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TITLE 15—COMMERCE AND FOREIGN TRADE

Chapter III—Bureau of Foreign and Domestic Commerce, Department of Commerce

[3d Gen. Rev. of Export Regs., Amdt. 48]

PART 372—GENERAL LICENSES

PART 381—LICENSES FOR MULTIPLE SHIPMENTS OF GIFT PARCELS

MISCELLANEOUS AMENDMENTS

1. Section 372.21 *General license for gift parcels* is amended to read as follows:

§ 372.21 *General license for gift parcels*—(a) *General license.* There is hereby established a general license authorizing the exportation of gift parcels as defined in paragraph (b) of this section, via mail, express, or freight, addressed to individuals (other than prisoners of war) in all foreign destinations: *Provided,* That such exportations are made in accordance with the following provisions of this section.

(b) *Definition.* For the purpose of this general license a gift parcel is defined as a parcel containing commodities to be sent free of cost to the person ultimately receiving them and must be for the personal use of the addressee or his immediate family.

(c) *Commodity, weight, and other limitations*—(1) *Parcel post.* Gift parcels mailed by parcel post shall conform to the applicable Post Office regulations as to size, weight, and permissible contents.

(2) *Weight limitations.* The weight of each gift parcel sent under this general license shall not exceed forty-four (44) pounds.

(3) *Commodity limitations.* The commodities which may be included in each gift parcel sent under this general license are limited to those items which are normally sent as gifts, such as food, clothing, medicinals, and drugs, and are restricted as follows:

(i) Not more than three (3) pounds of meat.

(ii) Not more than five dollars ($5.00) combined total domestic retail value of all medicinals and drugs.

(4) *Other limitations.* Not more than one gift parcel may be sent by the same donor to the same donee in any one calendar week.

(d) *General license designation.* All gift parcels presented for shipment under this general license must be individually addressed and the words "Gift Parcel" shall be written on the addressee side of the package and also entered on any required Customs declaration.

(e) *Special provisions for shipments of multiple gift parcels.* Shippers of multiple gift parcels under the provisions of this general license must prepare the shipper's export declaration in quadruplicate. The fourth copy must be signed and sworn to before a notary public, or other person authorized to administer oaths, and must be accompanied by either (1) copies of orders (or receipts issued to donors) covering the packages included in the shipment, or (2) an alphabetized list of donors and donees, in accordance with the following provisions:

(1) If copies of orders are furnished:

(i) Each order must contain the names and complete residence addresses of the donor and donee, date of order and commodities ordered, including quantity and price. The orders must be alphabetically arranged according to donor's surname and securely fastened together. The donors named must be residents of the United States.

(ii) The following statement must be typed across the last lines of columns 9 through 15 of the shipper's export declaration:

This declaration consists of this form and ____ copies of donor orders to be shipped under this declaration.

(2) If a donor-donee list is appended:

(i) The list must contain the names and complete residence addresses of the donors and donees, alphabetically arranged according to donor's surnames; and must also show the date on which the donor placed the order for the gift parcel. All donors named therein must be residents of the United States.

(ii) The following statement must be typed across the last line of columns 9 through 15 of the shipper's export declaration:

This declaration consists of this form and the attached ____ page list of donors and donees whose orders are to be shipped under this declaration.

(iii) Shippers submitting lists of donors and donees must have on file and

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CODIFICATION GUIDE

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

CODIFICATION GUIDE—Con.

keep for a period of three years from the date of shipment, copies of the orders or receipts from each donor named in the donor-donee list covering each parcel included in the shipment. These records must be made available for inspection by representatives of the Office of International Trade upon request.

(3) Shippers must show on the shipper's export declaration the specific Schedule B number established for the commodities and the total amount of each item to be shipped.

(4) When clearing shipments for export, the fourth copy of the shipper's export declaration, accompanied by either the appended compilation of orders as in subparagraph (1) of this paragraph or the donor-donee list as in subparagraph (2) of this paragraph, must be presented to the collector of customs who will forward it to the Office of International Trade.

(5) Shippers of multiple gift parcels under the provisions of this general license from individual donors may make the exportation directly or through a forwarding agent. Where the shipper-seller of multiple gift parcels employs a forwarding agent to effect exportation, such forwarding agent must be duly designated by the shipper. In no event, however, shall a power of attorney or letter of authorization be required from the individual donor. (Sec. 6, 54 Stat. 714, 55 Stat. 206, 56 Stat. 463, 58 Stat. 671, 59 Stat. 270, 60 Stat. 215, 61 Stat. 214, 61 Stat. 321; Pub. Law 395, 80th Cong.; 50 U. S. C. App. and Sup. 701, 702; E. O. 9630, Sept. 27, 1945, 10 F. R. 12245; E. O. 9919, Jan. 3, 1948, 13 F. R. 59)

2. Part 381, Licenses for Multiple Shipments of Gift Parcels, is amended to read as follows:

PART 381—LICENSES FOR MULTIPLE SHIPMENTS OF GIFT PARCELS

Sec.
381.1 Multiple shipments of gift parcels.
381.2 Definition of "gift parcel."
381.3 Application requirements.
381.4 Shipments of Non-Positive List commodities to Group 0 destinations.
381.5 Other applicable provisions.

AUTHORITY: §§ 381.1 to 381.5 issued under sec. 6, 54 Stat. 714, 55 Stat. 206, 56 Stat. 463, 58 Stat. 671, 59 Stat. 270, 60 Stat. 215, 61 Stat. 214, 61 Stat. 321; Pub. Law 395, 80th Cong.; 50 U. S. C. App. and Sup. 701, 702; E. O. 9630, Sept. 27, 1945, 10 F. R. 12245; E. O. 9919, Jan. 3, 1948, 13 F. R. 59.

§ 381.1 *Multiple shipments of gift parcels*—(a) *General provisions.* There is hereby established a procedure whereby applications may be made for licenses to export multiple gift parcels, in a single shipment, through an intermediate con-

signee for delivery to individuals residing in a single foreign destination: *Provided,* The total weight of each individual parcel exceeds 44 pounds. This procedure is applicable only where the total value of the combined shipments exceed the GLV dollar-value limits specified for both Positive List and Non-Positive List commodities, but where the contents of each individual parcel do not exceed such specified limits.

(b) *Type of package.* With the exception of 100-pound sacks of flour, this procedure is limited to packages packed and addressed to the donee by the donor. The applicant, therefore, must certify on the application that it covers this type of package only as follows:

This application covers ____ (prepacked parcels containing flour only; or home-packed parcels).[1]

(c) *Commodity limitations.* (1) Not more than 100 pounds of flour, 25 pounds of rice, and 3 pounds of meat may be included in an individual parcel.

(2) Each gift parcel must contain at least two different commodities, except in the case of gift shipments of flour or clothing, both of which may be sent unaccompanied by other commodities.

