.21
Blaine	1.23	Harper	1.20
Caddo	1.23	Jackson	1.23
Canadian	1.23	Kay	1.25
Cimarron	1.17	Kingfisher	1.23
Custer	1.22	Kiowa	1.23
Dewey	1.21	Logan	1.23
Ellis	1.21	Major	1.23
Garfield	1.24	Mayes	1.27

OKLAHOMA—continued

County	Rate	County	Rate
Noble	$1.24	Texas	$1.19
Oklahoma	1.23	Tillman	1.23
Osage	1.26	Tulsa	1.26
Pawnee	1.24	Wagoner	1.26
Pottawatomie	1.23	Washita	1.23
Roger Mills	1.20	Woods	1.23
Rogers	1.27	Woodward	1.21

OREGON

Baker	$1.26	Lane	$1.37
Clackamas	1.42	Linn	1.38
Crook	1.34	Malheur	1.22
Deschutes	1.34	Marion	1.41
Grant	1.07	Polk	1.40
Harney	1.17	Umatilla	1.33
Jackson	1.29	Union	1.27
Jefferson	1.35	Wallowa	1.26
Klamath	1.28	Yamhill	1.41
Lake	1.21		

PENNSYLVANIA

	Rate
All counties	$1.43

SOUTH DAKOTA

County	Rate	County	Rate
Aurora	$1.26	Jackson	$1.20
Beadle	1.26	Jerauld	1.26
Bon Homme	1.28	Jones	1.21
Brookings	1.28	Kingsbury	1.27
Brown	1.26	Lake	1.27
Brule	1.26	Lawrence	1.17
Butte	1.17	Lincoln	1.29
Campbell	1.22	Lyman	1.23
Charles Mix	1.26	McCook	1.28
Clark	1.27	McPherson	1.23
Clay	1.30	Marshall	1.26
Codington	1.27	Meade	1.17
Corson	1.20	Mellette	1.24
Custer	1.18	Miner	1.27
Davison	1.27	Minnehaha	1.29
Day	1.26	Moody	1.28
Deuel	1.28	Pennington	1.16
Dewey	1.19	Perkins	1.19
Douglas	1.27	Potter	1.23
Edmunds	1.24	Roberts	1.27
Fall River	1.18	Sanborn	1.26
Faulk	1.25	Spink	1.26
Grant	1.28	Stanley	1.22
Gregory	1.27	Sully	1.22
Haakon	1.19	Tripp	1.25
Hamlin	1.27	Turner	1.29
Hand	1.25	Union	1.31
Hanson	1.27	Walworth	1.23
Hughes	1.23	Yankton	1.29
Hutchinson	1.28	Ziebach	1.18
Hyde	1.24		

TENNESSEE

	Rate
All counties	$1.38

TEXAS

County	Rate	County	Rate
Armstrong	$1.19	Hemphill	$1.19
Briscoe	1.16	Lipscomb	1.18
Carson	1.18	Moore	1.16
Dallam	1.16	Ochiltree	1.17
Deaf Smith	1.16	Oldham	1.17
Denton	1.23	Randall	1.17
Floyd	1.17	Sherman	1.16
Hansford	1.16	Swisher	1.16
Hartley	1.16	Wheeler	1.19

UTAH

Box Elder	$1.10	Millard	$1.12
Iron	1.12	Sanpete	1.08
Juab	1.11		

VIRGINIA

	Rate
All counties	$1.43

WASHINGTON

County	Rate	County	Rate
Adams	$1.28	Franklin	$1.31
Columbia	1.32	Grant	1.28
Douglas	1.27	Lincoln	1.28
Ferry	1.22	Okanogan	1.25

WASHINGTON—continued

County	Rate	County	Rate
Spokane	$1.28	Walla Walla	$1.33
Stevens	1.25	Whitman	1.28
Thurston	1.36	Yakima	1.32

WEST VIRGINIA

	Rate
All counties	$1.40

WISCONSIN

County	Rate	County	Rate
Adams	$1.30	Marathon	$1.29
Barron	1.29	Marinette	1.28
Bayfield	1.29	Marquette	1.30
Brown	1.31	Monroe	1.30
Buffalo	1.28	Oconto	1.29
Burnett	1.31	Outagamie	1.31
Chippewa	1.29	Ozaukee	1.33
Clark	1.28	Pepin	1.30
Columbia	1.31	Pierce	1.32
Crawford	1.30	Polk	1.32
Dane	1.33	Portage	1.30
Dodge	1.33	Richland	1.30
Door	1.28	Rock	1.34
Douglas	1.33	Rusk	1.29
Dunn	1.31	St. Croix	1.32
Eau Claire	1.30	Sauk	1.31
Fond du Lac	1.32	Shawano	1.23
Grant	1.30	Sheboygan	1.33
Green Lake	1.32	Trempealeau	1.28
Iowa	1.31	Walworth	1.34
Jackson	1.29	Washburn	1.31
Jefferson	1.34	Washington	1.33
Juneau	1.31	Waukesha	1.34
Kewaunee	1.30	Waupaca	1.30
La Crosse	1.30	Waushara	1.31
Langlade	1.29	Winnebago	1.32
Manitowoc	1.32	Wood	1.30

WYOMING

Campbell	$1.13	Johnson	$1.06
Carbon	1.06	Laramie	1.19
Crook	1.14	Niobrara	1.16
Goshen	1.19		

Issued this 20th day of August 1948.

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

Approved: August 23, 1948.

RALPH S. TRIGG,
President,
Commodity Credit Corporation.

[F. R. Doc. 48-7691; Filed, Aug. 26, 1948; 8:49 a. m.]

[1948 C. C. C. Dry Edible Smooth Pea Bulletin 1]

PART 280—DRY EDIBLE SMOOTH PEA LOANS AND PURCHASE AGREEMENTS

1948 DRY EDIBLE SMOOTH PEA PRICE SUPPORT PROGRAM BULLETIN

This bulletin states the requirements with respect to the 1948 Dry Edible Smooth Pea Loan and Purchase Agreement Program formulated by the Commodity Credit Corporation (hereinafter referred to as CCC) and the Production and Marketing Administration (hereinafter referred to as PMA). Loans and purchase agreements will be made available to producers and cooperative marketing association of producers (hereinafter referred to as the producer) on eligible peas in accordance with this bulletin.

Sec.

Sec.
280.204 Eligible producer.
280.205 Eligible peas.
280.206 Eligible storage.
280.207 Approved forms.
280.208 Determination of quantity under loan.
280.209 Liens.
280.210 Service fees.
280.211 Set-offs.
280.212 Loan and settlement rates.
280.213 Interest rate.
280.214 Transfer of producer's equity.
280.215 Safeguarding the peas.
280.216 Insurance.
280.217 Loss or damage to the peas.
280.218 Personal liability on loans.
280.219 Maturity and satisfaction.
280.220 Removal of the peas under loan.
280.221 Release of the peas under loan.
280.222 Delivery of peas to CCC.
280.223 Purchase of notes.
280.224 CCC field offices.

AUTHORITY: §§ 280.201 to 280.224, inclusive, issued under sec. 4 (a), 55 Stat. 498, as amended (15 U. S. C. 713a-8 (a)); sec. 1 (b), Pub. Law 897, 80th Cong.; sec. 5 (a), Pub. Law 806, 80th Cong.

§ 280.201 *Administration.* The program will be administered in the field through CCC field offices, State PMA committees, and county agricultural conservation committees under the general supervision and direction of the Manager, CCC. Forms will be distributed through the offices of State and county committees. County committees will determine or cause to be determined the quantity and quality of the peas, the amount of the loan, and the value of the eligible peas delivered under a loan or purchase agreement. All loan and purchase documents will be completed and approved by the county committee, which will retain copies of all such documents. The county committee may designate in writing certain employees of the county agricultural conservation association to approve such forms on behalf of the committee.

The county committee will furnish the borrower with the names of local lending agencies approved for making disbursements on loan documents or with the address of the CCC field office to which loan documents may be forwarded for disbursement.

§ 280.202 *Availability of loans and purchases*—(a) *Area.* Loans and purchase agreements shall be available to producers of eligible peas produced in the States of Washington, Oregon, California, Idaho, Montana, Colorado, North Dakota, Minnesota, and Wisconsin and such other States as CCC may hereafter designate.

(b) *Time.* Loans and purchase agreements shall be available through December 31, 1948 and the applicable documents must be signed by the producer and delivered or mailed to the county committee not later than such date.

(c) *Source.* Loans shall be made available to producers direct by CCC field offices and by lending agencies under lending agency agreements with CCC. Purchase agreements shall be available through the offices of the county agricultural conservation committees.

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

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

Cooperative marketing associations of producers shall be eligible for loans and purchase agreements: *Provided,* That, (a) the association markets peas produced solely by eligible producer members, (b) the producer members are bound by contract to market through the association, (c) the association has authority to obtain a loan on the security of the peas, and to give a lien thereon, and (d) the members share proportionately according to the quantity, grade and class of peas each delivers to the association.

§ 280.205 *Eligible peas.* Eligible peas shall be peas of the classes Alaska, Bluebell, Scotch Green, First and Best, Marrowfat, White Canada, and Colorado White produced in 1948 which grade U. S. No. 2 or better or which after normal cleaning would meet the requirements for U. S. No. 2 grade peas or better as defined in the Official U. S. Standards for Dry Peas.

Except in the case of eligible cooperative marketing associations of producers, the beneficial interest in the peas must be in the person tendering the peas for a loan or purchase and must always have been in him, or must have been in him and a former producer whom he succeeded before the peas were harvested.

In order to be eligible for a loan, peas stored on the farm must have been stored in the granary or bin at least 30 days prior to inspection for measurement, sampling, and sealing, unless otherwise approved by the State PMA committee.

§ 280.206 *Eligible storage.* Eligible storage for peas shall meet the following requirements:

(a) *Farm storage.* Eligible farm storage shall consist of farm bins and granaries which, as determined by the county committee, are of such substantial and permanent construction as to permit safe storage that will prevent physical loss, permit effective fumigation for the destruction of insects, and afford protection against rodents, other animals, thieves, and weather. Farm-storage loans will not be available to associations of producers.

(b) *Warehouse storage.* Eligible warehouse storage shall consist of warehouses for which a storage agreement (C. C. C. Bean and Pea Form H) has been executed and approved by CCC for the storage of peas. Warehouse receipts referred to herein shall be negotiable warehouse receipts, representing eligible peas, issued by such warehouses and shall conform to requirements of CCC.

§ 280.207 *Approved forms.* The approved forms consist of the loan and purchase documents which, together with the provisions of §§ 280.201 to 280.224, inclusive, govern the rights and responsibilities of the producer and should be read carefully.

Any fraudulent representation made by a producer in obtaining a loan or purchase agreement or in executing any of the loan or purchase documents, will render him subject to criminal prosecution.

Notes and chattel mortgages, note and loan agreements, and purchase agreements must have State and documentary revenue stamps affixed thereto where required by law. Loan and purchase documents executed by an administrator, executor, or trustee will be acceptable only where legally valid.

(a) *Farm storage loans.* Approved forms shall consist of producers' notes on CCC Commodity Form A, secured by chattel mortgages on CCC Commodity Form AA and federal inspection certificates.

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

(c) *Purchase agreement documents.* The purchase agreement documents shall consist of the Purchase Agreement (Commodity Purchase 1) and Purchase Agreement Settlement (Commodity Purchase 4) signed by the producer and approved by the county committee, negotiable warehouse receipts, and such other forms as may be prescribed by CCC.

(d) *Warehouse receipts.* Peas stored in eligible warehouse storage under the loan or purchase agreement programs must be represented by warehouse receipts which satisfy the following requirements:

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

(2) CCC will not require that the warehouse insure the peas placed under loan; however, if the warehouse does insure the peas, such insurance shall inure to the benefit of CCC to the extent of its interest.

(3) Each warehouse receipt, or the warehouseman's supplemental certificate (in duplicate) properly identified with the warehouse receipt, must show the net weight and all grading factors used in the determination of the quality of the peas.

§ 280.208 *Determination of quantity under loan.* Loans shall be made on the basis of sound whole peas. The quantity of sound whole peas shall be the quantity of eligible peas minus dockage and other defects as defined in the U. S. Standards for Dry Peas.

(a) *Farm-stored.* The quantity of bulk peas stored in an approved bin or granary on a farm shall be determined by dividing the number of cubic feet of peas in such bin or granary by 2.1 and multiplying the result by the percentage of sound whole peas. The result will be the net weight of scund whole peas in

units of 100 pounds. If peas are stored in sacks a deduction of ¾ pound per sack shall be made from the gross weight.

(b) *Warehouse-stored.* The quantity of peas stored in an eligible warehouse will be the net weight multiplied by the percentage of sound whole peas as shown on the warehouse receipt or supplemental certificate.

§ 280.209 *Liens.* The peas must be free and clear of all liens and encumbrances except lien for warehouse receiving and loading out charges; otherwise proper waivers must be obtained.

§ 280.210 *Service fees* — (a) *Loans.* Where the peas under loan are farm-stored the producer shall pay a service fee of two cents per 100 pounds on the quantity of sound whole peas placed under loan, or $3.00 whichever is greater, and where the peas under loan are warehouse-stored the producer shall pay a service fee of one cent per 100 pounds on the quantity of sound whole peas or $1.50 whichever is greater.

(b) *Purchase agreements.* At the time the producer signs the purchase agreement he shall pay a service fee of one cent per 100 pounds on the quantity of sound whole peas specified by the producer on Commodity Purchase 1, as the maximum quantity he may deliver, or $1.50 whichever is greater. No refund of service fee will be made.

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

§ 280.212 *Loan and settlement rates*— (a) *Loan rate.* The loan rate shall be $3.50 per 100 pounds of sound, whole, dry, edible smooth peas for Alaska, Bluebell, Scotch Green, First and Best, Marrowfat, and White Canada and $3.25 per 100 pounds for Colorado White.

(b) *Settlement rate.* Settlement rates per 100 pounds net weight of sound whole peas delivered to CCC in satisfaction of a loan or under a purchase agreement are as follows:

Class	No. 1 settlement rate [1]	No. 2 settlement rate [1]
Alaska, Bluebell, Scotch Green, First and Best, Marrowfat, and White Canada	$4.80	$4.55
Colorado White	4.55	4.30

[1] Determination of quantity and applicable rates shall be in accordance with § 280.222.

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

§ 280.214 *Transfer of producer's equity*—(a) *Loan.* The right of the producer to transfer either his right to redeem the peas under loan or his remaining interest may be restricted by CCC.

(b) *Purchase agreements.* The producer may not assign his interest in the purchase agreement.

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

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

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

(b) *Warehouse-storage.* In the case of loss or damage to peas in warehouse storage from an external cause other than insect infestation the producer's account will be credited in the amount of such loss or damage at the settlement rate.

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

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

In the case of warehouse-storage loans, if the producer does not repay his loan upon maturity CCC shall have the right to sell or pool the peas in satisfaction of the loan in accordance with the provisions of the note and loan agreement and § 280.220.

(b) *Purchase agreements.* The producer who signs a purchase agreement (Commodity Purchase 1) will not be obligated to deliver any peas to CCC. However, the quantity of sound whole peas he specified in the purchase agreement will be the maximum quantity he may deliver to CCC. If the producer desires to deliver peas to CCC he shall, within 30 days following April 30, 1949, the maturity date of pea loans, or such earlier date as demand for payment of pea loans may be made, submit warehouse receipts representing eligible peas stored in eligible warehouse-storage to the county committee for the quantity of such peas he elects to sell to CCC, or in the case of peas stored in other than eligible warehouse-storage, he shall notify the county committee of his intentions to sell and request delivery instructions. The producer must then complete delivery within a 15-day period immediately following the date the county committee issues delivery instructions unless the county committee determines that more time is needed for delivery. Delivery of peas not stored in eligible warehouse storage shall be made as directed by CCC. When delivery is completed, payment will be made by sight draft drawn on CCC by the State PMA office on the basis of an approved Commodity Purchase 4. The producer shall direct on such form to whom payment of the purchase price shall be made. Eligible peas will be purchased on the basis of the weight and quality factors shown on the warehouse receipt and accompanying documents; or, if such peas are delivered to a CCC bin site, on the basis of the weight and quality determinations made by the county committee and approved by the producer.