§ 381.2 *Definition of "gift parcel".* The term "gift parcel" as used in this part means a parcel containing commodities to be sent free of cost to the person ultimately receiving them and must be for the personal use of the addressee or his immediate family.

§ 381.3 *Application requirements.* (a) Applicants desiring to export multiple gift parcels under this procedure shall submit individual license applications covering all Positive List commodities, if shipment is to be made to a Country Group O destination, and all Positive List and Non-Positive List commodities, if shipment is to be made to a Country Group R destination, in accordance with the procedure set forth below.

(b) Separate applications must be submitted for each country of destination to which multiple gift shipments are to be made and must be accompanied by either (1) copies of orders (or receipts issued to donors) covering the packages included in the proposed shipment, or (2) a list, in duplicate, of the donor and donees, in the following manner:

(1) If copies of orders are furnished:

(i) Each order must contain the names and complete residence addresses of the donor and donee, date of order and commodities covered in the order, including quantity and price. The orders must be alphabetically arranged according to donor's surname, and securely fastened together. The donors named must be residents of the United States.

(ii) The following statement must be typed in item 9 of Form IT–419:

This application consists of this form and ____ copies of donor orders to be shipped against this license.

(2) If donor-donee list is appended:

(i) The list must contain the names and complete residence addresses of the donors and donees, alphabetically arranged according to donors' surnames; and must also show the date on which the donor placed the order for the gift parcel. All donors named therein must be residents of the United States.

(ii) The following statement must be typed in item 9 of Form IT–419:

This application consists of this form and the attached ____ page list of donors and donees whose orders are to be shipped under this license.

(iii) Except for flour parcels, the contents must be listed opposite the name of the donor.

(iv) Applicants must have on file and keep for a period of three years from the date of filing the application, copies of the orders or receipts from each donor named on the donor-donee list covering each parcel included in the shipment. These records must be made available for inspection by representatives of the Office of International Trade upon request.

(c) License applications must be submitted on form IT–419, accompanied by acknowledgment card, form IT–116, and must include the following:

(1) Under item 6 (a), the name of the applicant who is acting as forwarding agent;

(2) Under item 6 (b), the words "See attached list of donors";

(3) Under item 7 (a), the words "See attached list of donees";

(4) Under item 7 (b), the name of the intermediate consignee in the foreign country;

(5) Under item 9, a complete description of the proposed shipment including the following:

(i) The total number of gift parcels to be shipped;

(ii) The number and description of the shipping containers, i. e., bags, boxes, barrels, etc.;

(iii) The specific Schedule B numbers established for the commodities;

(iv) Total quantity, in terms of Schedule B units, of each commodity; where unit of weight is not given, dollar value should be given;

(v) The processing code "GIFT".

§ 381.4 *Shipments of Non-Positive List commodities to Group O destinations.* Non-Positive List commodities which are included in gift parcels to be shipped to a Group O country need not be listed on an export license application under this procedure.

§ 381.5 *Other applicable provisions.* Insofar as consistent with the provisions of this part, all of the provisions of Parts 370 to 399 of this chapter shall apply equally to applications for and licenses issued under this part.

This amendment shall become effective February 15, 1949.

Dated: February 28, 1949.

FRANCIS MCINTYRE,
Assistant Director,
Office of International Trade.

[F. R. Doc. 49–1623; Filed, Mar. 3, 1949; 8:48 a. m.]

[1] Include in the certification that portion of bracketed description which is applicable to the proposed shipment.

TITLE 24—HOUSING AND HOUSING CREDIT

Chapter II—Federal Housing Administration, Housing and Home Finance Agency

Subchapter D—Multifamily Rental Housing Insurance

PART 232—MULTIFAMILY INSURANCE; ELIGIBILITY REQUIREMENTS OF MORTGAGE COVERING MULTIFAMILY HOUSING

ELIGIBILITY OF PROPERTY

Section 232.22 is amended to read as follows:

§ 232.22 *Eligibility of property.* A mortgage to be eligible for insurance must be on real estate held in fee simple, or on the interest of the lessee (a) under a lease for not less than ninety-nine (99) years which is renewable or (b) under a lease having a period of not less than seventy-five (75) years to run from the date the mortgage is executed, or (c) under a lease executed by a governmental agency for the maximum term consistent with its legal authority, provided such lease has a period of not less than fifty (50) years to run from the date the mortgage is executed. (Sec. 3, 52 Stat. 23; 12 U. S. C. 1715b)

Issued at Washington, D. C., this 1st day of March 1949.

FRANKLIN D. RICHARDS,
Federal Housing Commissioner.

[F. R. Doc. 49–1626; Filed, Mar. 3, 1949; 8:52 a. m.]

Subchapter I—War Rental Housing Insurance

PART 280—MULTIFAMILY WAR HOUSING INSURANCE; ELIGIBILITY REQUIREMENTS OF MORTGAGE COVERING MULTIFAMILY RENTAL HOUSING

ELIGIBILITY OF PROPERTY

Section 280.33 is amended to read as follows:

§ 280.33 *Eligibility of property.* A mortgage to be eligible for insurance must be on real estate held in fee simple, or on the interest of the lessee (a) under a lease for not less than ninety-nine (99) years which is renewable or (b) under a lease having a period of not less than seventy-five (75) years to run from the date the mortgage is executed, or (c) under a lease executed by a governmental agency for the maximum term consistent with its legal authority, provided such lease has a period of not less than fifty (50) years to run from the date the mortgage is executed. (Sec. 1, 55 Stat. 61; 12 U. S. C. 1742)

Issued at Washington, D. C., this 1st day of March 1949.

FRANKLIN D. RICHARDS,
Federal Housing Commissioner.

[F. R. Doc. 49–1625; Filed, Mar. 3, 1949; 8:51 a. m.]

Chapter VIII—Office of the Housing Expediter

[Controlled Rooms in Rooming Houses and Other Establishments, Miami Defense-Rental Area,[1] Amdt. 10]

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

RENT REGULATION FOR CONTROLLED ROOMS IN ROOMING HOUSES AND OTHER ESTABLISHMENTS IN MIAMI DEFENSE-RENTAL AREA

The Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments in Miami Defense-Rental Area (§§ 825.121 to 825.132) is hereby amended in the following respect:

Section 825.121 (a) is changed to read as follows:

(a) *Housing and defense-rental area to which §§ 825.121 to 825.132, apply.* Sections 825.121 to 825.132, apply to all housing accommodations in the Miami Defense-Rental Area, except as provided in § 825.121 (b). The Miami Defense-Rental Area consists of the County of Dade, in the State of Florida, except the municipalities of Miami Beach, Surfside, Bal Harbour and Bay Harbor Island. The Miami Defense-Rental Area is referred to hereinafter in §§ 825.121 to 825.132, as the "Defense-Rental Area".

This amendment decontrols from §§ 825.121 to 825.132 the municipalities of Miami Beach, Surfside, Bal Harbour and Bay Harbor Island in Dade County, Florida; and the municipalities of Hollywood and Hallandale in Broward County, Florida, as they were constituted on the effective date of Federal rent control in the Miami, Florida, Defense-Rental Area.