§ 280.220 *Removal of the peas under loan.* If the loan is not satisfied upon maturity by payment or delivery, the holder of the note may remove the peas and sell them, either by separate contract or after pooling them with other lots of peas similarly held. The producer has no right of redemption after the peas are pooled, but shall share ratably in any overplus remaining on liquidation of the pool. CCC shall have the right to treat the pooled peas as a reserve supply to be marketed under such sales policies as CCC determines will promote orderly marketing, protect the interest of the producers and consumers, and not unduly impair the market for the current crop of peas, even though part or all of such pooled peas are disposed of under such policies at prices less than the current domestic price for

such peas. Any sum due the producer as a result of the sale of peas or of insurance proceeds thereon, or any ratable share resulting from the liquidation of a pool, shall be payable only to the producer without right of assignment by him.

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

§ 280.222 *Delivery of peas to CCC.* If peas are delivered by the producer to CCC pursuant to a purchase agreement or in satisfaction of a loan, the following terms and conditions shall apply with respect to quantity, quality, delivery point, and charges:

(a) *Acceptable delivery.* CCC will accept eligible peas delivered by the producer pursuant to instructions issued by CCC, or warehouse receipts representing eligible peas issued by an approved warehouse in the producer's name. Eligible peas may be delivered in bulk and no allowance will be made for delivery in sacks unless such delivery is specifically requested by CCC. No allowances will be made for cleaning and processing costs.

(b) *Determination of quantity.* The quantity of eligible peas delivered to CCC from other than an approved warehouse will be determined on the basis of official weight at the point of delivery, evidenced by scale tickets, minus the tare weight of the sacks, if any, and shall be approved by the producer.

The gross weight of eligible peas delivered to CCC in an approved warehouse shall be the weight of peas specified in the warehouse receipt.

The quantity of sound whole peas shall be determined by multiplying the gross weight by the percentage of sound whole peas as determined from a federal inspection certificate or from the warehouse receipt or supplemental certificate.

If the peas are stored, "identity-preserved", the percentage of sound whole peas shall be determined solely from a federal inspection certificate issued pursuant to a sample taken within 10 days of the time of delivery.

(c) *Determination of quality.* The county committee will determine the quality of the peas from the federal inspection certificate, warehouse receipt, or supplemental certificate. Eligible peas may contain not to exceed 16.0 percent moisture, shall not have a commercially objectionable odor, shall not be heating, shall not be infested with live weevil or other insects, or be otherwise of distinctly low quality.

To qualify for the No. 1 settlement rate the defects in the dockage-free portion of the eligible peas must not exceed any of the following maximum limits:

Total bleached and other classes, 1.5% (including other classes 0.5%); shriveled, 2.0%; cracked seed coats, 3.0%. The peas shall be a good natural color.

To qualify for the No. 2 settlement rate, the defects in the dockage-free portion of the eligible peas must fail to meet one or more of the requirements for the No. 1 support price and must not exceed any of the following maximum limits:

Total bleached and other classes, 3.0% (including other classes 1.0%); shriveled, 4.0%; cracked seed coats, 6.0%. The peas may be slightly off-color.

The percentage limits here given for "other classes" apply only to those peas of which the cotyledons and/or seed coats are not the same color as those of the peas being inspected. An additional allowance of 5.0% for peas qualifying for the No. 1 settlement rate and 10.0% for peas qualifying for the No. 2 settlement rate shall be made for other classes of which the cotyledons and/or seed coats are of the same color as those of the peas being inspected.

If peas are delivered to CCC in satisfaction of a loan which do not meet the requirements for eligible peas the quantity and settlement value shall be determined by or under the supervision of the appropriate CCC field office.

All terms in this paragraph are as defined in the Official U. S. Standards for Dry Peas.

(d) *Delivery point.* Peas shall be delivered in an approved warehouse, or to an assembly point, or f. o. b. car, country shipping point, as specified by the county committee.

(e) *Charges.* Storage, cleaning, bagging, inspection fees and all other charges (except receiving and loading out charges), incurred on peas up to the time of delivery to CCC shall be paid by the producer prior to such delivery or shall be deducted from the settlement value.

§ 280.223 *Purchase of notes.* CCC will purchase, from approved lending agencies, notes evidencing approved loans which are secured by chattel mortgages or negotiable warehouse receipts. The purchase price to be paid by CCC will be the principal sums remaining due on such notes, plus accrued interest from the date of disbursement to the date of purchase at the rate of 1½ percent per annum. Lending agencies are required to submit a weekly report to CCC and to the county committees on CCC Commodity Form F, or such other form as CCC may prescribe, of all payments received on producers' notes held by them, and they are required to remit promptly to CCC an amount equivalent to 1½ percent interest per annum on the amount of the principal collected, from the date of disbursement to the date of payment. Lending agencies shall submit notes and reports to the CCC field office serving the area.

§ 280.224 *CCC field offices.* The CCC field offices and the areas served by them, are shown below:

Address and Area

Kansas City 6, Mo., 417 East 13th St.: Colorado.

Minneapolis 1, Minn., 328 McKnight Building: Minnesota, Montana, North Dakota, Wisconsin.

Portland 5, Oreg., 515 S. W. Tenth Ave.: Idaho, Oregon, Washington.

San Francisco 2, Calif., 30 Van Ness Ave.: California.

Issued this 20th day of August 1948.

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

Approved: August 23, 1948.

RALPH S. TRIGG,
President,
Commodity Credit Corporation.

[F. R. Doc. 48-7692; Filed, Aug. 26, 1948; 8:50 a. m.]

TITLE 7—AGRICULTURE

Chapter III—Bureau of Entomology and Plant Quarantine, Department of Agriculture

[B. E. P. Q. 572]

PART 301—DOMESTIC QUARANTINE NOTICES

RESTRICTIONS OF JAPANESE BEETLE QUARANTINE ON CUT FLOWERS, FRUITS AND VEGETABLES DISCONTINUED FOR THE SEASON

Pursuant to the authority conferred upon the Chief of the Bureau of Entomology and Plant Quarantine by § 301.48–4 (a) of the regulations supplemental to the Japanese beetle quarantine (7 CFR § 301.48–1 et seq., 13 F. R. 2250), the dates have been determined beyond which shipping restrictions imposed by Administrative Instructions B. E. P. Q. 570, effective June 7, 1948 (7 CFR 301.48–4a; 13 F. R. 3071) are no longer necessary for this year. Administrative instructions to appear as § 301.48–4b in Title 7, Code of Federal Regulations, are hereby issued as follows:

§ 301.48–4b *Administrative instructions designating terminating dates of seasonal regulations of cut flowers, fruits and vegetables.* It is hereby ordered that for the 1948 season the application of the requirements of §§ 301.48–4 (a) and 301.48–5 of the Japanese beetle regulations (13 F. R. 2250) to unprocessed fresh, cut flowers when moved in bulk, and fresh fruits and vegetables of all kinds when shipped by refrigerator car or motortruck only, shall terminate on the following dates:

(a) For fruits and vegetables, except green ear corn, at the close of August 26, 1948.

(b) For green ear corn, at the close of September 17, 1948.

(c) For cut flowers, at the close of September 30, 1948.

Under the provisions of the Japanese beetle quarantine and supplemental regulations (§§ 301.48–1 to 301.48–10, inclusive) (13 F. R. 2250), the interstate movement of fruits, vegetables, and cut flowers from the infested areas is restricted. It is essential to relieve these restrictions at the earliest moment consistent with safety, in order to permit movement of these articles without certification or treatment. Safety requires that this relief shall be applied progressively, dependent upon the time of cessation of heavy flight of the beetles and upon the susceptibility of the commodity involved to continued infestation. Such factors are unpredictable within narrow time limits. However, heavy flight of the beetles is now rapidly diminishing and its cessation is imminent. Experience demonstrates that the restrictions of the quarantine and supplemental regulations with respect to fruits, vegetables, and cut flowers may safely be withdrawn on the dates indicated above. For the reasons stated, it is found upon good cause, pursuant to the provisions of section 4 of the Administrative Procedure Act (60 Stat. 238), that notice and public procedure on this order are unnecessary, impracticable, and contrary to the public interest, and good cause is found for issuing the order effective less than thirty days after publication.

(Sec. 8, 37 Stat. 318, as amended; 7 U. S. C. 161)

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

[SEAL] AVERY S. HOYT,
Acting Chief,
Bureau of Entomology and Plant Quarantine.

[F. R. Doc. 48–7690; Filed, Aug. 26, 1948; 8:49 a. m.]

TITLE 10—ARMY

TRANSFER OF REGULATIONS TO TITLE 34—NATIONAL MILITARY ESTABLISHMENT

EDITORIAL NOTE: In order to group under a single title the rules and regulations issued by the Secretary of Defense and those issued by all components of the National Military Establishment, Title 10—Army is vacated, and the regulations appearing therein are transferred to Title 34—National Military Establishment.

Partial amendments to material formerly codified under Title 10—Army will continue to be published under the old numbers until such material has been renumbered and republished under Chapter V—Department of the Army, under Chapter VII—Department of the Air Force, or under Chapter IV—Joint Regulations of the Armed Forces, in Title 34 as redesignated under said title, *infra.*

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Civil Air Regs., Amdt. 09–2]

PART 09—AIRCRAFT AIRWORTHINESS, LIMITED CATEGORY

RECERTIFICATION OF LIMITED CATEGORY AIRCRAFT

Adopted by the Civil Aeronautics Board at its office in Washington, D. C. on the 20th day of August 1948.

Section 09.20, as amended by Civil Air Regulations Amendment 09-1, provides that limited airworthiness (NL) certificates shall not be issued after August 31, 1948. Certain individuals have expressed the desire to alter NL certificated aircraft for racing purposes, which would require the surrender of the NL certificate, the issuance of an experimental (NX) certificate, and, after racing the aircraft, its realteration to its pre-race condition and recertification as an NL aircraft. Such recertification would take place after August 31, 1948. Therefore, these persons have asked whether the present provisions of § 09.20 would prevent a reissuance of the aircraft's NL certificate.

A similar practice of changing airworthiness certificates is frequently followed where aircraft certificated as standard (NC) aircraft are used experimentally, and there is no reason why operators of NL aircraft should not be accorded the same privilege. The Board established August 31, 1948, as the final date for issuance of limited airworthiness certificates in order to provide a cutoff date for the certification of additional aircraft in the NL category. It did not, however, wish to prevent the reissuance of such a certificate where the operator had voluntarily surrendered such certificate in obtaining an NX certificate. This amendment is, therefore, designed to clarify § 09.20 in order to remove any doubt regarding the Board's intention to permit the reissuance of an NL certificate under the above circumstances.

Since this amendment is only interpretative and imposes no additional burden on any person, notice and public procedure hereon are unnecessary, and the amendment may be made effective without prior notice.

In consideration of the foregoing the Civil Aeronautics Board hereby amends Part 09 of the Civil Air Regulations (14 CFR, Part 09, as amended) effective immediately by amending § 09.20 to read as follows:

§ 09.20 *Requirements for issuance.* A limited airworthiness certificate will be issued by the Administrator for an aircraft eligible for a type certificate under this part if he finds, after inspection, that the aircraft is in a good state of preservation and repair and is in a condition for safe operation. Such inspection shall include a flight check by the applicant. Limited airworthiness certificates shall not be issued after August 31, 1948, to any aircraft which has not previously been so certificated. (Sec. 205 (a), 52 Stat. 984; 49 U. S. C. 425 (a))

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Acting Secretary.

[F. R. Doc. 48–7701; Filed, Aug. 26, 1948; 8:51 a. m.]

TITLE 15—COMMERCE

Chapter I—Bureau of the Census, Department of Commerce

[Foreign Commerce Statistical Decision 68]

PART 30—FOREIGN TRADE STATISTICS

SHIPPING WEIGHT INFORMATION ON SHIPPER'S EXPORT DECLARATIONS NOT REQUIRED FOR TRUCK, RAIL OR MAIL SHIPMENTS

Pursuant to section 4 of the Administrative Procedure Act, approved June 11, 1946 (Public Law 404, 79th Cong., 2d Sess.), the Foreign Commerce Statistical Decision indicated below is of such a nature that preliminary notice and hearing are deemed unnecessary. This decision is therefore made effective immediately:

Section 30.14 (c) is amended to read as follows:

§ 30.14 *Description of articles exported.* * * *

(c) In addition to specifying the quantity in the units required by Schedule B, the gross shipping weight (in pounds) including the weight of all containers, must be stated on the Shipper's Export Declaration, except for shipments leaving the United States by rail, truck, or mail.

Foreign Commerce Statistical Decision 29 is rescinded.

(R. S. 161, 336, as amended, secs. 4, 5, 32 Stat. 826, 827, as amended, sec. 1, 18 Stat. 352, as amended, sec. 7, 44 Stat. 572; 5 U. S. C. 22, 601; 15 U. S. C. 173, 175, 178; 49 U. S. C. 177 (c))

[SEAL] A. ROSS ECKLER,
Acting Director,
Bureau of the Census.

Approved:

CHARLES SAWYER,
Secretary of Commerce.

[F. R. Doc. 48–7666; Filed, Aug. 26, 1948 8:46 a. m.]

[Foreign Commerce Statistical Decision 67]

PART 30—FOREIGN TRADE STATISTICS

ADDITIONAL COPIES OF SHIPPER'S EXPORT DECLARATION FOR PURPOSE OF EXPORT CONTROL

Pursuant to section 4 of the Administrative Procedure Act, approved June 11, 1946 (Public Law 404, 79th Cong., 2d Sess.), the Foreign Commerce Statistical Decision indicated below is of such a nature that preliminary notice and hearing are deemed unnecessary. This decision is therefore made effective immediately:

1. Paragraph (e) is added to § 30.30, as amended by Foreign Commerce Statistical Decisions 60 (May 28, 1947) and 66 (June 2, 1948), to read as follows:

(e) For the purpose of export control, and in addition to the number of copies of Shipper's Export Declarations required by this section, an additional copy or additional copies of the Shipper's Export Declaration may be required by regulations issued by the Office of International Trade of the Department of Commerce.

2. Paragraph (c) is added to § 30.33 to read as follows:

(c) For the purpose of export control, and in addition to the number of copies of Shipper's Export Declarations required by this section, an additional copy or additional copies of the Shipper's Export Declaration may be required by regulations issued by the Office of International Trade of the Department of Commerce.

3. Paragraph (c) is added to § 30.38 to read as follows:

(c) For the purpose of export control, and in addition to the number of copies of Shipper's Export Declarations required by this section, an additional copy or additional copies of the Shipper's Export Declaration may be required by regulations issued by the Office of International Trade of the Department of Commerce.

4. Paragraph (b) is added to § 30.39 to read as follows:

(b) For the purpose of export control, and in addition to the number of copies of Shipper's Export Declarations required by this Section, an additional copy or additional copies of the Shipper's Export Declaration may be required by regulations issued by the Office of International Trade of the Department of Commerce.

5. The paragraph of § 30.39 preceding paragraph (b) is redesignated paragraph (a).

6. Paragraph (f) is added to § 30.42 as amended by Foreign Commerce Statistical Decisions 60 (May 28, 1947) and 66 (June 2, 1948), to read as follows:

(f) For the purpose of export control, and in addition to the number of copies of Shipper's Export Declarations required by this section, an additional copy or additional copies of the Shipper's Export Declaration may be required by regulations issued by the Office of International Trade of the Department of Commerce.

7. Paragraph (b) is added to § 30.43, as amended by Foreign Commerce Statistical Decision 60 (May 28, 1947), to read as follows:

(b) For the purpose of export control, and in addition to the number of copies of Shipper's Export Declarations required by this Section, an additional copy or additional copies of the Shipper's Export Declaration may be required by regulations issued by the Office of International Trade of the Department of Commerce.

8. The paragraph of § 30.43 preceding paragraph (b) is redesignated paragraph (a).

9. Sections 30.33, 30.38 and 30.39 of Foreign Commerce Statistical Regulations and Foreign Commerce Statistical Decisions 60 and 66 are amended by this Decision.

(R. S. 161, 336, as amended, secs. 4, 5, 32 Stat. 826, 827, as amended, sec 1, 18 Stat. 552, as amended, sec 7, 44 Stat. 572; 5 U. S. C. 22, 601; 15 U. S. C. 173, 175, 178; 49 U. S. C. 177 (c))

[SEAL] A. Ross Eckler,
Acting Director,
Bureau of the Census.

Approved:

Charles Sawyer,
Secretary of Commerce.

[F. R. Doc. 48-7667; Filed, Aug. 26 1948; 8:46 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T. D. 52010]

Part 16—Liquidation of Duties

Conversion of Currency; Argentine Peso

Supplemental instructions for the conversion of the Argentine peso for the purpose of the assessment of duty on merchandise imported into the United States—T. D. 51914 and § 16.4 (c), Customs Regulations of 1943, amended.

Reference is made to T. D. 51914 (13 F. R. 2618), approved May 6, 1948, containing instructions for the conversion of the Argentine peso for the purpose of assessment of duty on merchandise imported into the United States.

During the period commencing June 23, 1948, the Federal Reserve Bank of New York has certified three rates for the Argentine peso. The first rate, which is understood to correspond to the rate previously designated as "Official", is indicated as "for 'regular' products"; the second rate, which is understood to correspond to the rate formerly undesignated, is indicated as "for 'non-regular' products"; and the third rate, which was not certified prior to June 23, 1948, is indicated as "for certain industrial products." It is understood from information received from the Federal Reserve Bank that the certification of the third rate is a result of certain new exchange regulations initiated by the Argentine Government on June 23, 1948, and said to be contained in the Banco Central's circular No. 989. Full information as to these new regulations has not yet been obtained, and the Treasury Department has no specific information as to the types or classes of merchandise in payment for which the rate indicated "as for certain industrial products" is used.

In view of the foregoing, T. D. 51914 (13 F. R. 2618), is hereby amended as follows:

Paragraph numbered 2 is amended to read as follows:

2. Where appraisement is made in Argentine 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" pesos, "Undesignated" pesos, pesos "for 'regular' products", pesos "for 'non-regular' products", or pesos "for certain industrial products", as the case may be, to identify the types of currency for which the Federal Reserve Bank has certified rates.

Subparagraph (a) of paragraph numbered 3 is amended by deleting the words "the 'free market' rate of exchange or" and the word "other".

No rates for the Argentine peso have been published by the Secretary of the Treasury for dates since June 22, 1948. Following the issuance of this Treasury decision the rate "for 'regular' products", the rate "for 'non-regular' products", and the rate "for certain industrial products" as certified by the Federal Reserve Bank, will be published in the Treasury Decisions. Rates for dates after June 22, 1948, and prior to the resumption of publication of the rates in the Treasury Decisions, will be published in a Customs Information Exchange circular in the near future.

Section 16.4 (c), Customs Regulations of 1943 (19 CFR, Cum. Supp., 16.4 (c)), as amended, is hereby further amended by adding the number and date of this Treasury decision and the Federal Register citation thereof opposite "Argentine pesos" in the list of foreign currencies for which instructions have been issued under section 522 (c) of the Tariff Act of 1930 (31 U. S. C. 372 (c)).

(R. S. 251, secs. 505, 624, 46 Stat. 732, 759, sec. 522, 46 Stat. 739; 19 U. S. C. 66, 1505, 1624, 31 U. S. C. 372)

No notice of the proposed issuance of this document has been published in the Federal Register pursuant to section 4 of the Administrative Procedure Act (5 U. S. C. 1003). The effect of the existing instructions (T. D. 51914) is that, in view of the certification of multiple rates of exchange for the Argentine peso, each of which rates is used under the Argentine laws and regulations in payment for exports of certain types of merchandise exported from Argentina, that rate shall be used in the conversion of the peso for the purposes of appraisement and liquidation which is legally and actually used uniformly in the payment for the particular type of merchandise involved. This document states such information as is available regarding the third rate that is now being certified as being used under the Argentine laws and regulations in the payment for certain types of merchandise, notes the changes in designations of the other two rates, and makes minor amendments to provide for application of the existing instructions to the new rate. For these reasons it is found that notice and public procedure thereon under section 4 of the Administrative Procedure Act are unnecessary.

For the same reasons, and for the further reason that nothing herein requires any action by interested persons, the delayed effective date requirements of section 4 (c) of the Administrative Procedure Act are dispensed with, and this document shall become effective on the

date of its publication in the FEDERAL REGISTER.

FRANK DOW,
Acting Commissioner of Customs.

Approved: August 18, 1948.

JOHN S. GRAHAM,
Acting Secretary of the Treasury.

[F. R. Doc. 48-7687; Filed, Aug. 26, 1948; 8:48 a. m.]

TITLE 24—HOUSING CREDIT

Chapter VIII—Office of the Housing Expediter

PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947, AS AMENDED

DECONTROL OF CERTAIN CLASSES OF HOUSING ACCOMMODATIONS

The following is an interpretation of those provisions of the Rent Regulations and of the Housing and Rent Act of 1947, as amended, which provide for decontrol of the classes of housing accommodations listed below. The rent regulation provisions interpreted herein are contained in section 1 (b) (2) of the Controlled Housing Rent Regulations, as amended (§§ 825.1, 825.2, 825.3, 825.4) and of the Rent Regulations for Controlled Rooms in Rooming Houses and Other Establishments, as amended (§§ 825.5, 825.6, 825.7). The provisions of the Housing and Rent Act of 1947, as amended, which are interpreted herein are sections 202 (c) (2), 202 (c) (3) and 202 (c) (4). The classes of housing accommodations covered by this interpretation are the following:

I. Tourist homes.
II. Motor courts.
III. Trailers and ground space rented for trailers.
IV. Newly constructed housing accommodations completed on or after February 1, 1947.
V. Additional housing accommodations created by conversion on or after February 1, 1947.
VI. Housing accommodations not rented for any successive 24-month period between February 1, 1945, and March 30, 1948.
VII. Newly constructed housing accommodations completed between February 1, 1945, and January 31, 1947, and not rented until after June 30, 1947.
VIII. Non-housekeeping furnished accommodations located in a single dwelling unit.

I. *Tourist homes*—1. *Provision of regulations.* Section 1 (b) (2) of the regulations provides for decontrol of housing accommodations in any tourist home serving transient guests exclusively on June 30, 1947. A decontrol provision on tourist homes has been included in the regulations since July 1, 1947, based upon section 202 (c) (2) of the Housing and Rent Act of 1947 which became effective on that date. The act as amended April 1, 1948, made no change in this provision.

2. *Test date for decontrol; June 30, 1947.* The test date for decontrol of housing accommodations in tourist homes is and has been June 30, 1947. If on June 30, 1947, an establishment was a tourist home and served transient guests exclusively, all housing accommodations in that establishment are decontrolled, and this decontrol continues regardless of any change in facts or rental practices since June 30, 1947. Likewise, if on June 30, 1947, an establishment failed to meet the definition of a tourist home, or was a tourist home which did not rent to transient guests exclusively, then the housing accommodations in that establishment are not decontrolled under the "tourist home" decontrol provision, and no subsequent change in facts or rental practices would cause them to become decontrolled by virtue of that provision.

3. *Partial decontrol.* There is no partial decontrol in the case of tourist homes. In order for any of the housing accommodations in a tourist home to be decontrolled, all the housing accommodations in the tourist home which were available for rent on June 30, 1947, must have been rented or offered for rent to transient guests on that date. For example, if only one of all the rooms was rented to a permanent guest on June 30, 1947, all the rooms in that tourist home are controlled housing accommodations.

This does not necessarily mean that there can be no decontrol where a tourist home was operated in only part of an entire structure. For example, where there was a two-family house, of which one dwelling unit was rented on a permanent basis and the other was operated as a tourist home, the latter unit comprised the tourist home. In such case, if all the accommodations in the tourist home unit which were available for rent on June 30, 1947, were rented or offered for rent to transient guests on that date, all such accommodations are decontrolled.

4. *Exemption of daily rates under old hotel regulation.* Section 4 (h) of the Rooming House Regulations continues in effect all exemptions of daily rates in tourist homes which were established under section 4 (k) of the "hotel regulation" issued pursuant to the Emergency Price Control Act of 1942, as amended.

II. *Motor courts*—1. *Provision of regulations.* Section 1 (b) (2) of the Regulations provides for decontrol of housing accommodations in establishments which were motor courts on June 30, 1947. A decontrol provision on motor courts has been included in the regulations since July 1, 1947, based upon section 202 (c) (2) of the Housing and Rent Act of 1947 which became effective on that date. The act as amended April 1, 1948, made no change in this provision.

2. *Test date for decontrol; June 30, 1947.* The test date for decontrol of housing accommodations in motor courts is and has been June 30, 1947. If on June 30, 1947, an establishment was a motor court, all the accommodations in the establishment are decontrolled, and this decontrol continues regardless of any change in facts or rental practices since June 30, 1947. Likewise, if on June 30, 1947, an establishment failed to meet the definition of a motor court, then the housing accommodations in that establishment are not decontrolled under the "motor court" decontrol provision and no subsequent change in facts or rental practices would cause them to become decontrolled by virtue of that provision.

3. *Partial decontrol.* There is no partial decontrol in the case of motor courts. If an establishment was a motor court on June 30, 1947, all the housing accommodations in that establishment are decontrolled, including trailers and trailer spaces which were attached to and operated as part of the motor court.

III. *Trailers and ground space rented for trailers*—1. *Provision of regulations.* Section 1 (b) (2) of the regulations provides for decontrol of housing accommodations located in trailers and ground space rented for trailers.

This decontrol provision first became effective on January 5, 1948, when it was added by amendment of the regulations. The Housing and Rent Act of 1947 did not provide for decontrol of trailers and trailer spaces. However, the act as amended April 1, 1948, changed section 202 (c) (2) of the act to provide for decontrol of any trailer or trailer space, thus confirming the action previously taken by amendment of the regulations on January 5, 1948.

2. *Trailers operated as part of motor court.* Even prior to January 5, 1948, when trailers and trailer spaces as such were still under control, it had been held by interpretation that trailers and trailer spaces were decontrolled if they were attached to and operated as part of a motor court.

IV. *Newly constructed housing accommodations completed on or after February 1, 1947*—1. *Provision of regulations.* Section 1 (b) (2) of the regulations provides for decontrol of housing accommodations, the construction of which was completed on or after February 1, 1947. This decontrol provision, however, does not apply to maximum rents established under the Veterans Emergency Housing Act of 1946 for priority constructed housing accommodations if, and only during such time as, they are being rented to veterans of World War II or their immediate families who either:

a. Occupied such housing accommodations on June 30, 1947, or

b. Had a right on June 30, 1947, under a written or oral agreement, to occupy such housing accommodations at any time on or after July 1, 1947.

Such a decontrol provision has been included in the Regulations since July 1, 1947, based upon section 202 (c) (3) of the Housing and Rent Act of 1947 which became effective on that date. The act as amended April 1, 1948, made no change in this provision.

2. *Definition of when construction is "completed".* The regulations provide that for purposes of this provision, construction is deemed to be "completed" when the dwelling is first suitable for occupancy and all services and utility connections have been made, except for the installation of such items and the completion of such decoration work as, in accordance with the custom of the community, are left for installation by or to the choice of the purchaser or tenant.

3. *Repair or rehabilitation of damaged structures.* Where a structure which has been damaged by fire or otherwise is repaired or rehabilitated on or after

February 1, 1947, a question of fact is presented as to whether new housing accommodations have been created by construction (in which event they would be decontrolled), or whether the previously existing housing accommodations have merely been repaired or rehabilitated (in which event they would not be decontrolled). Of course there may be cases in which some units in a structure are newly constructed, while other units in the same structure are merely repaired or rehabilitated. In such cases, the newly constructed units are decontrolled, while the other units remain under control.

The mere fact that the damage was so extensive as to render housing accommodations uninhabitable, forcing tenants to vacate, does not necessarily establish that the units, after completion of the repair or rehabilitation work, are eligible for decontrol.

V. *Additional housing accommodations created by conversion on or after February 1, 1947*—1. *Provision of regulations.* Section 1 (b) (2) of the regulations provides for decontrol of additional housing accommodations created by conversion on or after February 1, 1947. This decontrol provision, however, does not apply to maximum rents for priority constructed housing under the conditions stated in IV, 1 above.

Such a decontrol provision has been included in the Regulations since July 1, 1947, based upon section 202 (c) (3) of the Housing and Rent Act of 1947 which became effective on that date. The act as amended April 1, 1948, made no change in this provision.

2. *Definition of "Conversion".* The regulations provide that for purposes of this provision the "word "conversion" means (1) a change in a structure from a non-housing to a housing use, or (2) a structural change in a residential unit or units involving substantial alterations or remodeling and resulting in the creation of additional housing accommodations.

3. "Completion" of construction not an element in conversion cases. It should be noted that, whereas newly constructed housing accommodations are decontrolled if construction was "completed" on or after February 1, 1947, decontrol in the case of a conversion occurs only if additional housing accommodations were created by the conversion on or after that date. There is a substantial difference between these two concepts. For example, where the conversion resulted in additional housing accommodations which were occupied prior to February 1, 1947, they would not be decontrolled even though additional work was done on or after that date. The test is not whether the additional housing accommodations were "completed" prior to February 1, 1947, but whether they were created prior to that date.

4. *Requirement of structural change involving substantial work.* In order for decontrol to occur by reason of conversion of previously existing housing accommodations, there must be a structural change involving substantial alterations or remodeling. For example, if a single family residence is divided into two units merely by a locking of doors and renting to two separate tenants, decontrol does not result.

5. *Requirement that additional housing accommodations result from the alterations or remodeling.* Where there has been a structural change involving substantial alteration or remodeling, decontrol occurs only if additional housing accommodations result from this work. This determination is made with respect to the dwelling unit or dwelling units which are necessarily involved in the creation of additional housing accommodations.

Examples: A vacant structure contains two 6-room apartments, each containing a kitchen and a bathroom. Subsequent to February 1, 1947, the landlord made structural changes in one apartment involving substantial alterations and remodeling. He converts the apartment into two apartments by adding a kitchen and a bath to two of the rooms and separating this apartment from the remaining four rooms (including kitchen) and bath. The other 6-room apartment was not involved in the conversion. The 4- and 3-room apartments are considered additional housing accommodations created by conversion and decontrolled, while the 6-room apartment remains under control.

6. *Basis for determining whether additional housing accommodations have been created.* In determining whether additional housing accommodations have been created, the primary test is not whether there are more tenants in occupancy than before the conversion, nor whether there is more floor space. The determination is made by comparing the number of dwelling units before and after the conversion. For example: There was a 12-room vacant house which was structurally designed for single family occupancy, but which was occupied by the owner and six roomers. Subsequent to February 1, 1947, this house was converted into four individual apartments, each with its own kitchen and bath facilities. All four apartments are decontrolled.

NOTE: In the cases cited in paragraphs 5 and 6 above, the conversion took place when the accommodations were vacant. Different considerations are involved in cases where the conversion takes place while a tenant remains in occupancy. Such exceptional cases require individual treatment and are not discussed in this interpretation.

VI. *Housing accommodations not rented for any successive twenty-four month period between February 1, 1945, and March 30, 1948*—1. *Provision of regulations.* Section 1 (b) (2) (iii) of the regulations provides for decontrol of housing accommodations which were not rented as such for any successive 24-month period between February 1, 1945, and March 30, 1948 (both dates inclusive), other than to members of the landlord's immediate family.

The Housing and Rent Act of 1947, effective July 1, 1947, contained a decontrol provision which was the same as the present one, except that it covered only housing accommodations which were not rented at any time between February 1, 1945, and January 31, 1947, other than to members of the immediate family of the occupant. The act as amended to April 1, 1948, extended this decontrol provision to cover housing accommodations which were not rented during any successive 24-month period between February 1, 1945, and March 30, 1948, other than to members of the landlord's immediate family.

2. *Removal of house to new location.* If housing accommodations were rented during the two-year period, and were physically moved to a new location after expiration of the two-year period, they are not decontrolled. The removal of a house to a new location does not change the fact that the particular house had been rented during the two-year period. Of course, a new maximum rent should be established under section 4 (c) of the regulations, by reason of the new location, which would be subject to reduction on the basis of comparability.

3. *Rental of only part of house during two-year period.* Where only part of a house was rented during the two-year period and the portion that was rented constituted less than a predominant part of the entire house (predominance being determined on a space basis), the portion that was rented is not decontrolled. However, if the entire house is subsequently rented, as one unit, it is decontrolled and likewise the rental of any portion of the house which was not rented during the two-year period is also decontrolled.

Where only a part of a house was rented during the two-year period, and the portion that was rented constituted the predominant part of the entire house, there is no decontrol of either the entire house or of any portion that was rented during the two-year period.