(Sec. 204 (d), 61 Stat. 197, as amended by 62 Stat. 37 and by 62 Stat. 94; 50 U. S. C. App. 1894 (d). Applies sec. 204 (e), 61 Stat. 197, as amended by 62 Stat. 37 and by 62 Stat. 94; 50 U. S. C. App. 1894 (e))

This amendment shall become effective as of February 16, 1949.

Issued this 1st day of March 1949.

TIGHE E. WOODS,
Housing Expediter.

Statement To Accompany Amendment 10 to the Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments for Miami Defense-Rental Area

The Local Advisory Board for the Miami Defense-Rental Area, State of Florida, made a recommendation, in accordance with section 204 (e) (1) (A) of the Housing and Rent Act of 1947, as amended, for the decontrol of certain portions of said Defense-Rental Area, namely, the municipalities of Miami Beach, Surfside, Bal Harbour, and Bay Harbor Island in Dade County, Florida, and the municipalities of Hollywood and Hallandale in Broward County, Florida. The Housing Expediter disapproved this recommendation on the ground that it was not appropriately substantiated and in accordance with applicable law and regulations.

Pursuant to section 204 (e) (4) of the Housing and Rent Act of 1947, as amended, the Housing Expediter filed the recommendation of the Local Advisory Board, together with other related documents, with the Emergency Court of Appeals. On February 16, 1949, the Emergency Court of Appeals entered an order approving the recommendation of the Local Advisory Board.

Accordingly, this amendment is being issued, effective as of February 16, 1949, to effectuate the recommendation of the Local Advisory Board as approved by the Emergency Court of Appeals.

[F. R. Doc. 49–1630; Filed, Mar. 3, 1949; 8:53 a. m.]

[Controlled Housing Rent Reg., Miami Defense-Rental Area,[1] Amdt. 13]

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

CONTROLLED HOUSING RENT REGULATION FOR MIAMI DEFENSE-RENTAL AREA

The Controlled Housing Rent Regulation for Miami Defense-Rental Area (§§ 825.41 to 825.52) is amended in the following respects:

1. The definition of "effective date of regulation" contained in § 825.41 is changed so as to delete therefrom the clause relating to the City of Hollywood and the Town of Hallandale in the county of Broward, State of Florida. Said definition, as hereby amended, shall read as follows:

"Effective date of regulation" means November 1, 1943, the effective date of all provisions of the Rent Regulation for Housing, issued pursuant to the Emergency Price Control Act of 1942, as amended, except as to section 7 of that regulation which became effective October 1, 1943 in the County of Dade, State of Florida.

2. Section 825.41 (a) is changed to read as follows:

(a) *Housing and defense-rental area to which §§ 825.41 to 825.52 apply.* Sections 825.41 to 825.52, inclusive, apply to all housing accommodations in the Miami Defense-Rental Area, except as provided in § 825.41 (b). The Miami Defense-Rental Area consists of the County of Dade, in the State of Florida, except the municipalities of Miami Beach, Surfside, Bal Harbour and Bay Harbor Island. The Miami Defense-Rental Area is referred to hereinafter in §§ 825.41 to 825.52, as the "Defense-Rental Area".

This amendment decontrols from §§ 825.41 to 825.52 the municipalities of Miami Beach, Surfside, Bal Harbour and Bay Harbor Island in Dade County, Florida; and the municipalities of Hollywood and Hallandale in Broward County, Florida, as they were constituted on the effective date of Federal rent control in the Miami, Florida, Defense-Rental Area.

(Sec. 204 (d), 61 Stat. 197, as amended by 62 Stat. 37 and by 62 Stat. 94; 50 U. S. C. App. 1894 (d). Applies sec. 204 (e), 61 Stat. 197, as amended by 62 Stat. 37 and by 62 Stat. 94; 50 U. S. C. App. 1894 (e))

This amendment shall become effective as of February 16, 1949.

Issued this 1st day of March 1949.

TIGHE E. WOODS,
Housing Expediter.

Statement To Accompany Amendment 13 to the Controlled Housing Rent Regulation for Miami Defense-Rental Area

The Local Advisory Board for the Miami Defense-Rental Area, State of Florida, made a recommendation, in accordance with section 204 (e) (1) (A) of the Housing and Rent Act of 1947, as amended, for the decontrol of certain portions of said Defense-Rental Area, namely, the municipalities of Miami Beach, Surfside, Bal Harbour, and Bay Harbor Island in Dade County, Florida, and the municipalities of Hollywood and Hallandale in Broward County, Florida. The Housing Expediter disapproved this recommendation on the ground that it was not appropriately substantiated and in accordance with applicable law and regulations.

Pursuant to section 204 (e) (4) of the Housing and Rent Act of 1947, as amended, the Housing Expediter filed the recommendation of the Local Advisory Board, together with other related documents, with the Emergency Court of Appeals. On February 16, 1949, the Emergency Court of Appeals entered an order approving the recommendation of the Local Advisory Board.

Accordingly, this amendment is being issued, effective as of February 16, 1949, to effectuate the recommendation of the Local Advisory Board as approved by the Emergency Court of Appeals.

[F. R. Doc. 49–1629; Filed, Mar. 3, 1949; 8:53 a. m.]

[Controlled Rooms in Rooming Houses and Other Establishments Rent Reg.,[1] Amdt. 68]

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

RENT REGULATION FOR CONTROLLED ROOMS IN ROOMING HOUSES AND OTHER ESTABLISHMENTS

The Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments (§§ 825.81 to 825.92) is hereby amended in the following respect:

Schedule A, item 55c, is amended to describe the counties in the Defense-Rental Area as follows:

[1] 13 F. R. 5777, 8392; 14 F. R. 20.

[1] 13 F. R. 5735, 6246, 8389; 14 F. R. 20, 93, 145.

[1] 13 F. R. 5750, 5789, 5875, 5937, 5938, 6247, 6283, 6411, 6556, 6882, 6911, 7299, 7672, 7801, 7862, 8218, 8328, 8388, 14 F. R. 18, 272, 337, 457, 627, 337, 457, 627, 682, 695.

Broward County except the City of Hollywood and the Town of Hallandale as constituted on February 16, 1949.

This decontrols from §§ 825.81 to 825.92 those portions of Broward County, Florida, which were added to the municipalities of Hollywood and Hallandale in said County subsequent to October 1, 1944 (the effective date of Federal rent control in the Fort Lauderdale, Florida, Defense-Rental Area) and which have been part of the Fort Lauderdale Defense-Rental Area.

(Sec. 204 (d), 61 Stat. 197, as amended by 62 Stat. 37 and by 62 Stat. 94; 50 U. S. C. App. 1894 (d). Applies sec. 204 (c), 61 Stat. 197, as amended by 62 Stat. 37 and by 62 Stat. 94; 50 U. S. C. App. 1894 (c))

This amendment shall be come effective as of February 16, 1949.