4. *Rental of entire house or structure as such during two-year period.* Where, during the two-year period, an entire house was rented to a tenant as a residence, there is no decontrol either on a rental of the entire house or on a separate renting of any portion of the house. This is because the entire house, including every portion thereof, was rented during the two-year period.

Where, during the two-year period, an apartment structure was rented as such to a master tenant who occupied one of the apartments himself and sublet the other apartments to tenants, the apartment occupied by the master tenant as well as the other apartments, are not decontrolled. This is because the apartment occupied by the master tenant was rented during the two-year period as part of the underlying lease of the entire structure. The other apartments, of course, were rented both as part of the underlying lease and separately by the master tenant.

5. *Occupancy by landlord as condition for decontrol.* Under the Housing and Rent Act of 1947 and the regulations in effect prior to April 1, 1948, where entire housing accommodations were rented during the two-year period to members of the landlord's immediate family, there was no decontrol. This is because the landlord was not an "occupant" of the housing accommodations in question, and the 1947 act and regulations provided for decontrol in such cases only if the renting was to members of the immediate family of the "oc-

cupant." This does not apply on and after April 1, 1948, because the act and regulations as amended April 1, 1948, provide for decontrol in such cases if the housing accommodations were rented to members of the immediate family of the "landlord." Occupancy by the landlord of part of the housing accommodations is no longer required as a condition of decontrol.

6. *Occupancy by tenants in common during two-year period.* In any case where during the two-year period housing accommodations were owned by two or more individuals as tenants in common, and were occupied during that period by one or more of those individuals by virtue of their status as tenants in common, the housing accommodations are decontrolled. In other words, the relationship between tenants in common is not a landlord-tenant relationship, so that in such cases the housing accommodations have not been "rented".

7. *Occupancy by seller as part of purchase contract during two-year period.* Where a purchaser of housing accommodations, as part of a purchase contract, permits the seller to remain in possession for a limited period of time, this constitutes a "renting." Where, however, the local courts have ruled that this type of occupancy does not involve a landlord-tenant relationship, and the parties acted in reliance upon the decision of the court, the question of decontrol of the particular housing accommodations is left for decision by the local courts.

8. *Occupancy during two-year period by sole stockholder of corporation.* Where during the two-year period there was occupancy by the sole stockholder of a corporation which was the owner of the house, a question is presented as to whether there was a landlord-tenant relationship between the corporation and the sole stockholder. Ordinarily, since a corporation is a legal entity separate from its stockholders, occupancy by the sole stockholder would be on the basis of a landlord-tenant relationship, so that the housing accommodations would not be decontrolled.

9. *Housing accommodations which were exempt from rent control during two-year period.* Where during the two-year period housing accommodations were rented under circumstances which caused the renting to be exempt from the rent regulations, the mere fact that such an exemption existed does not result in decontrol. For example, where housing accommodations were occupied during the two-year period by a janitor as part of the compensation he received for his services as janitor, the housing accommodations, so long as this situation existed, were exempt from the rent regulations. If, however, after expiration of the two-year period, the housing accommodations are no longer occupied by a janitor under such an arrangement, but are rented to a tenant under an ordinary rental agreement, the exemption ceases to apply, and the question arises whether they are decontrolled on the basis that they had not been "rented" during the two-year period. Such housing accommodations are not decontrolled on that basis because, even though they were exempt during the two-year period, they were rented during that period to a person who was not a member of the landlord's immediate family.

Another example of the same principle is the following: A college dormitory was occupied by students during the two-year period under circumstances which made rooms exempt from rent control. After the two-year period, the college proposes to rent the rooms in the structure to professors or other persons on an ordinary landlord-tenant basis. Such a renting would be subject to rent control because, although the rooms in the dormitory were exempt during the two-year period, they were in fact rented to persons other than members of the landlord's immediate family.

VII. *New housing accommodations completed between February 1, 1945, and January 31, 1947, and not rented until after June 30, 1947*—1. *Provision of regulations.* Section 1 (b) (2) of the regulations provides for the decontrol of housing accommodations, construction of which was completed between February 1, 1945, and January 31, 1947 (both dates inclusive), and which were not rented at any time as housing accommodations from the date of completion until after June 30, 1947, other than to members of the landlord's immediate family. This is based on a new provision in section 202 (c) (3) of the Housing and Rent Act, as amended in 1948, and therefore became effective on April 1, 1948.

The Housing and Rent Act of 1947 which became effective July 1, 1947, had provided for the decontrol of housing accommodations which were not rented as housing accommodations at any time between February 1, 1945, and January 31, 1947, other than to members of the occupant's immediate family. This provision did not result in the decontrol of housing accommodations which first came into existence by reason of new construction after February 1, 1945, even though the housing accommodations were not rented at any time between the date of completion and January 31, 1947. The act as amended April 1, 1948, provides specifically for the decontrol of housing accommodations, construction of which was completed during this two-year period, if they were not rented as housing accommodations at any time between the date of completion and June 30, 1947, other than to members of the landlord's immediate family.

2. *Definition of when construction is "completed".* For purposes of this provision, the definition of when construction of housing accommodations has been completed is the same as set forth under "IV, 2" above.

3. *Other interpretations.* The interpretations as to when there has been a "renting" of housing accommodations and the effect of such renting, which are given under "VI" above, are equally applicable to cases under this heading "VII."

VIII. *Non-housekeeping furnished accommodations located in a single dwelling unit*—1. *Provision of regulations.* Section 1 (b) (2) of the regulations provides for decontrol under certain conditions of non-housekeeping furnished accommodations which are located in a single dwelling unit. All the following conditions must exist in order for such accommodations to be decontrolled:

a. The accommodations in question must be non-housekeeping furnished accommodations.

b. They must be located in a single dwelling unit which is not used as a rooming house or boarding house.

c. There must be no more than two paying tenants in the dwelling unit other than members of the landlord's immediate family.

d. The remaining portion of the dwelling unit (i. e., the portion not occupied by paying tenants who are not members of the landlord's immediate family) must be occupied by the landlord or his immediate family.

This decontrol provision became effective April 1, 1948, based on a new provision in the Housing and Rent Act of 1947, as amended, effective April 1, 1948.

2. *Meaning of "non-housekeeping" accommodations.* A non-housekeeping room or unit is one which does not contain cooking and other house-keeping facilities. For example, where a room does not contain any cooking facilities, the mere fact that the tenant of the room has the privilege of using the kitchen in the house does not destroy the "non-housekeeping" status of the room. Likewise, the fact that the tenant of such a room is given the privilege of sharing other parts of the house, such as living-room, dining-room, etc., does not destroy the status of the room as a "non-housekeeping" accommodation. Such a situation is to be distinguished from the case where the tenant rents an entire house with the exception of a room which was reserved by the landlord for his own occupancy. In such a case there would be no decontrol.

3. *Requirement that there be no more than two paying tenants in the dwelling unit.* A master tenant rented three rooms in a house and then sublet each room to two sub-tenants who became actual occupants. The six sub-tenants paid their rent to the master tenant, and the master tenant was the only person who paid rent to the landlord. In such a case there are more than two paying tenants in the dwelling unit, so that none of the rooms are decontrolled.

Issued this 25th day of August 1948.

ED DUPREE,
General Counsel.

[F. R. Doc. 48-7721; Filed, Aug. 26, 1948; 1:56 p. m.]

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter II—Fiscal Service, Department of the Treasury

Subchapter B—Bureau of the Public Debt

[1948 Dept. Circ. 833]

PART 327—OFFERING AND SPECIAL REGULATIONS GOVERNING TREASURY SAVINGS NOTES, SERIES D

AUGUST 17, 1948.

SUBPART A—OFFERING OF NOTES

Sec.
327.1 Offering of Notes.

SUBPART B—DESCRIPTION OF NOTES

SUBPART C—PURCHASE OF NOTES

SUBPART D—PRESENTATION IN PAYMENT OF TAXES

SUBPART E—CASH REDEMPTION AT OR PRIOR TO MATURITY

SUBPART F—PAYMENT OR REISSUE TO OTHER THAN INSCRIBED OWNER

SUBPART G—GENERAL PROVISIONS

AUTHORITY: §§ 327.1 to 327.27, inclusive, issued under 40 Stat. 288, as amended; 31 U. S. C. 752.

SUBPART A—OFFERING OF NOTES

§ 327.1 *Offering of notes.* The Secretary of the Treasury, pursuant to the authority of the Second Liberty Bond Act, as amended, offers for sale to the people of the United States, at par, an issue of notes of the United States, designated Treasury Savings Notes, Series D, which notes, if inscribed in the name of a Federal taxpayer, will be receivable as hereinafter provided at par and accrued interest in payment of income, estate and gift taxes imposed by the Internal Revenue Code, or laws amendatory or supplementary thereto.

The sale of Treasury Savings Notes, Series C, issued under Department Circular No. 696, First Revision, dated November 20, 1943, is hereby terminated at the close of business August 31, 1948.

The sale of Notes of Series D offered by the regulations in this part will continue until terminated by the Secretary of the Treasury.

SUBPART B—DESCRIPTION OF NOTES

§ 327.2 *General.* Treasury Savings Notes, Series D, will in each instance be dated as of the first day of the month in which payment, at par, is received and credited by an agent authorized to issue the notes. They will mature three years from that date, and may not be called by the Secretary of the Treasury for redemption before maturity. All notes issued during any one calendar year shall constitute a separate series indicated by the letter "D" followed by the year of maturity. At the time of issue the authorized issuing agent will inscribe on the face of each note the name and address of the owner, will enter the date as of which the note is issued and will imprint his dating stamp (with current date). The notes will be issued in denominations of $100, $500, $1,000, $5,000, $10,000, $100,000, $500,000 and $1,000,000. Exchange of authorized denominations from higher to lower, but not from lower to higher, may be arranged at the office of the agent that issued the note.

§ 327.3 *Acceptance for taxes or cash redemption.* If inscribed in the name of an individual, corporation, or other entity paying income, estate or gift taxes imposed under the Internal Revenue Code, or laws amendatory or supplementary thereto, the notes will be receivable, subject to the provisions of Subpart D, at par and accrued interest, in payment of such income, estate or gift taxes assessed against the owner or his estate. If not presented in payment of taxes, or if not inscribed in the name of a taxpayer liable to the above-described taxes, and subject to the provisions of Subpart E, the notes will be payable at maturity, or at the owner's option and request they will be redeemable before maturity at par and accrued interest.

§ 327.4 *Interest.* Interest on each $1,000 principal amount of Savings Notes, Series D, will accrue each month from the month of issue, on a graduated scale, as follows:

	Each month
First to Sixth months, inclusive	$0.80
Seventh to Twelfth months, inclusive	1.00
Thirteenth to Eighteenth months, inclusive	1.20
Nineteenth to Twenty-fourth months, inclusive	1.30
Twenty-fifth to Thirty-sixth months, inclusive	1.40

The table appended to the regulations in this part shows for notes of each denomination, for each consecutive calendar month from month of issue to month of maturity, (a) the amount of interest accrual, (b) the principal amount of the note with accrued interest (cumulative) added, and (c) the approximate investment yields. In no case shall interest accrue beyond the month in which the note is presented in payment of taxes, or for redemption before maturity as provided in Subpart E, or beyond its maturity. Interest will be paid only with the principal amount.

§ 327.5 *Forms of inscription.* Treasury Savings Notes, Series D, may be inscribed in the name of an individual, corporation, unincorporated association or society, or a fiduciary (including trustees under a duly established trust where the notes would not be held as security for the performance of a duty or obligation), whether or not the inscribed owner is subject to taxation under the Internal Revenue Code, or laws amendatory or supplementary thereto. They may also be inscribed in the name of a town, city, county or State or other governmental body and in the name of a partnership; but notes in the name of a partnership are not acceptable in payment of taxes, since a partnership is not a taxpaying entity under the Internal Revenue Code. The notes will not be inscribed in the names of two or more persons as joint owners or coowners; or in the name of a public officer, whether or not named as trustee, where the notes would in effect be held as security.

§ 327.6 *Nontransferability.* The notes may not be transferred in ordinary course; except that (a) if inscribed in the name of a married man they may be reissued in the name of his wife, or if inscribed in the name of a married woman they may be reissued in the name of her husband, upon request of the person in whose name the notes are inscribed and the surrender of the notes to the agent that issued them; (b) if inscribed in the name of a corporation owning more than 50 percent of the stock, with voting power, of another corporation, the notes may be reissued in the name of the subsidiary upon request of the corporation and surrender of the notes to the agent that issued them; (c) upon the death or disability of an individual inscribed owner or the dissolution, consolidation or merger of a corporation or unincorporated association named as owner, reissue or payment may be made in accordance with Subpart F; and (d) payment but not reissue, may be made as a result of legal proceedings as set forth in said Subpart F. The notes may not be hypothecated and no attempted hypothecation or pledge as security will be recognized by the Treasury Department: *Provided, however,* That the notes may be pledged as collateral for loans from banking institutions and if title thereto is acquired by a bank because of the failure of a loan to be paid, the notes will be redeemed at par and accrued interest to the month in which acquired on surrender to the agent who issued them, accompanied by proof of the date of acquisition and by request of the pledgee under power of attorney given by the pledgor in whose name the notes are inscribed. The notes will not be transferred to a pledgee. The notes will not be acceptable to secure deposits of public moneys.

§ 327.7 *Taxation.* Income derived from the notes shall be subject to all taxes imposed under the Internal Revenue Code or laws amendatory or supplementary thereto. The notes shall be subject to estate, inheritance, gift or other excise taxes, whether Federal or State, but shall be exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, or any of the possessions of the United States, or by any local taxing authority.

SUBPART C—PURCHASE OF NOTES

§ 327.8 *Official agencies.* In addition to the Treasury Department, the Federal Reserve Banks and their Branches are hereby designated agencies for the issue and redemption of Treasury Savings Notes, Series D. The Secretary of the Treasury, from time to time, in his discretion, may designate other agencies for the issue of the notes, or for accepting applications therefor, or for making

payments on account of the redemption thereof.

§ 327.9 *Applications and payment.* Applications will be received by the Federal Reserve Banks and Branches, and by the Treasurer of the United States, Washington, D. C. Banking institutions and security dealers generally may submit applications for account of customers, but only the Federal Reserve Banks and their Branches and the Treasury Department are authorized to act as official agencies. The use of an official application form is desirable but not necessary. Appropriate forms may be obtained on application to any Federal Reserve Bank or Branch, or the Treasurer of the United States, Washington, D. C. Every application must be accompanied by payment in full, at par. Any form of exchange, including personal checks, will be accepted subject to collection, and should be drawn to the order of the Federal Reserve Bank or of the Treasurer of the United States, as payee, as the case may be. The date funds are made available on collection of exchange will govern the issue date of the notes. Any depositary, qualified pursuant to the provisions of Treasury Department Circular No. 92, Revised, as amended, will be permitted to make payment by credit for notes applied for on behalf of itself or its customers up to any amount for which it shall be qualified in excess of existing deposits.

§ 327.10 *Reservations.* The Secretary of the Treasury reserves the right to reject any application in whole or in part, and to refuse to issue or permit to be issued hereunder any notes in any case or in any class or classes of cases if he deems such action to be in the public interest, and his action in any such respect shall be final. If an application is rejected, in whole or in part, any payment received therefor will be refunded.

§ 327.11 *Delivery of notes.* Upon acceptance of full-paid applications, notes will be duly inscribed and, unless delivered in person, will be delivered, at the risk and expense of the United States at the address given by the purchaser, by mail, but only within the United States, its territories and insular possessions and the Canal Zone. No deliveries elsewhere will be made.

SUBPART D—PRESENTATION IN PAYMENT OF TAXES

§ 327.12 *Presentation in payment of taxes.* During and after the second calendar month after the month of purchase (as shown by the issue date on each note), during such time, and under such rules and regulations as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, shall prescribe, notes issued hereunder in the name of a taxpayer (individual, corporation, or other entity) may be presented and surrendered by such taxpayer, his agent, or his estate, to the Collector of Internal Revenue to whom the tax return is made, and will be receivable by the Collector at par and accrued interest from the month of issue to the month, inclusive (but no accrual beyond maturity), in which presented, in payment of any income (current and back personal and corporation taxes, and excess-profits taxes), or any estate or gift taxes (current and back) imposed by the Internal Revenue Code, or laws amendatory or supplementary thereto, assessed against the inscribed owner or his estate. The notes must be forwarded to the Collector at the risk and expense of the owner, and, for the owner's protection, should be forwarded by registered mail, if not presented in person.

SUBPART E—CASH REDEMPTION AT OR PRIOR TO MATURITY

§ 327.13 *General.* (a) Any Treasury Savings Note of Series D not presented in payment of taxes, will be paid at maturity, or, at the option and request of the owner and without advance notice, will be redeemed before maturity, but the notes may be redeemed before maturity only during and after the fourth calendar month after the month of issue (as shown on the face of each note).

(b) Payment at maturity or on redemption before maturity will be made at par and accrued interest to the month of payment, except, if a note is inscribed in the name of a bank that accepts demand deposits, payment at maturity or on redemption before maturity will be made only at the issue price, or par, of the note. However, if a note is acquired by any such bank through forfeiture of a loan, payment will be made at the redemption value for the month in which so acquired.

§ 327.14 *Execution of request for payment.* The owner in whose name the note is inscribed must appear before one of the officers authorized by the Secretary of the Treasury to witness and certify requests for payment, establish his identity, and in the presence of such officer sign the request for payment appearing on the back of the note, adding the address to which check is to be mailed. After the request for payment has been so signed, the witnessing officer should complete and sign the certificate provided for his use.

§ 327.15 *Officers authorized to witness and certify requests for payment.* All officers authorized to witness and certify requests for payment of United States Savings Bonds, as set forth in Treasury Department Circular No. 530, Sixth Revision, as amended, are hereby authorized to witness and certify requests for cash redemption of Treasury notes issued under this circular. Such officers include, among others, United States postmasters, certain other post office officials, officers of all banks and trust companies incorporated in the United States or its organized territories, including officers at branches thereof, and commissioned officers of the Army, Navy, Marine Corps and Coast Guard.

§ 327.16 *Presentation and surrender.* Notes bearing properly executed requests for payment must be presented and surrendered to any Federal Reserve Bank or Branch or to the Treasury Department, Washington, D. C., at the expense and risk of the owner. For the owner's protection, notes should be forwarded by registered mail, if not presented in person.

§ 327.17 *Partial redemption.* Partial cash redemption of a note, corresponding to an authorized denomination, may be made in the same manner as for full cash redemption, appropriate changes being made in the request for payment. In case of partial redemption of a note, the remainder will be reissued in the same name and with the same date of issue as the note surrendered.

§ 327.18 *Payment.* Payment of any note, either at maturity or on redemption before maturity, will be made by any Federal Reserve Bank or Branch or the Treasury Department, following clearance with the agent of issue, which will be obtained by the agent to which the note is surrendered. Payment will be made by check drawn to the order of the owner, and mailed to the address given in his request for payment.

SUBPART F—PAYMENT OR REISSUE TO OTHER THAN INSCRIBED OWNER

§ 327.19 *Death or disability.* In case of the death or disability of an individual owner and the notes are not to be presented in payment of taxes, payment will be made to the duly constituted representative of his estate, or they may be reissued to one or more of his heirs or legatees upon satisfactory proof of their right; but no reissue will be made in two names jointly or as coowners.

§ 327.20 *Dissolution or merger of corporations, etc.* If a corporation or unincorporated body, in whose name notes are inscribed, is dissolved, consolidated, merged or otherwise changes its organization, the notes may be paid to, or reissued in the name of those persons or organizations lawfully entitled to the assets of such corporation or body by reason of such changes in organization.

§ 327.21 *Bankruptcy.* If an inscribed owner of notes is declared bankrupt or insolvent, payment, but not reissue, will be made to the duly qualified trustee, receiver or similar representative if the notes are submitted with satisfactory proof of his appointment and qualification.

§ 327.22 *Creditors' rights.* Payment, but not reissue, will be made as a result of judicial proceedings in a court of competent jurisdiction, if the notes are submitted with proper proof of such proceedings and their finality.

§ 327.23 *Instructions and information.* Before executing the request for payment or submitting the notes under the provisions of this section, instructions should be obtained from a Federal Reserve Bank or Branch or from the Treasury Department, Division of Loans and Currency, Washington 25, D. C.

SUBPART G—GENERAL PROVISIONS

§ 327.24 *Regulations.* Except as provided in this circular, the notes issued hereunder will be subject to the general regulations of the Treasury Department, now or hereafter prescribed, governing bonds and notes of the United States; the regulations currently in force are

contained in Department Circular No. 300, as amended.

§ 327.25 *Loss, theft, or destruction.* In case of the loss, theft or destruction of a savings note immediate notice (which should include a full description of the note) should be given the agency which issued the note and instructions should be requested as to the procedure necessary to secure a duplicate.

§ 327.26 *Fiscal agents.* Federal Reserve Banks and their Branches, as fiscal agents of the United States, are authorized to perform such services or acts as may be appropriate and necessary under the provisions of this circular and under any instructions given by the Secretary of the Treasury, and they may issue interim receipts pending delivery of the definitive notes.

§ 327.27 *Amendments.* The Secretary of the Treasury may at any time or from time to time supplement or amend the terms of this circular, or of any amendments or supplements thereto, and may at any time or from time to time prescribe amendatory rules and regulations governing the offering of the notes, information as to which will promptly be furnished to the Federal Reserve Banks.

Compliance with the notice, public procedure, and effective date requirements of the Administrative Procedure Act (Pub. Law 404, 79th Cong.; 60 Stat. 237) is found to be impracticable with respect to this circular. This is a matter of fiscal policy and it was deemed inadvisable to make determination with respect thereto at an earlier date.

[SEAL] JOHN W. SNYDER,
Secretary of the Treasury.

TREASURY SAVINGS NOTES, SERIES D—TABLE OF TAX-PAYMENT OR REDEMPTION VALUES AND INVESTMENT YIELDS

The table below shows for each month from date of issue to date of maturity the amount of interest accrual; the principal amount with accrued interest added, for notes of each denomination; the approximate investment yield on the par amount from issue date to the beginning of each month following the month of issue; and the approximate investment yield on the current redemption value from the beginning of the month indicated to the month of maturity.

Par value (issue price during month of issue)	$100.00	$500.00	$1,000.00	$5,000.00	$10,000	$100,000	$500,000	$1,000,000	Approximate investment yield on par amount from issue date to beginning of each monthly period thereafter	Approximate investment yield on current tax-payment or redemption values from beginning of each monthly period to maturity
Amount of interest accrual each month after month of issue	Tax-payment or redemption values during each monthly period after month of issue [1]									
									Percent	*Percent*
Interest accrues at rate of $0.80 per month per $1,000 par amount:										[2] 1.40
First month	$100.08	$500.40	$1,000.80	$5,004.00	$10,008	$100,080	$500,400	$1,000,800	0.96	1.41
Second month	100.16	500.80	1,001.60	5,008.00	10,016	100,160	500,800	1,001,600	.96	1.42
Third month	100.24	501.20	1,002.40	5,012.00	10,024	100,240	501,200	1,002,400	.96	1.44
Fourth month	100.32	501.60	1,003.20	5,016.00	10,032	100,320	501,600	1,003,200	.96	1.45
Fifth month	100.40	502.00	1,004.00	5,020.00	10,040	100,400	502,000	1,004,000	.98	1.47
Sixth month	100.48	502.40	1,004.80	5,024.00	10,048	100,480	502,400	1,004,800	.98	1.48
Interest accrues at rate of $1 per month per $1,000 par amount:										
Seventh month	100.58	502.90	1,005.80	5,029.00	10,058	100,580	502,900	1,005,800	.99	1.49
Eighth month	100.68	503.40	1,006.80	5,034.00	10,068	100,680	503,400	1,006,800	1.02	1.50
Ninth month	100.78	503.90	1,007.80	5,039.00	10,078	100,780	503,900	1,007,800	1.04	1.51
Tenth month	100.88	504.40	1,008.80	5,044.00	10,088	100,880	504,400	1,008,800	1.05	1.53
Eleventh month	100.98	504.90	1,009.80	5,049.00	10,098	100,980	504,900	1,009,800	1.07	1.54
Twelfth month	101.08	505.40	1,010.80	5,054.00	10,108	101,080	505,400	1,010,800	1.08	1.55
Interest accrues at rate of $1.20 per month per $1,000 par amount:										
Thirteenth month	101.20	506.00	1,012.00	5,060.00	10,120	101,200	506,000	1,012,000	1.10	1.56
Fourteenth month	101.32	506.60	1,013.20	5,066.00	10,132	101,320	506,600	1,013,200	1.11	1.57
Fifteenth month	101.44	507.20	1,014.40	5,072.00	10,144	101,440	507,200	1,014,400	1.15	1.57
Sixteenth month	101.56	507.80	1,015.60	5,078.00	10,156	101,560	507,800	1,015,600	1.16	1.58
Seventeenth month	101.68	508.40	1,016.80	5,084.00	10,168	101,680	508,400	1,016,800	1.18	1.59
Eighteenth month	101.80	509.00	1,018.00	5,090.00	10,180	101,800	509,000	1,018,000	1.19	1.60
Interest accrues at rate of $1.30 per month per $1,000 par amount:										
Nineteenth month	101.93	509.65	1,019.30	5,096.50	10,193	101,930	509,650	1,019,300	1.21	1.60
Twentieth month	102.06	510.30	1,020.60	5,103.00	10,206	102,060	510,300	1,020,600	1.23	1.61
Twenty-first month	102.19	510.95	1,021.90	5,109.50	10,219	102,190	510,950	1,021,900	1.24	1.61
Twenty-second month	102.32	511.60	1,023.20	5,116.00	10,232	102,320	511,600	1,023,200	1.26	1.62
Twenty-third month	102.45	512.25	1,024.50	5,122.50	10,245	102,450	512,250	1,024,500	1.27	1.62
Twenty-fourth month	102.58	512.90	1,025.80	5,129.00	10,258	102,580	512,900	1,025,800	1.28	1.63
Interest accrues at rate of $1.40 per month per $1,000 par amount:										
Twenty-fifth month	102.72	513.60	1,027.20	5,136.00	10,272	102,720	513,600	1,027,200	1.29	1.63
Twenty-sixth month	102.86	514.30	1,028.60	5,143.00	10,286	102,860	514,300	1,028,600	1.31	1.63
Twenty-seventh month	103.00	515.00	1,030.00	5,150.00	10,300	103,000	515,000	1,030,000	1.32	1.63
Twenty-eighth month	103.14	515.70	1,031.40	5,157.00	10,314	103,140	515,700	1,031,400	1.33	1.63
Twenty-ninth month	103.28	516.40	1,032.80	5,164.00	10,328	103,280	516,400	1,032,800	1.34	1.63
Thirtieth month	103.42	517.10	1,034.20	5,171.00	10,342	103,420	517,100	1,034,200	1.35	1.62
Thirty-first month	103.56	517.80	1,035.60	5,178.00	10,356	103,560	517,800	1,035,600	1.36	1.62
Thirty-second month	103.70	518.50	1,037.00	5,185.00	10,370	103,700	518,500	1,037,000	1.37	1.62
Thirty-third month	103.84	519.20	1,038.40	5,192.00	10,384	103,840	519,200	1,038,400	1.38	1.62
Thirty-fourth month	103.98	519.90	1,039.80	5,199.00	10,398	103,980	519,900	1,039,800	1.38	1.62
Thirty-fifth month	104.12	520.60	1,041.20	5,206.00	10,412	104,120	520,600	1,041,200	1.39	1.62
Maturity	104.26	521.30	1,042.60	5,213.00	10,426	104,260	521,300	1,042,600	1.40	———

[1] Not acceptable in payment of taxes until during and after the second calendar month after the month of issue, and not redeemable for cash until during and after the fourth calendar month after the month of issue.
[2] Approximate investment yield for entire period from issuance to maturity.

[F. R. Doc. 48-7688; Filed, Aug. 26, 1948; 9:02 a. m.]

TITLE 34—NATIONAL MILITARY ESTABLISHMENT

REDESIGNATION OF TITLE AND ASSIGNMENT OF SUBTITLES, CHAPTERS AND PARTS

EDITORIAL NOTE: In order to group under a single title the rules and regulations issued by the Secretary of Defense and those issued by all components of the National Military Establishment, Title 34—Navy is redesignated Title 34—National Military Establishment. As so redesignated, the structure of the title and the assignment of subtitles, chapters, and parts therein, is set forth in the following outline:

Subtitle A—Secretary of Defense—(Parts 1–99).

Subtitle B—Regulations of the National Military Establishment.

Chapter I—Munitions Board—(Parts 100–199).

Chapter II—Research and Development Board—(Parts 200–299).

Chapter III—Joint Chiefs of Staff—(Parts 300–399).

Chapter IV—Joint Regulations of the Armed Forces—(Parts 400–499).

Chapter V—Department of the Army—(Parts 500–699).

Chapter VI—Department of the Navy—(Parts 700–799).

Chapter VII—Department of the Air Force—(Parts 800 and up).

Partial amendments to materjal formerly codified under Title 34—Navy will continue to be published under the old

numbers until such material has been renumbered and republished under Chapter VI—Department of the Navy, in Title 34 as hereby redesignated.

Chapter VII—Department of the Air Force

EDITORIAL NOTE: The Department of the Air Force has under preparation materials relating to its organization, procedures and regulations required to be published under the Administrative Procedure Act (60 Stat. 237; 5 U. S. C. 1001 et seq.) and the Federal Register Act (49 Stat. 500; 44 U. S. C. 301 et seq.) which will appear under this title and elsewhere in the FEDERAL REGISTER in accordance with the Federal Register Regulations (11 F. R. 9333; 1 CFR Part 2). Pending publication of such materials, interested persons are referred for information concerning the Department of the Air Force to Transfer Orders of the Secretary of Defense, published from time to time heretofore under Chapter I of Title 32 and to Joint Procurement Regulations, previously published under Chapter VIII of Title 10. For general guidance concerning Air Force regulations and procedures, reference is made to materials which have been published heretofore by the Department of the Army under Title 10. Such materials are founded on Army Regulations which, in the majority of instances, have been adopted by the Department of the Air Force insofar as applicable to functions, powers and duties of the Department of the Air Force, pending adoption of its own regulations and procedures.

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 10—INSURANCE

NATIONAL SERVICE LIFE INSURANCE POLICY FORMS

1. In Part 10, § 10.3508 is added to read as follows:

§ 10.3508 *Forms of policies.* The forms of policies of insurance described below, are hereby prescribed for use in granting National Service Life Insurance applied for in accordance with the provisions of the National Service Life Insurance Act of 1940, amendments and supplements thereto, and regulations promulgated pursuant thereto. Contracts of insurance authorized to be made in accordance with the terms and conditions set forth in the forms and policies described below, are subject in all respects to the provisions of the National Service Life Insurance Act of 1940, amendments and supplements thereto, and all regulations promulgated pursuant thereto, all of which together with the insured's application, required evidence of health, including physical examination, if required, and tender of premium shall constitute the contract; *Provided,* That any such policy that has been or is hereafter issued or reinstated under any provision of the National Service Life Insurance Act, as amended, which provides for premiums being credited to other than the National Service Life Insurance Fund shall not participate in any gains or savings of such fund.

1. VA Form 9–1660: Five Year Level Premium Term Policy.
2. VA Form 9–1661: Ordinary Life Policy.
3. VA Form 9–1662: Twenty Payment Life Policy.
4. VA Form 9–1663: Thirty Payment Life Policy.
5. VA Form 9–1664: Twenty Year Endowment Policy.
6. VA Form 9–1665: Endowment Policy.

(Secs. 601–618, 54 Stat. 1008–1014, secs. 1–16, 60 Stat. 781–789; 38 U. S. C. 512d, 801–818)

[SEAL] O. W. CLARK,
Executive Assistant Administrator of Veterans Affairs.

[F. R. Doc. 48–7689: Filed, Aug. 26, 1948; 9:01 a. m.]

TITLE 39—POSTAL SERVICE

Chapter I—Post Office Department

Subchapter B—Regulations

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

EXPORT DECLARATIONS

In § 127.13 *Export declarations,* of Subpart B, (13 F. R. 920), make the following changes:

1. In paragraph (a) change line 23 to read: "to fill out two copies of a shipper's export declaration".

2. Amend paragraph (c) to read as follows:

(c) Two copies of the shipper's export declaration are required for postal shipments; however, one export declaration (two copies) may include any number of packages mailed by one sender on the same day to the same country. It is not necessary that the declarations be notarized.