Issued this 1st day of March 1949.

TIGHE E. WOODS,
Housing Expediter.

Statement To Accompany Amendment 68 to the Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments

It is the judgment of the Housing Expediter that the need for continuing maximum rents in those portions of the municipalities of Hollywood and Hallandale, Broward County, Florida, which are located in the Fort Lauderdale, Florida, Defense-Rental Area, no longer exists due to the fact that the demand for rental housing accommodations has been reasonably met.

This amendment is, therefore, being issued to decontrol said portions of Hollywood and Hallandale, in accordance with section 204 (c) of the Housing and Rent Act of 1947, as amended.

[F. R. Doc. 49-1628; Filed, Mar. 3, 1949; 8:52 a. m.]

[Controlled Housing Rent Reg.,[1] Amdt. 70]

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

CONTROLLED HOUSING RENT REGULATION

The Controlled Housing Rent Regulation (§§ 825.1 to 825.12) is amended in the following respect:

Schedule A, item 55c, is amended to describe the counties in the Defense-Rental Area as follows:

Broward County except the City of Hollywood and the Town of Hallandale as constituted on February 16, 1949.

This decontrols from §§ 825.1 to 825.12 those portions of Broward County, Florida, which were added to the municipalities of Hollywood and Hallandale in said County subsequent to October 1, 1944 (the effective date of Federal rent control in the Fort Lauderdale, Florida, Defense-Rental Area) and which have been part of the Fort Lauderdale Defense-Rental Area.

[1] 13 F. R. 5706, 5788, 5877, 5937, 6246, 6283, 6411, 6556, 6881, 6910, 7299, 7671, 7801, 7862, 8217, 8327, 8386; 14 F. R. 17, 93, 143, 271, 337, 456, 627, 682, 695, 856.

(Sec. 204 (d), 61 Stat. 197, as amended by 62 Stat. 37 and by 62 Stat. 94; 50 U. S. C. App. 1894 (d). Applies sec. 204 (c), 61 Stat. 197, as amended by 62 Stat. 37 and by 62 Stat. 94; 50 U. S. C. App. 1894 (c))

This amendment shall become effective as of February 16, 1949.

Issued this 1st day of March 1949.

TIGHE E. WOODS,
Housing Expediter.

Statement To Accompany Amendment 70 to the Controlled Housing Rent Regulation

It is the judgment of the Housing Expediter that the need for continuing maximum rents in those portions of the municipalities of Hollywood and Hallandale, Broward County, Florida, which are located in the Fort Lauderdale, Florida, Defense-Rental Area, no longer exists due to the fact that the demand for rental housing accommodations has been reasonably met.

This amendment is, therefore, being issued to decontrol said portions of Hollywood and Hallandale, in accordance with section 204 (c) of the Housing and Rent Act of 1947, as amended.

[F. R. Doc. 49-1627; Filed, Mar. 3, 1949; 8:52 a. m.]

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter II—Fiscal Service, Department of the Treasury

Subchapter B—Bureau of the Public Debt

[1949, 5th Amdt. to Dept. Circ. 530, 6th Rev., Dated Feb. 13, 1945]

PART 315—REGULATIONS GOVERNING SAVINGS BONDS

MISCELLANEOUS AMENDMENTS

FEBRUARY 21, 1949.

Pursuant to section 22 (a) of the Second Liberty Act, as amended (55 Stat. 7, 31 U. S. C. 757c), Department Circular No. 530, Sixth Revision, dated February 13, 1945 (31 CFR 1945 Supp., 315), as amended, §§ 315.9 (d) (4), 315.45 (b) (1), and 315.47 (c) (of Subparts C, L, and N, respectively) are hereby further amended to read as follows:

§ 315.9 *Calculation of amount.* * * *

(d) * * *

(4) With respect to bonds of Series E, those purchased with the proceeds of matured bonds of Series A, Series C–1938 and D–1939, where such matured bonds are presented by an individual (natural person in his own right) owner or coowner for that purpose and the Series E bonds are registered in his name in any form of registration authorized for that series.

§ 315.45 *Payment or reissue.* * * *

(b) *Reissue during the lives of both coowners.* * * *

(1) If one of the coowners is married after the issue of the bond, the bond may be reissued in the name of either coowner, alone or with a new coowner or a beneficiary. Requests for reissue under this provision should be made on Form PD 1938.

§ 315.47 *Payment or reissue on death of owner.* * * *

(c) *Without administration.* When it appears that no legal representative of the decedent's estate has been or is to be appointed the bond will be paid to or reissued in the name of the person or persons entitled pursuant to an agreement and request by all persons entitled to share in the decedent's estate in accordance with the provisions of the form prescribed by the Treasury Department, which should be duly executed in accordance with the instructions thereon. A short form for settlement without administration (Form PD 1946) is prescribed for cases in which the amount of savings bonds belonging to the decedent's estate is not in excess of $500 (maturity value). A longer form is prescribed for other cases of settlement without administration. Application for the appropriate form to be used hereunder may be made to any Federal Reserve Bank or to the Treasury Department, Division of Loans and Currency, Merchandise Mart, Chicago 54, Illinois. The applicant should state whether or not the amount of savings bonds belonging to the decedent's estate is in excess of $500 (maturity value). If any of the persons are minors or incompetents, payment or reissue of the bond will be permitted without administration, except to them or in their names unless their interests are otherwise protected to the satisfaction of the Secretary of the Treasury.

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 and unnecessary with respect to these regulations. They enlarge the rights of holders of United States Savings Bonds.

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

[F. R. Doc. 49-1640; Filed, Mar. 3, 1949; 8:55 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

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

[Circular 1722, Amdt. 1]

PART 196—PHOSPHATE LEASES AND USE PERMITS

PHOSPHATE LEASES

That part of the second sentence of § 196.13 which reads "if a lease applicant by § 196.7 (b), (c), (g) and (h)," is amended to read "of a lease applicant by § 196.7 (b), (c), (f) and (g)."

(Sec. 9–12, 52, 41 Stat. 440, 441, 450; 30 U. S. C. 189, 211–214)

ROSCOE E. BELL,
Associate Director.

Approved: February 25, 1949.

OSCAR L. CHAPMAN,
Under Secretary of the Interior.

[F. R. Doc. 49-1621; Filed, Mar. 3, 1949; 8:47 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF THE TREASURY

Bureau of Internal Revenue

[26 CFR, Part 182]

INDUSTRIAL ALCOHOL

NOTICE OF PROPOSED RULE MAKING

A notice is hereby given, pursuant to the Administrative Procedure Act, approved June 11, 1946, that the regulations set forth in tentative form below are proposed to be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury. Prior to the final adoption of such regulations, consideration will be given to any data, views, or arguments pertaining thereto, which are submitted in writing, in duplicate, to the Commissioner of Internal Revenue, Washington 25, D. C., within the period of 30 days from the date of this notice in the FEDERAL REGISTER. The proposed regulations are to be issued under the authority of sections 2800, 2808, 2810, 2815, 2823, 2829, 3070, 3073, 3101, 3103, 3105, 3107, 3108, 3112, 3113, 3114, 3124, 3176, and 3300, Internal Revenue Code (26 U. S. C. 2800, 2808, 2810, 2815, 2823, 2829, 3070, 3073, 3101, 3103, 3105, 3107, 3108, 3112, 3113, 3114, 3124, 3176, and 3300).

[SEAL] FRED S. MARTIN,
Acting Commissioner of Internal Revenue.

1. Sections 182.12, 182.13, 182.14, 182.18, 182.19, 182.44 (first paragraph), 182.49 (first paragraph), 182.57, 182.59, 182.63, 182.72, 182.73, 182.74 (first paragraph), 182.80, 182.99, 182.110, 182.113, 182.114, 182.121, 182.122 (first paragraph), 182.149, 182.151, 182.153, 182.155, 182.160, 182.165 (b), 182.168, 182.181, 182.207, 182.208, 182.210, 182.212, 182.217, 182.218, 182.219, 182.262 (a) (3), 182.269, 182.270, 182.272, 182.278 (a) (3), (b) (3), 182.284, 182.286 (b), 182.297, 182.329, 182.356, 182.432, 182.478, 182.502, 182.519 (b), 182.527 (a), (c), 182.539, 182.540, 182.541, 182.634, 182.635, 182.657, 182.665, 182.666, 182.691, 182.728 (first paragraph), 182.773, 182.774, 182.780, 182.815, 182.816, 182.855 (a) (4), (b), 182.868, 182.870, 182.874 (b), and 182.895 of Regulations 3 (26 CFR, Part 182), relating to Industrial Alcohol, are amended; §§ 182.15a and 182.868a are added to such regulations; and §§ 182.211, 182.303, and 182.433 of such regulations are revoked.

2. These amendments are designed to simplify requirements dealing with equipment, plant facilities, construction and premises, the preparation and filing of qualifying documents, indemnity bonds required for the removal of equipment, the registration of stills and losses of alcohol, and to prescribe other provisions of a corrective or clarifying nature. It is not intended by these amendments to require permittees to file additional plats and plans, or to change equipment immediately, in cases where the existing documents and equipment conform essentially to the regulations prior to these amendments. Upon filing new plats and plans covering extensive changes in premises and equipment, these new requirements must be observed.

§ 182.12 *Specially denatured alcohol user's premises.* A manufacturer qualifying under the regulations in this part for the use of specially denatured alcohol must have suitable premises for the business being conducted, as indicated by § 182.6 (u). Proper storage facilities must be provided on the premises for safeguarding the specially denatured alcohol received for use. These storage facilities may consist of a storeroom or storage tanks (not necessarily in a room or building), or a combination of storeroom and storage tanks. The storage facilities must be constructed in accordance with § 182.57. (Secs. 3105, 3124 (a) (6), 3176, I. R. C.)

§ 182.13 *Specially denatured alcohol bonded dealer premises.* A bonded dealer qualifying under the regulations in this part for the sale of specially denatured alcohol must have suitable premises for such business, as indicated by § 182.6 (u). Proper storage facilities must be provided on the premises for safeguarding the specially denatured alcohol received for sale. These storage facilities may consist of a storeroom or storage tanks (not necessarily in a room or building), or a combination of storeroom and storage tanks. The storage facilities must be constructed in accordance with § 182.59. (Secs. 3105, 3124 (a) (6), 3176, I. R. C.)

§ 182.14 *Tax-free alcohol user's premises.* A tax-free alcohol user qualifying under the regulations in this part for the use of alcohol free of tax must have suitable premises for the activities being conducted, as indicated by § 182.6 (u). Proper storage facilities must be provided on the premises for safeguarding the alcohol received for use. The storage facilities shall consist of a room or compartment, constructed in accordance with § 182.61. (Secs. 3105, 3124 (a) (6), 3176, I. R. C.)

§ 182.15a *Equipment not in buildings.* Notwithstanding other provisions of the regulations in this part, the Commissioner may, in his discretion, approve industrial alcohol plants consisting, in whole or in part, of equipment and apparatus not located in a room or building, if, in his opinion, the location and construction are such that the safety of the alcohol and the revenue are not endangered. High-wine tanks, receiving tanks, and other tanks used for the receipt and storage of alcohol must be enclosed and protected in the manner required by § 182.44. An adequate number of electric floodlights shall be installed for properly lighting the premises at night. Any other protective measures deemed essential by the district supervisor or the Commissioner may be required. (Secs. 3105, 3124 (a) (6), 3176, I. R. C.)

§ 182.18 *Walls.* The outside walls of industrial alcohol plant buildings must be securely and substantially constructed. If wood, corrugated iron, or tin is used, the same must be applied over solid sheathing for the first 12 feet of height, and over solid sheathing or sheathing spaced not greater than 12 inches from board to board for the remaining height. Where substantial sheet metal is used and the sheets are welded together in such manner as to constitute a solid wall, sheathing, if used, may be applied in any manner desired. (Secs. 3105, 3124 (a) (6), 3176, I. R. C.)

§ 182.19 *Roofs.* The roofs of industrial alcohol plant buildings must be securely and substantially constructed. Where corrugated iron or tin is used, the same must be applied over sheathing spaced not greater than 12 inches from board to board. Where substantial sheet metal is used and the sheets are welded together in such a manner as to constitute a solid roof, sheathing, if used, may be applied in any manner desired. (Secs. 3105, 3124 (a) (6), 3176, I. R. C.)

§ 182.44 *Storage tanks as warehouses.* The Commissioner may approve permanent storage tanks not located within a room or building as a bonded warehouse, or a part thereof: *Provided,* That such tanks are constructed, equipped, and enclosed in conformity with the following requirements:

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§ 182.49 *Construction.* Denaturing plants must be constructed in accordance with the applicable provisions of §§ 182.15 to 182.25, and §§ 182.41 and 182.44. The construction of the denaturing plant shall also conform to the following additional requirements:

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§ 182.57 *Construction.* A manufacturer using specially denatured alcohol must provide on the manufacturing premises covered by the basic permit a specially denatured alcohol storeroom for the storage of specially denatured alcohol, except that this requirement shall not apply where permanently fixed metal tanks, of such size that they cannot be readily removed and so constructed that they can be securely locked, are installed on the manufacturing premises for the storage for specially denatured alcohol. The walls and ceiling of the storeroom must be securely constructed of substantial materials. The doors, windows, and other openings must be equipped with hardware for securing the same on the inside of the storeroom. The entrance door must be equipped with a cylinder lock or with a hasp and staple for the reception of a padlock so as to afford proper protection to the denatured alcohol stored therein. Specially denatured alcohol storage tanks may be placed underground. Such tanks must be equipped for locking and so constructed that the contents can be ascertained. For underground tanks, the identifying sign required by § 182.58 shall be placed on the tank outlet. (Secs. 3105, 3124 (a) (6), 3176, I. R. C.)