3. Amend paragraph (e) to read as follows:

(e) One copy of each completed declaration should be postmarked in the lower left-hand corner of the form at the office of mailing and forwarded by postmasters in an official penalty envelope addressed to:

Section of Customs Statistics
Foreign Trade Division, Bureau of the Census
Room 434, Customhouse, New York 4, N. Y.

These copies should be mailed daily from first-class post offices, and from second- and third-class offices whenever there are enough accumulated to fill an envelope but in any case not less frequently than once a week.

4. The matter presently appearing as paragraph (f) is deleted, and the following substituted therefor:

(f) The second copy of each completed declaration should be held at the office of mailing pending instructions.

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

[SEAL] J. M. DONALDSON,
Postmaster General.

[F. R. Doc. 48–7671; Filed, Aug. 26, 1948; 8:46 a. m.]

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

ETHIOPIA: PARCEL POST

In § 127.247 *Ethiopia,* of Subpart D (13 F. R. 971), make the following change:

In paragraph (b) (1), *Table of rates,* substitute the following for the table of rates therein contained, the footnotes to remain as at present:

[Rates include transit charges]

Pounds:	*Rate*	Pounds:	*Rate*
1	$0.42	12	$2.73
2	.56	13	2.87
3	.88	14	3.01
4	1.02	15	3.15
5	1.16	16	3.29
6	1.30	17	3.43
7	1.44	18	3.57
8	1.77	19	3.71
9	1.91	20	3.85
10	2.05	21	3.99
11	2.19	22	4.13

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

[SEAL] J. M. DONALDSON,
Postmaster General.

[F. R. Doc. 48–7668; Filed, Aug. 26, 1948; 8:46 a. m.]

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

JAPAN; PERMISSIBLE CONTENTS OF GIFT PARCELS

In § 127.284 *Japan,* of Subpart D (13 F. R. 997, 2044, 4392), make the following change:

In the second paragragh of inferior subdivision (c) of paragraph (b) (3) (ii), *Gift parcels,* change, in the list of relief items therein contained, the sixth item to read as follows:

Streptomycin, up to 15 grams or 15,000,000 units.

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

[SEAL] J. M. DONALDSON,
Postmaster General.

[F. R. Doc. 48–7669; Filed, Aug. 26, 1948; 8:46 a. m.]

NOTICES

POST OFFICE DEPARTMENT

DOMESTIC MAILS

MAILING OF PENICILLIN AND STREPTOMYCIN TO A. P. O.'S IN EUROPE

The prohibition against the transmission of penicillin and streptomycin for delivery through the Army Mail Service referred to in the notices in the Postal Bulletins of September 18 and 25, 1947, has been rescinded in so far as it pertains to the shipment of such articles to the European Command through A. P. O.'s, c/o Postmaster, New York, New York.

The restrictions will, however, remain in effect for all other A. P. O.'s.

[SEAL] J. M. DONALDSON,
Postmaster General.

[F. R. Doc. 48-7670; Filed, Aug. 26, 1948; 8:46 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 8001, 8684, 8685, 8830, 9130]

CONTINENTAL BROADCASTING CO. ET AL.

ORDER DESIGNATING APPLICATIONS FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of David E. Mackey, John E. Evans, Sr., John E. Evans, Jr., and Kenneth E. Rennekamp d/b as Continental Broadcasting Company, Toledo, Ohio, Docket No. 8684, File No. BP-6368; The Midwestern Broadcasting Company, Toledo, Ohio, Docket No. 8685, File No. BP-6421; The Toledo Blade Company, Toledo, Ohio, Docket No. 8830, File No. BP-6534; Unity Corporation Incorporated (WTOD), Toledo, Ohio, Docket No. 8001, File No. BP-5071; The Rural Broadcasting Company of Ohio, Oak Harbor, Michigan, Docket No. 9130, File No. BP-6758; for construction permits.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 19th day of August 1948;

The Commission having under consideration the above-entitled applications of Unity Corporation Incorporated requesting a construction permit to change the facilities of radio station WTOD, Toledo, Ohio, from 1560 kc, 1 kw power, daytime only to 1470 kc, 1 kw power, DA-2, unlimited time and of The Rural Broadcasting Company of Ohio requesting a construction permit for a new standard broadcast station to operate on the frequency 1470 kc, with 1 kw power, DA-2, unlimited time in Oak Harbor, Michigan and also having under consideration a petition filed by North Carolina Broadcasting Company Incorporated, licensee of radio station WBIG, Greensboro, North Carolina, that said application of The Rural Broadcasting Company of Ohio be designated for hearing and that North Carolina Broadcasting Company Incorporated be made a party thereto;

It appearing that the Commission on December 15, 1947 designated for hearing in a consolidated proceeding the above-entitled applications of David E. Mackey, John E. Evans, Sr., John E. Evans, Jr., and Kenneth E. Ronnekamp, d/b as Continental Broadcasting Company and of The Midwestern Broadcasting Company; and

It further appearing that the Commission on March 11, 1948 designated for hearing in the above consolidated proceeding the above-entitled application of The Toledo Blade Company;

It is ordered, That, the petition of North Carolina Broadcasting Company be, and it is hereby, granted and that, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said applications of Unity Corporation Incorporated and of The Rural Broadcasting Company of Ohio be, and they are hereby, designated for hearing in the above consolidated proceeding at a time and place to be designated by subsequent order of the Commission, upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant corporations, their officers, directors and stockholders to construct and operate the proposed station and station WTOD as proposed.

2. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed station and of station WTOD as proposed and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station and of station WTOD as proposed would involve objectionable interference with station WBIG, Greensboro, North Carolina or with any other existing stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station and of station WTOD as proposed would involve objectionable interference with the services proposed in the other pending applications in this proceeding or in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station and of station WTOD as proposed would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

7. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

It is further ordered, That the Commission's Orders dated December 15, 1947, and March 11, 1948, designating for hearing, as aforesaid, the above-entitled applications of Continental Broadcasting Company, The Midwestern Broadcasting Company, and The Toledo Blade Company, be, and there are hereby, amended to include the above-entitled applications of Unity Corporation, Incorporated and The Rural Broadcasting Company of Ohio.

It is further ordered, That, North Carolina Broadcasting Company Incorporated, licensee of radio station WBIG, Greensboro, North Carolina be, and it is hereby, made a party to the proceeding.

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

[F. R. Doc. 48-7682; Filed, Aug. 26, 1948; 8:48 a. m.]

[Docket Nos. 8049, 8397]

KIDO INC. (KIDO) AND KOOS INC. (KOOS)

ORDER DESIGNATING APPLICATIONS FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of KIDO Incorporated (KIDO), Boise, Idaho, Docket No. 8397, File No. BP-5017; KOOS Incorporated (KOOS), Coos Bay, Oregon, Docket No. 8049, File No. BP-5177; for construction permits.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 19th day of August 1948;

The Commission having under consideration the above-entitled applications of KIDO Incorporated to change frequency of station KIDO, Boise, Idaho, to 630 kc, increase power to 5 kw, DA-2, unlimited time and of KOOS Incorporated to change frequency of station KOOS, Coos Bay, Oregon, to 630 kc, increase power to 1 kw, DA-1, unlimited time;

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

1. To determine the technical, financial, and other qualifications of the applicant corporations, their officers, directors and stockholders to construct and operate stations KIDO and KOOS as proposed.

2. To determine the areas and populations which may be expected to gain or lose primary service from the operation of stations KIDO and KOOS as proposed and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be

rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of stations KIDO and KOOS as proposed would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of stations KIDO and KOOS as proposed would involve objectionable interference, each with the other, or with the services proposed in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of stations KIDO and KOOS as proposed would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

7. To determine on a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

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

[F. R. Doc. 48-7681; Filed, Aug. 26, 1948; 8:48 a. m.]

[Docket Nos. 8409, 9092]

RUSTON BROADCASTING CO. (KRUS) AND PARISH BROADCASTING CO.

ORDER DESIGNATING APPLICATIONS FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Clarence E. Faulk, Jr., tr/as Ruston Broadcasting Co. (KRUS), Ruston, Louisiana, Docket No. 9092, File No. BP-6720; Parish Broadcasting Company, Minden, Louisiana, Docket No. 8409, File No. BP-5749; for construction permits.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 19th day of August 1948;

The Commission having under consideration the above-entitled application of Clarence E. Faulk, Jr., for a permit to change the frequency of Station KRUS, Ruston, Louisiana (presently operating unlimited time, with 250 w power) from 1490 kc, to 1230 kc, said application being contingent on a grant of the application of James A. Noe (KNOE) requesting the frequency 1390 kc at Monroe, Louisiana (BMP-1839; Docket No. 7655); and the petition of Parish Broadcasting Corporation requesting reconsideration and grant without hearing of its above-entitled application for permit to construct a new station in Minden, Louisiana, to operate unlimited time on the frequency 1240 kc; and

It appearing, that, the Commission on June 11, 1947, designated the said application of Parish Broadcasting Corporation for hearing in a consolidated proceeding with a mutually exclusive application from Bastrop, Louisiana, naming Oil Capitol Broadcasting Association, licensee of Station KOCA, Kilgore, Texas, a party to the proceeding; and that on August 1, 1947, the said application for Bastrop, Louisiana, was amended and removed from the hearing docket and the application of Parish Broadcasting Corporation retained on the hearing docket because of the interference caused to Station KOCA;

It further appearing, that, the above-entitled applications involve serious mutual interference and that on the basis of the information contained in the said applications and the petition under consideration, the Commission is unable to determine whether a grant of either application would be in the public interest and consistent with § 1.382 of the rules;

It is ordered, That, the said petition of Parish Broadcasting Corporation be, and it is hereby, denied; and that pursuant to section 309 (a) of the Communications Act of 1934, as amended, the above-entitled application of Clarence E. Faulk, Jr., be, and it is hereby, designated for hearing in a consolidated proceeding with the said application of Parish Broadcasting Corporation, at a time and place to be designated by subsequent order of the Commission upon the following issues:

1. To determine the technical, financial, and other qualifications of the applicant corporation, its officers, directors and stockholders to construct and operate the proposed station,

2. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the population and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with the other application in this proceeding or with the services proposed in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

7. To determine on a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

It is further ordered, That the Commission's order of June 11, 1947, designating the said application of Parish Broadcasting Company for hearing, as modified, be, and it is hereby, amended to include the said application of Ruston Broadcasting Company (KRUS).

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

[F. R. Doc. 48-7684; Filed, Aug. 26, 1948; 8:49 a. m.]

[Docket Nos. 8758, 8759, 9129]

MADERA BROADCASTING CO. ET AL.

ORDER DESIGNATING APPLICATIONS FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Harold Ray Brown, Daniel B. Halcomb, Dean S. Lesher and Kathryn C. Lesher, d/b as Madera Broadcasting Company, Madera, California, Docket No. 9129, File No. BP-5864; George F. Haddican, Delano, California, Docket No. 8758, File No. BP-5410; N. Pratt Smith, Leland E. Ashton, Geo. Ames, Millard J. Kessler, Allan R. Kessler, Merlin M. Taggert and Harold W. Marshall d/b as Radio Delano, Delano, California, Docket No. 8759, File No. BP-6522; for construction permits.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 19th day of August 1948;

The Commission having under consideration the above-entitled application of Harold Ray Brown, Daniel B. Halcomb, Dean S. Lesher and Kathryn C. Lesher d/b as Madera Broadcasting Company requesting authorization to construct a new standard broadcast station to operate on the frequency 1340 kc, with 250 w power, unlimited time at Madera, California;

It appearing, that the Commission on January 31, 1948, designated for hearing in a consolidated proceeding the above-entitled applications of George F. Haddican, and of N. Pratt Smith, Leland E. Ashton, Geo. Ames, Millard J. Kessler, Allan R. Kessler, Merlin M. Taggert and Harold W. Marshall d/b as Radio Delano;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application of Madera Broadcasting Company be, and it is hereby, designated for hearing in the above consolidated proceeding at a time and place to be designated by subsequent order of the Commission, upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant partnership and the partners to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the

requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in the pending applications of George F. Haddican and of Radio Delano or in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

7. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

It is further ordered, That, the Commission's Order dated January 31, 1948 designating for hearing in a consolidated proceeding the above-entitled applications of George F. Haddican and Radio Delano, be, and it is hereby, amended to include the above-entitled application of Madera Broadcasting Company.

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

[F. R. Doc. 48-7680; Filed, Aug. 26, 1948; 8:48 a. m.]

[Docket No. 9123]

SUBURBAN BROADCASTING CORP.

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re application of Suburban Broadcasting Corporation, New Rochelle, New York, Docket No. 9123, File No. BP-6428; for construction permit.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 19th day of August 1948;

The Commission having under consideration the above-entitled application for permit to construct a new standard broadcast station at New Rochelle, New York, to operate on the frequency 1460 kc, with 500 w power, daytime only.

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

1. To determine the legal, technical, financial, and other qualifications of the applicant corporation, its officers, directors and stockholders to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed station and the character of other broadcast service available to these areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with the operation of Station WNAB Bridgeport, Connecticut, or with any other existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations with particular reference as to whether a transmitter site can be selected which would not result in overlap of the proposed 25 mv/m contour and the 2 mv/m contour of station WHOM.

It is further ordered, That Harold Thomas, licensee of Station WNAB Bridgeport, Connecticut, be, and he is hereby, made a party to this proceeding.

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

[F. R. Doc. 48-7685; Filed, Aug. 26, 1948; 8:49 a. m.]

[Docket Nos. 9127, 9128]

DALE S. CROWLEY AND GRANT A. WOOD

ORDER DESIGNATING APPLICATIONS FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Dale S. Crowley, Washington, D. C., Docket No. 9127, File No. BP-5299; Grant A. Wood, Hyattsville, Maryland, Docket No. 9128, File No. BP-6680; for construction permits.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 19th day of August 1948;

The Commission having under consideration the above-entitled applications each requesting a permit to construct a new standard broadcast station at the places specified above to operate on the frequency 1540 kc, with 1 kw power, daytime only, and also having under consideration a petition filed by Grant A. Wood that said applications be designated for hearing in a consolidated proceeding;

It is ordered, That, the said petition be, and it is hereby, granted, and that pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said applications be, and they are hereby, designated for hearing in a consolidated proceeding at a time and place to be designated by subsequent order of the Commission, upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicants to construct and operate the proposed stations.

2. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed stations and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed stations would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed stations would involve objectionable interference, each with the other, or with the services proposed in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed stations would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

7. To determine on a comparative basis which, if either of the applications in this consolidated proceeding should be granted.

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

[F. R. Doc. 48-7679; Filed, Aug. 26, 1948; 8:48 a. m.]

[Docket Nos. 9131-9133]

ALLENTOWN BROADCASTING CO. (WKAP) ET AL.

ORDER DESIGNATING APPLICATIONS FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of N. Joe Rahall, Sam G. Rahall, Farris E. Rahall and Deem F. Rahall a partnership d/b as Allentown Broadcasting Company (WKAP), Allentown, Pennsylvania, Docket No. 9132, File No. BP-6552; Lackawanna Valley Broadcasting Company (WSCR), Scranton, Pennsylvania, Docket No. 9133, File No. BP-6727; Louis G. Baltimore (WBRE), Wilkes-Barre,

Pennsylvania, Docket No. 9131, File No. BP-5969; for construction permits.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 19th day of August 1948;

The Commission having under consideration the above-entitled applications of Allentown Broadcasting Company requesting a permit to change facilities of station WKAP, Allentown, Pennsylvania, from 1580 kc, 1 kw power, daytime only to 1320 kc, 1 kw power, DA-N, unlimited time and of Lackawanna Valley Broadcasting Company requesting a construction permit to change facilities of station WSCR, Scranton, Pennsylvania, from 1000 kc, 1 kw power, daytime only, to 1320 kc 500 w, 1 kw-LS power, DA-N, unlimited time and of Louis G. Baltimore requesting a permit to construct a satellite station at Scranton, Pennsylvania to operate in conjunction with station WBRE on frequency 1340 kc;

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

1. To determine the technical, financial, and other qualifications of the individual applicant, the applicant partnership and the partners, and of the applicant corporation, its officers, directors and stockholders to construct and operate stations WKAP, WSCR, and WBRE as proposed.