§ 182.59 *Construction.* A dealer in specially denatured alcohol must provide

on the premises covered by the basic permit a specially denatured alcohol storeroom for the storage of specially denatured alcohol. Permanently fixed metal tanks, of such size that they cannot be readily removed and so constructed that they can be securely locked, may be located without the storeroom and used for the storage of specially denatured alcohol. Specially denatured alcohol in original packages, or other portable receptacles, must be stored in the specially denatured alcohol storeroom. The walls and ceiling of the storeroom must be securely constructed of substantial materials. The doors, windows, and other openings must be equipped with hardware for securing the same on the inside of the storeroom. The entrance door must be equipped with a cylinder lock, or with a hasp and staple for the reception of the padlock, so as to afford proper protection to the denatured alcohol stored therein. Specially denatured alcohol storage tanks may be placed underground. Such tanks must be equipped for locking and so constructed that the contents can be ascertained. For underground tanks, the identifying sign required by § 182.60 shall be placed on the tank outlet. (Secs. 3105, 3124 (a) (6), 3176, I. R. C.)

§ 182.63 *Scales.* The proprietor must provide in the receiving room suitable and accurate scales for weighing packages of alcohol. The proprietor must also provide on the industrial alcohol plant premises suitable and accurate scales for the weighing of grain and other nonliquid distilling materials received and used: *Provided,* That where the proprietor receives shipments of materials by rail or motor carrier, the shipper's weights appearing on the bill of lading or invoice may be recorded as the amount received; and, in such cases, track or truck scales for weighing the materials received need not be furnished. If the industrial alcohol plant is equipped with meal hoppers mounted on scales, the meal may be weighed therein. Beams or dials of scales used to weigh packages must indicate weight in half-pound graduations: *Provided,* That if packages containing exactly 1, 2, 5, and 10 wine gallons, which would require weighing in terms of pounds and ounces, are filled or received, scales indicating weight in ounce graduations must be provided. The beams or dials of weighing tank scales must indicate weight in 5-pound graduations for scales up to and including 25 tons capacity; in 10-pound graduations for scales exceeding 25 tons capacity, but not exceeding 60 tons capacity; and in 20-pound graduations for scales having a capacity of more than 60 tons. (Secs. 2808, 3105, 3124 (a) (6), 3176, I. R. C.)

§ 182.72 *Washwater receiving tanks.* If carbon dioxide is recovered and the washwater is used in the manufacture of alcohol, there must be provided a sufficient number of washwater receiving tanks, which shall be constructed of metal and be of uniform dimensions from top to bottom. Each such tank shall be equipped with a suitable measuring device whereby the actual contents will be correctly indicated. There must be painted on each tank the words "Washwater Receiving Tank," followed by its serial number and capacity in wine gallons. The outlet valve must be equipped for the reception of Government lock. Such tanks, if connected with low-wine tanks, stills, or other distilling apparatus, shall be connected by means of fixed metal pipe lines for the purpose of transferring the washwater. If the washwater is not used in the manufacture of alcohol, as provided by § 182.391, washwater receiving tanks need not be installed. (Secs. 2823, 2829, 3105, 3124 (a) (6), 3176, I. R. C.)

§ 182.73 *Stills.* The stills must be of substantial construction, and must have a clear space of not less than 1 foot around them. The steam or fuel line to each still shall be equipped with a valve so constructed that it may be locked with a Government lock, as provided in § 182.67. The drain and wash-out pipes of stills must also, wherever practicable, be equipped with valves so constructed that they may be locked with Government locks. If there is a furnace under the stills or doublers, the door thereto must, as provided in § 182.67, be so constructed that it may be secured with a Government lock. There must be a clear space of not less than 2 feet around every doubler and condenser or worm tank. The doubler and worm tanks must be elevated not less than 1 foot from the floor. Every still must be numbered, commencing with number 1, and have painted thereon its designated use, such as "Beer Still," "Doubler," "Rectifying Column," etc., and its number. The capacity in wine gallons of pot stills and doublers, the capacity in wine gallons of the charge or top chamber of charge chamber stills, and the maximum spirits-producing capacity for a period of 24 hours, determined in accordance with § 182.915, of continuous stills, shall be marked on such stills. Where the still is insulated or the manufacturer's serial number is otherwise obscured, such number and capacity will likewise be painted on the covering of the still. (Secs. 3103, 3105, 3124 (a) (6), 3176, I. R. C.)

§ 182.74 *General requirements for tanks and other equipment.* All tanks used as receptacles for spirits between the outlet of the first condenser or worm and the receiving tanks shall be constructed of metal, and shall be of uniform dimensions from top to bottom. Each such tank shall be equipped with a suitable measuring device whereby the actual contents will be correctly indicated. All tanks must be so constructed as to permit examination of every part thereof, and so arranged as to leave an open space of not less than 3 feet between the top and the roof or floor above. Where tanks are equipped with manholes or valves in the top, which are required to be locked with Government locks, suitable walks or landings with steps or stairways leading thereto, must be provided near the top of such tanks in order that ready access may be had by Government officers to the manholes. District supervisors may require such walks or landings, with steps or stairways leading thereto, to be installed at plants now operating, where the tanks have manholes or valves in the top, which are required to be locked with Government locks, and the present method of gaining access to the top of the tanks is hazardous or unsafe to Government officers who are required to open and close the locks on such manholes or valves, or to inspect the contents of the tanks from time to time. All tanks, such as low-wine tanks, high-wine tanks, heads and tails tanks, fusel oil tanks, distilled water tanks, and similar equipment, shall each have plainly and legibly painted thereon its designated use, serial number, and capacity in wine gallons. Manheads, inlets, and outlets of the tanks and all necessary openings in the distilling apparatus and equipment, except column stills, whereby access may be had to the alcohol, must be provided with facilities for locking with Government locks: *Provided,* That distilled water storage tanks need not be so equipped unless a pipe line is connected therewith for the conveyance of distilled water to contiguous establishments, as provided in § 182.76. All openings in tanks and other distilling apparatus and equipment, which are not absolutely necessary and which can be permanently closed without interference with plant operations, shall be closed by brazing, welding, or otherwise securely fastening and sealing. Tanks used as receptacles for alcohol may be permanently connected with pipe lines for the conveyance thereto of air and distilled water, but the distilled water pipe line must be affixed to the top of the tank, and may not extend into the tank. Such pipe lines must be equipped with a control valve which may be locked with a Government lock. Pipe lines used for the conveyance of air must also be equipped with a check valve located near the point of entry to the tank in order to effectively prevent any abstraction of alcohol from the tank. Other pipe lines, except those used for the conveyance of alcohol, may not be permanently connected with such tanks.

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§ 182.80 *Receiving tanks.* The proprietor must provide in the receiving room receiving tanks of sufficient capacity to hold at least the maximum quantity of alcohol that can be distilled during a day of 24 hours. Receiving tanks must be constructed and arranged in conformity with the requirements of § 182.74, and, in addition thereto, such tanks must be elevated not less than 18 inches from the floor and so separated that Government officers may pass completely around each. Each receiving tank must be equipped with a suitable measuring device whereby the actual contents will be correctly indicated, and shall have plainly and legibly painted thereon the words "Receiving Tank," followed by its serial number and capacity in wine gallons. Pipe lines connected with receiving tanks must be brazed, welded, or otherwise secured and sealed, to the tanks in such a manner that they cannot be detached or altered without showing evidence of tampering. Except as provided by § 182.74, pipe lines for the conveyance of water, air, or other substance than alcohol may not be permanently connected with receiving

tanks. (Secs. 2823, 2829, 3103, 3105, 3124 (a) (6), 3176, I. R. C.)

§ 182.99 *Tanks.* If the proprietor desires to receive specially denatured alcohol in tank cars, tank trucks, or by pipe line from a denaturing plant on contiguous premises operated by him, he must provide tanks for the storage of the specially denatured alcohol so received by him. Each such tank must be constructed of metal, and equipped with a suitable measuring device whereby the actual contents will be correctly indicated: *Provided,* That wooden tanks may be used for formulas for which metal tanks are unsuitable. Each such tank shall have plainly and legibly painted thereon the words "Specially Denatured Alcohol Storage Tank," followed by its serial number and capacity in wine gallons. The tanks shall be equipped for locking in such a manner as to prevent access to the denatured alcohol. Specially denatured alcohol storage tanks may be placed underground. For such underground storage tanks the identifying sign shall be placed on the tank outlet. (Secs. 2829, 3105, 3124 (a) (6), 3176, I. R. C.)

§ 182.110 *Description of premises.* The lot or tract of land on which the industrial alcohol plant, bonded warehouse, or denaturing plant (or any combination thereof) is situated, must be described on Form 1431 by courses and distances, in feet and inches, with the particularity required in conveyances of real estate. If the premises consist of two or more lots or parcels, the condition of the title to which is not the same, the entire premises shall be first described, followed by a separate description by courses and distances, in feet and inches, of each such lot or parcel. The continuity of the premises must be unbroken, except that the premises may be divided by a public street or highway if parts of the premises so divided abut on such street or highway opposite each other. The premises may be similarly divided by a railroad right-of-way if the railroad is a common carrier. In such cases, each tract of land constituting the premises shall be described separately on the form. If a portion of the premises is owned in fee, unencumbered, by the proprietor, or a portion is owned by the proprietor but is encumbered, or a portion is not owned by the proprietor and he has procured consent, Form 1602, from the owner and from any encumbrancer, the entire premises shall be described first, followed by a separate description, by courses and distances, in feet and inches, of the portions thereof which are encumbered and/or of the tract which is not owned by the proprietor. (Secs. 2800 (e) (1), 3105, 3112 (a), 3124 (a) (6), 3176, I. R. C.)

§ 182.113 *Condition of title to premises.* The condition of title to the premises shall be shown on Form 1431. If the proprietor is not the owner in fee, unencumbered by any mortgage, judgment, or other lien, of the lot or tract of land on which the industrial alcohol plant, bonded warehouse, or denaturing plant is situated, the name and address of the owner of the fee, and of any mortgagee, judgment-creditor, and of any person having a lien thereon, shall be stated. Where the written consent of the owner of the fee, and of any mortgagees, judgment-creditors, or other lienors, is filed for an industrial alcohol plant or bonded warehouse, as provided in § 182.119, or where an indemnity bond is filed in lieu of such written consent, as provided in § 182.122, such fact, together with information as to the kind, date, and amount of the encumbrance and the balance due thereon shall be shown on the Form 1431 in connection with the statement of the present condition of the title. In cases where an indemnity bond is filed, the date of the district supervisor's approval of the filing of such bond shall also be given. (Secs. 2800 (e) (1), 2815 (b) (1), 3105, 3112 (a), 3124 (a) (6), 3176, I. R. C.)

§ 182.114 *Condition of title to apparatus and equipment.* The proprietor's title to, or interest in, the distilling, warehousing, or denaturing apparatus and equipment shall be shown on Form 1431. If the proprietor is not the owner of such apparatus and equipment, unencumbered by any mortgage, judgment, or other lien, the name and address of the owner thereof and of any mortgagee, judgment-creditor, conditional sales vendor, or other lienor, shall be stated. Where the written consent of the owner and of the mortgagees, judgment-creditors, conditional sales vendors, or other lienors, is filed for an industrial alcohol plant or bonded warehouse, as provided in § 182.119, or where an indemnity bond is filed in lieu of such written consent, as provided in § 182.122, such fact, together with information as to the kind, date, and amount of the encumbrance and the balance due thereon, or, if the apparatus was purchased under a conditional sales contract, or other form of title retaining contract, the purchase price and the balance due shall be shown in connection with the statement of the proprietor's title, or interest in, the property. In cases where an indemnity bond, Form 1604, is filed, the date of the district supervisor's approval of the filing of such bond shall also be given. (Secs. 2800 (e) (1), 2815 (b) (1), 3105, 3112 (a), 3124 (a) (6), 3176, I. R. C.)

§ 182.121 *Application.* The application shall contain (a) an accurate description of the lot or tract of land on which the industrial alcohol plant or bonded warehouse is situated, and of the buildings, and the distilling apparatus and equipment thereon; (b) a full and clear statement of the condition of the title to the premises and apparatus and equipment, including the name and address of the owner and of all mortgagees, judgment-creditors, conditional sales vendors, and other persons having liens thereon, the kind, date, and amount of each encumbrance and the balance due thereon, and, in the case of apparatus and equipment purchased under a conditional sales contract, or other form of title retaining contract, the purchase price and the balance due; and (c) a full and clear statement of the reasons why the applicant cannot obtain the prescribed written consent. The district supervisor will take action on such application in accordance with the procedure prescribed in § 182.284. (Secs. 3103, 3105, 3124 (a) (6), 3176, I. R. C.)

§ 182.122 *Bond, Form 1604.* If the application is approved by the district supervisor, the applicant shall execute bond on Form 1604, "Indemnity Bond," in triplicate, in conformity with the provisions of §§ 182.184 to 182.205, and file the same with the district supervisor. The penal sum of the bond shall be equal to the appraised value of the lot or tract of land on which the industrial alcohol plant or, except as provided in paragraph (a) of this section, the bonded warehouse is situated, and the buildings, apparatus, and equipment thereon: *Provided,* That the maximum penal sum of the bond shall be $50,000 for an industrial alcohol plant, or an industrial alcohol plant and bonded warehouse situated on the same premises, and $10,000 for a bonded warehouse situated elsewhere. If such bond is filed in less than the maximum penal sum and the value of the premises, buildings, or apparatus or equipment is increased by additional land, buildings, or apparatus or equipment, an additional bond on such form to cover the increase in value will be required: *Provided further,* That if such increase in value is less than $1,000, no additional bond will be required, nor will an additional bond be required in excess of the maximum penal sums specified herein. In the event of the failure of bond on Form 1604, the proprietor will be no longer qualified unless a new and satisfactory bond is filed, or consent, as required by § 182.119, is obtained.