2. To determine the areas and populations which may be expected to gain or lose primary service from the operation of stations WKAP, WSCR and WBRE as proposed and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of stations WKAP, WSCR, and WBRE as proposed would involve objectionable interference with any other existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of stations WKAP, WSCR, and WBRE as proposed would involve objectionable interference each with the other or with the services proposed in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of stations WKAP, WSCR and WBRE as proposed would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

7. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

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

[F. R. Doc. 48-7683; Filed, Aug. 26, 1948; 8:49 a. m.]

[Docket No. 9134]

STANDARDS OF GOOD ENGINEERING PRACTICE CONCERNING STANDARD BROADCAST STATIONS

PUBLIC NOTICE WITH RESPECT TO SUNRISE AND SUNSET TABLES

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 19th day of August 1948;

The Commission having under consideration the table containing the average sunrise and sunset times adopted by order dated May 27, 1948; and

It appearing that questions have arisen with respect to the basis of the table approved on May 27, 1948 (13 F. R. 3023).

Notice is hereby given that any interested person who is of the opinion that the above mentioned table as approved on May 27, 1948, is not correct or who believes that the table as adopted should not have been adopted in the manner set forth in the appendix to the order of May 27, 1948, may file with the Commission on or before September 15, 1948, a statement or brief setting forth his comments and any objections with respect to the action of the Commission in this matter. The Commision will consider all such comments and objections that are presented and if any comments or objections submitted appear to warrant a hearing or an oral argument, notice of the time and place of such hearing or oral argument will be given. Any person who files a pleading pursuant to this notice may until action is taken with respect to such pleading consider the provisions of the table containing the average sunrise and sunset times adopted on May 27, 1948, as suspended insofar as it affects such person.

In connection with this matter, the following information is supplied with reference to the basis for the tables adopted on May 27, 1948: First, the latitude and longitude of the approximate center of the city is used and not necessarily transmitter locations. This is in order to avoid minor differences that would occur for stations located in the same city. Secondly, the time of sunrise and sunset for the year 1946 has been used in the table and will be used for future additions to the table. The year 1946 was chosen because it occurs halfway between two leap years, thereby establishing another average. Data with respect to sunrise and sunset times for the year 1946 is obtained from the American Nautical Almanac for that year. This almanac is issued by the Nautical Almanac Office of the U. S. Naval Observatory. After determination of the exact time of sunrise and sunset for the 15th of each month during the year 1946, the table is made by indicating these times to the nearest 15 minutes.

This notice is issued pursuant to section 303 (a) (c) (f) and (r) of the Communications Act of 1934 as amended.

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

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

[F. R. Doc. 48-7678; Filed, Aug. 26, 1948; 8:48 a. m.]

[BAL-706]

ROBERT L. WEEKS AND DR. RUSSELL G. FREY

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In the matter of Robert L. Weeks (assignor), Dr. Russell G. Frey (assignee).

At a session of the Federal Communications Commission held in its offices in Washington, D. C., on the 18th day of August 1948;

The Commission having under consideration the above entitled application for assignment of the license of station KBLF, Red Bluff, California from Robert L. Weeks to Dr. Russell G. Frey and not being satisfied that it was in possession of full information as required by the Communications Act of 1934, as amended, and acting pursuant to section 310 (b) of the act and § 1.321 of the rules of practice and procedure:

It is ordered, That the above entitled application be, and it is hereby designated for hearing at a time and place to be designated by subsequent order of the Commission, upon the following issues:

1. To determine whether the proposed assignee is legally, financially and otherwise qualified to own or control and to operate station KBLB, Red Bluff, Calironia.

2. To determine the full contract arrangements or agreement of sale either presently made or to be made by the proposed assignee with the present permittee including the price and the manner of payment and the properties to be received therefor.

3. To secure full information as to the plans of the proposed assignee for staffing the station, its plans with respect to the station's programming and all other plans or arrangements for the operating of the station.

4. To determine the extent and character of control over station KBLF which is or has been exercised by persons other than the present approved licensee.

5. To determine whether the license granted to Robert L. Weeks for station KBLF, or the rights and responsibilities incident thereto, have been transferred, assigned, or disposed of, directly or indirectly, without the consent of the Commission, and in contravention of the pro-

visions of the Communications Act of 1934, as amended, and more particularly section 310 (b) thereof.

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

[F. R. Doc. 48-7686; Filed, Aug. 26, 1948; 8:49 a. m.]

FEDERAL POWER COMMISSION

[Docket No. IT-5550]

SAN DIEGO GAS & ELECTRIC CO.

NOTICE OF APPLICATION FOR AMENDMENT OF AUTHORIZATION TO EXPORT ELECTRIC ENERGY

AUGUST 20, 1948.

Notice is hereby given that pursuant to the provisions of section 202 (e) of the Federal Power Act, 16 U. S. C. 791a-825r, San Diego Gas & Electric Company on August 10, 1948, filed with the Federal Power Commission an application for amendment of the authorization previously granted by the Commission under said Act so as to permit an increase in the exportation of electric energy to a point on the international boundary, United States and Mexico, opposite Tecate, Baja California, Mexico, in either of the following quantities:

(i) Over a 2.3 kv line up to 2,500,000 kilowatt-hours annually at a rate of supply not to exceed 500 kilowatts;

(ii) Over an 11.5 kv line up to 5,000,000 kilowatt-hours annually at a rate of supply not to exceed 1,000 kilowatts.

Only a single delivery will be made at any particular time and the 11.5 kv line will be used in the event the load exceeds the amount requested for the 2.3 kv line.

The present exportation is limited to 200,000 kilowatt-hours annually at a rate not to exceed 80 kilowatts over the 2.3 kv line and to 2,200,000 kilowatt-hours at a rate not to exceed 550 kilowatts over the 11.5 kv line.

Any person desiring to be heard or to make any protest with reference to the proposed amendment should, on or before September 9, 1948, file with the Federal Power Commission a petition or protest in accordance with the Commission's regulations under the Federal Power Act.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 48-7674; Filed, Aug. 26, 1948; 8:47 a. m.]

INTERSTATE COMMERCE COMMISSION

[S. O. 823]

UNLOADING OF COAL AT CHICAGO

At a session of the Interstate Commerce Commision, Division 3, held at its office in Washington, D. C., on the 19th day of August A. D. 1948.

It appearing, that 6 cars of coal at Chicago, Ill., on The Belt Railway Company of Chicago, have been on hand for an unreasonable length of time and that the delay in unloading said cars is impeding their use; in the opinion of the Commission an emergency exists requiring immediate action. It is ordered, that:

(a) *Coal at Chicago, Ill., be unloaded.* The Belt Railway Company of Chicago, its agents or employees, shall unload immediately

C&EI	97083
IC	69726
IC	74175
CRR	50525
NYC	840462
B&O	430811

containing coal, now on hand at Chicago, Ill., consigned for account of Central West Coal Company.

(b) *Demurrage.* No common carrier by railroad subject to the Interstate Commerce Act shall charge or demand or collect or receive any demurrage or storage charges for the detention under load of any car specified in paragraph (a) of this order for the detention period commencing at 7:00 a. m., August 23, 1948, and continuing until the actual unloading of said car or cars is completed.

(c) *Provisions suspended.* The operation of any or all rules, regulations, or practices, insofar as they conflict with the provisions of this order, is hereby suspended.

(d) *Notice and expiration.* Said carrier shall notify the Director, Bureau of Service, Interstate Commerce Commission, Washington, D. C., when it has completed the unloading required by paragraph (a) hereof, and such notice shall specify when, where, and by whom such unloading was performed. Upon receipt of that notice this order shall expire.

It is further ordered, that this order shall become effective immediately; that a copy of this order and direction be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission, at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(40 Stat. 101, sec. 402; 41 Stat. 476, sec. 4; 54 Stat. 901, 911; 49 U. S. C. 1 (10)-(17), 15 (2))

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 48-7676; Filed, Aug. 26, 1948; 8:47 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File Nos. 70-1925, 70-1926]

WISCONSIN POWER AND LIGHT CO. AND MIDDLE WEST CORP.

NOTICE OF FILINGS, ORDER OF CONSOLIDATION AND NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 23d day of August A. D. 1948.

In the matter of Wisconsin Power and Light Company, File No. 70-1925; The Middle West Corporation, File No. 70-1926.

Notice is hereby given that Wisconsin Power and Light Company ("Wisconsin"), a public utility company, and its parent, The Middle West Corporation ("Middle West"), a registered holding company, have filed separate applications and/or declarations pursuant to the Public Utility Holding Company Act of 1935 ("act") and the rules and regulations promulgated thereunder. Wisconsin has designated section 6 (b) of the act and Rule U-50 promulgated thereunder as applicable to its proposed transactions. Middle West has designated sections 9, 10, 11, and 12 (f) of the act as applicable to its proposed transaction. All interested persons are referred to said applications-declarations which are on file in the office of the Commission for a full statement of the transactions therein proposed which are summarized below:

Wisconsin proposes to issue and sell $5,000,000 principal amount of First Mortgage Bonds, Series C -- % of the Company due September 1, 1978, under the Indenture dated August 1, 1941, executed by the Company to First Wisconsin Trust Company and George B. Luhman as Trustees, as amended by a Supplemental Indenture dated January 1, 1948, and the Supplemental Indenture to be dated September 1, 1948. The new bonds will be sold at competitive bidding pursuant to the requirements of Rule U-50 and the interest rate, redemption prices of the new bonds, and the price to be paid to the Company (which shall not be less than 100% nor more than 102¾% of the principal amount thereof), exclusive of accrued interest, shall be determined by competitive bidding.

Wisconsin requests that the ten-day publication period for inviting bids for said bonds as provided by Rule U-50 be shortened to a period of not less than six days.

Wisconsin further proposes to issue and sell 320,232 shares of Common Stock (par value $10 per share). The Company proposes to offer to the holders of its outstanding Common Stock of record at the close of business on September 3, 1948, the right to subscribe for and purchase at $13.50 per share one share of such stock for each four shares held. In cases where the number of shares of Common Stock held by any stockholder is not evenly divisible by four, such stockholder will be entitled to purchase a full share in lieu of fractions, there being no provision for the issuance of fractional shares. These rights will be evidenced by transferable Subscription Warrants which the Company will issue to its common stockholders. Each common stockholder will also receive a transferable Conditional Subscription Warrant which will entitle the holders to subscribe for and purchase at $13.50 per share such number of full shares of Common Stock as they may desire in addition to the number of shares to which they are entitled to subscribe for and purchase under the aforesaid Subscription Warrants subject, however, to the condition that the total of 320,232 shares

of Common Stock offered shall not have been subscribed for pursuant to said Subscription Warrants and subject to an offer to employees of the Company of the right to subscribe for not in excess of 12,000 shares of Common Stock. Employees will be given the right to subscribe for and purchase an aggregate of 12,000 shares at $13.50 per share, subject to the offer to stockholders pursuant to the Subscription Warrants and provided no employee may subscribe for or purchase in excess of 400 shares. While the application as presently filed does not define the duration of the subscription period, it is proposed that the above offers expire at the close of business on September 28, 1948, unless extended in writing by the Company. No part of the 320,232 shares of Common Stock proposed to be issued and sold is being underwritten. It is stated that if a substantial amount of such Common Stock is not subscribed for, it is the present intention of the Company to offer the remaining shares for sale at not less than the subscription price.

The net proceeds (exclusive of accrued interest) to be received by Wisconsin from the issue and sale of said bonds and Common Stock will be added to the general funds of the Company and used to pay or reimburse the Company for the cost of additions, extensions and improvements made or to be made on the properties of the Company, except that approximately $494,000 of said proceeds will be used to prepay an equivalent amount of the outstanding 2% serial notes of the Company.

Wisconsin states that during the first six months of 1948 it expended $3,093,000 for additions, extensions and improvements to its properties, principally its electric properties, and estimates that it will expend for similar purposes during the period July 1, 1948 to December 31, 1949, approximately $9,836,000 and in 1950 approximately $8,375,000.

Middle West, the holder of 677,834 shares of Common Stock of Wisconsin, constituting approximately 53% of the total of such stock outstanding, proposes to exercise its rights to subscribe for and purchase an additional 169,458 shares of the Wisconsin Common Stock. It is proposed that in the event of over-subscription of the 320,232 shares pursuant to Subscription Warrants, as a result of the above-mentioned rights granted by Wisconsin to its common stockholders to subscribe for full shares where they would otherwise be entitled to subscribe for fractional shares only, the number of shares of Common Stock to be purchased by Middle West will be reduced by an amount of shares equal to any such oversubscription. Middle West estimates that the maximum possible over-subscription due to the elimination of fractional warrants will not exceed 800 shares.

Wisconsin has filed herein a copy of its application to the Public Service Commission of Wisconsin, the state commission of the state in which Wisconsin is organized and doing business, for approval of the transactions proposed herein.

It appearing to the Commission that it is appropriate in the public interest and in the interests of investors and consumers that a hearing be held with respect to said applications-declarations and that said applications-declarations shall not be granted or permitted to become effective except pursuant to further order of the Commission; and it appearing to the Commission that these two applications-declarations involve common questions of law and fact and that evidence adduced in one of the proceedings may have a bearing upon the issues presented in the other proceedings and that a substantial saving of time and expense would result if the proceedings were consolidated:

It is hereby ordered, That the proceedings with respect to the application-declaration filed by Wisconsin and the proceedings with respect to the application-declaration filed by Middle West be, and hereby are, consolidated and that a hearing on such consolidated proceedings under the applicable provisions of the act and rules and regulations promulgated thereunder be held on August 31, 1948 at 11:00 a. m., e. d. s. t., at the office of this Commission, 425 Second Street NW., Washington 25, D. C., in such room as may be designated on that day by the hearing room clerk in Room 101. Any person who desires to be heard or otherwise wishes to participate in these consolidated proceedings shall file with the Secretary of the Commission on or before August 30, 1948, a written request relating thereto as provided by Rule XVII of the Commission's rules of practice.

It is further ordered, That William W. Swift, or any other officer or officers of this Commission designated by it for that purpose, shall preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a hearing officer under the Commission's rules of practice.

The Public Utilities Division of the Commission having advised the Commission that it has made a preliminary study of said applications-declarations and that, upon the basis thereof, the following matters and questions are presented for consideration, without prejudice, however, to the presentation of additional matters and questions upon further examination:

(a) Whether the proposed issue and sale of new bonds and Common Stock of Wisconsin are exempt from the provisions of sections 6 (a) and 7 of the act pursuant to section 6 (b) thereof and, if not, whether said issues and sales meet the requirements of section 7 of the act.

(b) Whether, in the event that the exemption provided by section 6 (b) of the act is granted, it is necessary or appropriate in the public interest or for the protection of investors or consumers to impose terms or conditions in connection with the proposed issuance of new bonds and Common Stock of Wisconsin, and, if so, what terms and conditions should be imposed.

(c) Whether the indenture and supplemental indenture securing the proposed new bonds of Wisconsin contain adequate protective provisions for the benefit of security holders.

(d) Whether the Articles of Organization, as amended, of Wisconsin contain adequate provisions for the protection of investors or consumers.

(e) Whether the proposed acquisition by Middle West of the Common Stock of Wisconsin meets the applicable requirements of section 10 of the act.

(f) Whether the proposed accounting entries to be recorded in connection with the proposed transactions are proper and conform with sound accounting principles and meet the standards of the act.

(g) Whether the fees, commissions and other remuneration to be paid in connection with the proposed transactions are for necessary services and are reasonable in amount.

(h) What terms and conditions, if any, with respect to the proposed transactions should be prescribed in the public interest or for the protection of investors and consumers.

It is further ordered, That at said hearing evidence shall be adduced with respect to the foregoing matters and questions.

It is further ordered, That the Secretary of the Commission shall serve a copy of this order by registered mail on Wisconsin Power and Light Company, The Middle West Corporation, the Public Service Commission of Wisconsin and the Federal Power Commission and that notice of said hearing shall be given to all other persons by general release of this Commission which shall be distributed to the press and mailed to the mailing list for releases under the Public Utility Holding Company Act of 1935 and by publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 48-7673; Filed, Aug. 26, 1948; 8:47 a. m.]

[File No. 812-563]

AFFILIATED FUND, INC., ET AL.

NOTICE OF APPLICATION

At a regular session of the Securities and Exchange Commission held at its offices in Washington, D. C., on the 23d day of August A. D. 1948.

In the matter of Affiliated Fund, Inc., American Business Shares, Inc., Union Trusteed Funds, Inc., and Lord, Abbett & Company, Inc., File No. 812-563.

Notice is hereby given that Affiliated Fund, Inc. (herein called "Affiliated"), American Business Shares, Inc. (herein called "American"), and Union Trusteed Funds, Inc. (herein called "Union"), open-end diversified management companies registered under the Investment Company Act of 1940, and Lord, Abbett & Company, Inc. (herein called "Lord Abbett"), the principal underwriter and investment adviser of Affiliated, American and Union, have filed an application pursuant to section 6 (c) of the act for an order exempting from the provisions of section 11 (a) of the act certain proposed transactions by which the holders of capital stock of each of the

above-named investment companies shall be offered the right to convert all or part of such shares into shares of capital stock of any other of such investment companies at such price below the public offering price but in excess of the net asset value of the shares of such other investment company as Lord Abbett, the principal underwriter, from time to time shall determine. The reduced sales load on such conversions, resulting from a conversion price which will be less than the public offering price, will be allowed to the authorized distributors effecting such transactions and no part thereof will be retained by the principal underwriter.

It appears from the application that Affiliated and American, each with a single class of common stock, are fully-managed investment companies, each holding common stocks, preferred stocks, and bonds in proportions which are changed from time to time in accordance with the management's appraisal of the economic outlook. As a matter of policy Affiliated, but not American, borrows money for the purpose of giving "leverage" to its capital stock. As of June 30, 1948, Affiliated had $15,000,000 of borrowed money at an interest rate of 2¼% per annum and had investible assets of $72,343,138.59, and American had net assets of $34,676,529.43.

Union has six classes of capital stock authorized: Union Common Stock Fund; Union Preferred Stock Fund; Union Bond Fund "A"; Union Bond Fund "B"; Union Bond Fund "C"; and Union Fund Special. The assets appertaining to Union Common Stock Fund, except for United States Governments, must be invested only in common stocks. As of June 30, 1948, the net assets appertaining to this class of stock amounted to $1,329,994.42. The assets appertaining to Union Preferred Stock Fund, except for United States Governments, must be invested only in preferred stocks. As of June 30, 1948, the net assets appertaining to this class of stock amounted to $6,667,518.38. The assets appertaining to Union Bond Fund "A" are invested in good grade bonds and may not be invested in preferred or common stocks. As of June 30, 1948, the net assets appertaining to this class of stock amounted to $699,019.36. Shares of this class of stock are not being currently offered to the general public. The assets appertaining to Union Bond Fund "B" are invested in prime, good grade, and speculative bonds and cannot be invested in preferred or common stocks. As of June 30, 1948, the net assets appertaining to this class of stock amounted to $3,371,584.59. The assets appertaining to Union Bond Fund "C" are invested in speculative bonds and cannot be invested in preferred or common stocks. As of June 30, 1948, the net assets appertaining to this class of stock amounted to $1,370,501.46. Shares of this class of stock are not being currently offered to the general public. Union Fund Special, designed for investment in obligations of the United States Government and high grade corporate bonds, has no shares outstanding.

It further appears from the application that Lord Abbett is the principal underwriter for each of the above-named investment companies acting as selling agent under distribution agreements having substantially identical terms, except for sales load which in the case of Affiliated and Union (other than shares of Union Fund Special for which there is no loading charge) is 8.5% of the maximum public offering price and in the case of American 8.6% of the maximum public offering price. Lord Abbett is also the managing corporation and investment adviser of each such company. The cash and securities of each of the above-named investment companies are held in trust by a banking institution under agreements with substantially identical provisions with respect to the deposit and withdrawal of such cash and securities, except in the case of Affiliated which is empowered to pledge its assets with banks to secure borrowings. These companies have identical officers and directors, some of whom are also directors, or officers, or both of Lord Abbett.

For a more detailed statement of the matters of fact and law asserted, all interested persons are referred to said application which is on file in the offices of the Commission in Washington, D. C.

Notice is further given that an order granting the application, in whole or in part and upon such conditions as the Commission may see fit to impose, may be issued by the Commission at any time on or after September 10, 1948, unless prior thereto a hearing upon the application is ordered by the Commission, as provided in Rule N–5 of the rules and regulations promulgated under the act. Any interested person may, not later than September 8, 1948, at 5:30 p. m., submit to the Commission in writing his views or any additional facts bearing upon this application or the desirability of a hearing thereon, or request the Commission in writing that a hearing be held thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street, N. W., Washington 25, D. C., and should state briefly the nature of the interest of the person submitting such information or requesting a hearing, the reasons for such request, and the issues of fact or law raised by the application which he desires to controvert.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 48–7672; Filed, Aug. 26, 1948; 8:47 a. m.]

[File No. 812–562]

BANKERS SECURITIES CORP. AND ALBERT M. GREENFIELD & CO.

NOTICE OF APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 25th day of August A. D. 1948.

Notice is hereby given that Bankers Securities Corporation ("Bankers"), a registered investment company and Albert M. Greenfield & Co. ("Greenfield Company") a real estate brokerage company, both located at No. 1315 Walnut Street, Philadelphia 7, Pennsylvania, have jointly filed an application pursuant to section 6 (c) of the Investment Company Act of 1940 for an order of the Commission exempting from the provisions of section 17 (e) (1) of the act, the receipt by the Greenfield Company of a real estate commission in connection with the purchase by Bankers from Girard Trust Company ("Girard") of certain real estate located at the northeast corner of Eighteenth and Locust Streets, Philadelphia, Pennsylvania.

Girard is the trustee under the Indenture of Mortgage dated September 15, 1924, as amended, covering the presently outstanding $2,558,000 principal amount (exclusive of principal payments) of First Mortgage Bonds secured by the said real estate. Legal title to said real estate was transferred to Girard by Penn A. C. of Philadelphia on January 2, 1942.

Bankers is a closed-end, non-diversified management investment company and is registered under the Investment Company Act of 1940. Bankers owns First Mortgage Bonds secured by said real estate in the principal amount of $220,500 (now reduced by principal payments to $185,691.87). Bankers also owns 2,670 shares of the 400,000 shares of the capital stock of Girard issued and outstanding or approximately 0.6675% of its outstanding voting securities.

Greenfield Company is a duly licensed real estate broker under the laws of Pennsylvania. Greenfield Company is an affiliated person of Albert M. Greenfield, who, in turn, is an affiliated person of Bankers.

On April 26, 1948, Greenfield Company and Richard J. Seltzer ("Seltzer") a non-affiliated real estate broker, negotiated an agreement for the purchase by Bankers of the real estate referred to above for the sum of $1,250,000. For their services in negotiating the purchase of the said real estate, Girard has agreed to pay Greenfield Company and Seltzer, jointly, a real estate commission of 5% on the first $50,000 of the purchase price, 4% on the next $50,000 thereof and 3% of the balance of the purchase price, totaling $39,000, to be divided equally between Greenfield Company and Seltzer. The receipt by the Greenfield Company of such a real estate commission is prohibited by section 17 (e) (1) of the act unless an exemption therefrom is granted by the Commission pursuant to section 6 (c) of the act.

All interested persons are referred to said application which is on file at the Washington, D. C. office of this Commission for a more detailed statement of the matters of fact and law therein asserted.

Notice is further given that an order granting the application may be issued by the Commission at any time after September 3, 1948 unless prior thereto a hearing on the application is ordered by the Commission as provided in Rule N-5 of the rules and regulations promulgated under the act.

Any interested person may, not later than September 1, 1948, at 5:30 p. m., eastern daylight saving time, submit in writing to the Commission his views or

any additional fact bearing upon the application or the desirability of a hearing thereon or request the Commission, in writing, that a hearing be held thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C., and should state briefly the nature of the interest of the person submitting such information or requesting a hearing, the reasons for such request, and the issues of fact or law raised by the application which he desires to controvert.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 48-7719; Filed, Aug. 26, 1948; 8:59 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 11833]

EMMA BAHNSEN ET AL.

In re: Real property, bond and mortgage, property insurance policies and claim owned by Emma Bahnsen, Anna Blunck, Adolf Blunck, Werner Blunck and Anita Suhr.

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 Emma Bahnsen, Anna Blunck, Adolf Blunck, Werner Blunck and Anita Suhr, whose last known addresses are Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the property described as follows:

a. Real property, situated in the City of Trenton, County of Mercer, State of New Jersey, particularly described in Exhibits A and B, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments, arising from the ownership of such property,

b. A mortgage, executed on May 13, 1924, by Louis Schweizer and Ida Schweizer, his wife, to Henry C. Blunck and Minnie R. Blunck, and recorded on May 13, 1924, in the Office of the County Clerk of Mercer County, New Jersey, in Liber 368 of Mortgages, at page 340, and any and all obligations secured by said mortgage including but not limited to all security rights in and to any and all collateral (including the aforesaid mortgage) for any and all such obligations, and the right to enforce and collect such obligations, and the right to possession of any and all notes, bonds and other instruments evidencing such obligations,

c. All right, title and interest of the persons named in subparagraph 1 hereof, in and to the following property insurance policies: Fire Insurance Policy No. D-22263, issued by Standard Fire Insurance Company of New Jersey, Trenton, New Jersey, in the amount of $6,000, which policy insures the property situated at No. 138 North Willow Street, Trenton, New Jersey, and expires January 22, 1950. Fire Insurance Policy No. D-6047, issued by Standard Fire Insurance Company of New Jersey, Trenton, New Jersey, in the amount of $6,000, which policy insures the property situated at No. 70 Laurel Avenue, Trenton, New Jersey, and expires February 3, 1950.

d. That certain debt or other obligation, owing to the persons named in subparagraph 1 hereof, by Walter Coutier, No. 70 Laurel Avenue, Trenton, New Jersey, arising from rents owing and collected from the real property described in subparagraph 2-a hereof, and any and all rights to demand, enforce and collect the same.

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany);

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 (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 subparagraph 2-a hereof, subject to the mortgage referred to in subparagraph 2-b hereof and recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and

There is hereby vested in the Attorney General of the United States the property described in subparagraph 2-b to 2-d hereof, inclusive.

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 August 18, 1948.

For the Attorney General.

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

EXHIBIT A

All that certain lot of land and premises situate in the City of Trenton, County of Mercer, State of New Jersey, bounded and described as follows, to wit:

Beginning on the Easterly side of North Willow Street at a point distant 68 feet Southerly from Bank Street said point being opposite the middle of the partition wall dividing the house on the lot hereby conveyed from the house adjoining on the South and runs thence (1) Easterly at right angles to North Willow Street and through the middle of said partition wall 82 feet more or less to the rear line of lots fronting on Barnes Street; thence (2) Northerly and parallel with North Willow Street 18 feet to the Southeasterly corner of a lot of land recently conveyed to James Murphy by Mary Ayres Blackfair; thence (3) Westerly along the Southerly line of said James Murphy's lot 82 feet more or less to North Willow Street, and thence (4) Southerly along that street 18 feet to the place of beginning.

EXHIBIT B

All that certain lot, tract or parcel of land, and premises, hereinafter particularly described, situate, lying and being in the City of Trenton, County of Mercer and State of New Jersey, known as No. 70 Laurel Avenue, bounded and described as follows, to wit:

Beginning at the intersection of the Southeasterly line of Laurel Avenue with the Northeasterly line of Volk Street, and running thence (1) Northeasterly along said line of Laurel Avenue 21.92 feet to a point in range with the Northeasterly face of the house on the property herein described; thence (2) Southeasterly at right angles to the said line of Laurel Avenue and passing to and along the Northeasterly face of the house above-mentioned and continuing the same course beyond, 100 feet to a point; thence (3) Southwesterly and parallel with the Southeasterly line of Laurel Avenue 21.92 feet to a point in the Northeasterly line of Volk Street, and thence (4) Northwesterly along the said line of Volk Street 100 feet to the place of beginning.

Together with the right perpetually to maintain a portion of the roof and gutters of the house on said premises above the adjoining land on the Northeasterly side thereof as at the present constructed, and to enter upon said lands whenever necessary for the purpose of making repairs to the same or to the Northeasterly wall of said house.

[F. R. Doc. 48-7693; Filed, Aug. 26, 1948; 8:50 a. m.]

[Return Order 166]

MARCEL DEL DRAGO

Having considered the claim set forth below and having issued a Determination allowing the claim, which is incorporated by reference herein and filed herewith,

It is ordered, That the claimed property, described below and in the Determination, be returned, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant and Claim Number; Notice of Intention to Return Published; Property

Marcel Del Drago, 40 Via Nicola Martelli, Rome, Italy, Claim No. 9360; July 15, 1948 (13 F. R. 4032); $35,610.86 in the Treasury of the United States. All right, title, interest and claim of any kind or character whatsoever of Marcel Del Drago in and to the trust created under Paragraph Eighth of the will of Josephine Del Drago, deceased; Trustee: Corn Exchange Bank Trust Company, New York, New York.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on August 23, 1948.

For the Attorney General.

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

[F. R. Doc. 48-7694; Filed, Aug. 26, 1948; 8:50 a. m.]

[Return Order 173]

COMPAGNIE ELECTRO-MECANIQUE

Having considered the claim set forth below and having issued a Determination allowing the claim which is incorporated by reference herein and filed herewith,

It is ordered, That the claimed property, described below and in the Determination, including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, be returned after adequate provision for taxes and conservatory expenses:

Claimant and Claim Number; Notice of Intention to Return Published; Property

Compagnie Electro-Mecanique, Paris, France, 28174; July 15, 1948 (13 F. R. 4032); Property described in Vesting Order No. 666 (8 F. R. 5047, April 17, 1943), relating to United States Letters Patent No. 2,149,510. This return shall not be deemed to include the rights of any licensees under the above patent.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on August 20, 1948.

For the Attorney General.

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

[F. R. Doc. 48-7695; Filed, Aug. 26, 1948; 8:50 a. m.]

HOPE MACMICHAEL GARIBALDI

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of the publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant; Claim No.; Property and Location

Hope MacMichael Garibaldi, 9 Viale Rossini, Rome, Italy; 31821; $33,170.10 in the Treasury of the United States. All right, title, interest and claim of any kind or character whatsoever of Hope MacMichael Garibaldi in and to a trust created under the will of Morton MacMichael, deceased.

Executed at Washington, D. C., on August 20, 1948.

For the Attorney General.

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

[F. R. Doc. 48-7696; Filed, Aug. 26, 1948; 8:50 a. m.]

JOSEPH W. HEILER

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of the publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant; Claim No.; Property and Location

Joseph W. Heiler, Portland, Oregon; 2955; Real property situated in the City of Portland, County of Multnomah, Oregon, particularly described as Lots 1 and 2, Block 61 Stephens Addition to East Portland, Except portions thereof which have been taken for the widening of Grand Avenue, now SE Grand Avenue, and Hawthorne Avenue, now SE Hawthorne Boulevard, together with all fixtures, improvements and appurtenances thereto. $253.13 in the Treasury of the United States.

Executed at Washington, D. C., on August 20, 1948.

For the Attorney General.

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

[F. R. Doc. 48-7697; Filed, Aug. 26, 1948; 8:50 a. m.]

HELLA HILDE HEYMAN

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of the publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant; Claim No.; Property and Location

Hella Hilde Heyman, New York, New York; 6814; $23,913.53 in the Treasury of the United States.

Executed at Washington, D. C., on August 20, 1948.

For the Attorney General.

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

[F. R. Doc. 48-7698; Filed, Aug. 26, 1948; 8:50 a. m.]

ALEX HIRSCHBERG

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of the publication hereof, the following property located in Washington, D. C., including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after adequate provision for taxes and conservatory expenses:

Claimant; Claim No.; Property

Alex Hirschberg, London, England; 4788 and A-425; Property described in Vesting Order No. 201, dated October 2, 1942 (8 F. R. 625, January 16, 1943) relating to United States Letters Patent Nos. 2,045,905; 2,219,866.

Executed at Washington, D. C., on August 20, 1948.

For the Attorney General.

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

[F. R. Doc. 48-7699; Filed, Aug. 26, 1947; 8:51 a. m.]

KURT ROTHSCHILD

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of the publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant; Claim No.; Property and Location

Kurt Rothschild, Flushing, Long Island, New York; 7553; $6,352.39 in the Treasury of the United States.

Executed at Washington, D. C., on August 20, 1948.

For the Attorney General.

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

[F. R. Doc. 48-7700; Filed, Aug. 26, 1948; 8:51 a. m.]