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§ 182.149 *Labels and advertising matter.* Samples of labels or facsimiles thereof (or sketches, subject to the filing of the actual labels, if approved) must be attached to each copy of the Form 1479–A. Advertising matter also must be attached when required by the regulations in this part or by the Commissioner. Where permittees change labels which have been previously approved, or provide new labels for products, the formula for which has been previously approved, samples of the changed or new labels, or facsimiles thereof (or sketches, subject to the filing of the actual labels, if approved) must be submitted, attached to Form 1479–A, in quadruplicate, to the Commissioner for approval. In such cases, the formula need not be restated on Form 1479–A, but the form should be marked "For label approval only," and should give the name under which the preparation was previously approved, the laboratory number of the approved sample, if any, and the date of approval. The Commissioner will take action on the proposed changes in accordance with § 182.151. The approval of labels by the Commissioner is limited only to the manufacturing data required by the regulations in this part, and does not extend to the context of the label relative to the brand or name of the preparation, directions for use, claims of efficiency or strength, or other statements. Such approvals are made with the following wording: "Approved, conforms to Internal Revenue Reg. 3." (Secs. 3105, 3114 (c), 3124 (a) (6), 3176, I. R. C.)

§ 182.151 *Approval or disapproval of samples, formulas, processes, labels, and advertising matter.* Upon examination of the samples, formulas, processes, labels, and advertising matter by the Commissioner, he will note his approval or disapproval on all copies of Form 1479–A, retain one copy of the form, and forward the other three copies to the district supervisor, who will retain one copy for his files, furnish one copy to the branch laboratory for his district, and forward the third copy to the applicant. Both sets of the samples will be retained by the Commissioner, one of which will be furnished to the branch laboratory when needed. In addition to the other limitations in the regulations in this part, the Commissioner may, in approving Forms 1479–A, specify thereon the maximum size of the containers in which any preparation may be sold and the maximum quantity that may be sold to any person during a calendar month. The approval of the article or preparation by the Commissioner will be based on laboratory examination of the finished product, ingredients, formulas, and processes. Approval, unless restricted, permits the packaging and labeling of any size container up to and including one gallon capacity. A change in container size only does not necessitate resubmission of formula and label. Such approval shall mean only that the sample, formula, or process has been approved as conforming to the standards of the Bureau of Internal Revenue, and such approval shall in no way require the district supervisor to issue a basic permit to use specially denatured alcohol in such process, formula, or preparation. No permit shall be issued to use specially denatured alcohol unless the processes, formulas, preparations, labels, and advertising matter, when required to be submitted to the Commissioner, have been approved by him. All processes, formulas, and samples of preparations submitted to the Bureau must be treated as strictly confidential by its employees, who will be held accountable for any unwarranted disclosure of information respecting such processes, formulas, or samples. (Secs. 3105, 3124 (a) (6), 3176, I. R. C.)

§ 182.153 *Other qualifying documents.* Where the applicant is a corporation, there must be submitted with, and made a part of, the original or initial application on Form 1479, three copies of (a) certificate of incorporation or certificate authorizing the corporation to operate in the state where premises is located, if other than that in which incorporated, (b) a certified list of names and addresses of the officers and directors, and (c) list of stockholders, as provided in § 182.126. In the case of an individual owner, copartnership, or association, there must be submitted with, and made a part of, the original or initial application on Form 1479, three copies of (a) certified copy of the articles of copartnership or association, if any, (b) an affidavit giving the name of every person interested, or to be interested in, the business, whether such interest appears in the name of the interested party or in the name of another for him, and (c) where the business is to be conducted under a trade name, a trade name certificate, or if no such certificate or other document is required by the laws of the state where the premises is located, then a certified statement to that effect. In addition to the foregoing requirements, and the requirements of § 182.138 hereby made applicable, the Commissioner or district supervisor may, at any time in his discretion, require the proprietor to furnish such additional information as he may deem necessary. (Secs. 3105, 3124 (a) (6), 3176, I. R. C.)

§ 182.155 *Penal sum.* The penal sum of the bond, Form 1480, shall be in a maximum of $100,000, and a minimum of $500, and shall be computed on each wine gallon of specially denatured alcohol, including recovered and restored denatured alcohol, authorized to be on hand, in transit, and unaccounted for at any one time, at double the rate prescribed by law as the internal revenue tax on alcohol (in proof gallons): *Provided*, That the penal sum of bonds covering specially denatured alcohol, Formulas 18 and 19, shall be computed on each wine gallon at the rate prescribed by law as the tax on alcohol (in proof gallons). In the case of manufacturers recovering completely denatured alcohol or articles in the form of denatured alcohol only, the penal sum of the bond, Form 1480, shall be calculated at the same rate on the maximum quantity in wine gallons of recovered and restored denatured alcohol that may be on hand and unaccounted for at any one time. (Secs. 3105, 3114 (a), 3124 (a) (6), 3176, I. R. C.)

§ 182.160 *Penal sum.* The penal sum of the bond shall be computed on each wine gallon of specially denatured alcohol authorized to be on hand, in transit, and unaccounted for at any one time at double the rate prescribed by law as the internal revenue tax on alcohol (in proof gallons): *Provided*, That the minimum penal sum of such bond shall not be less than $10,000, and the maximum not more than $100,000. (Secs. 3105, 3114 (a), 3124 (a) (6), 3176, I. R. C.)

§ 182.165 *Application for permit, Form 1447.* * * *

(b) *Applications by others.* In the event application is made by a scientific university or college of learning, any laboratory for use exclusively in scientific research, or any hospital or sanatorium, and the applicant is an incorporated or chartered institution, such application shall be made by the institution, the corporate name being affixed by some duly authorized officer of the corporation, which officer shall affix his signature and official title below the corporate name preceded by the word "by," and in such cases, a copy of the charter or articles of incorporation certified by an officer of the applicant must be annexed to the first application forwarded to the district supervisor. In the event the institution is a scientific university or college of learning created under a general law of a State or Territory, that fact must be shown and an extract of the law given. Application may be made for such institution by an officer or any other authorized person in its behalf. In other cases, the application must be made by some duly accredited representative of the applicant. (Secs. 3105, 3108, 3114 (a), 3124 (a) (6), 3176, I. R. C.)

§ 182.168 *Other qualifying documents.* Where the applicant is a corporation, there must be submitted with, and made a part of, the original or initial application on Form 1447, three copies of (a) certificate of incorporation or certificate authorizing the corporation to operate in the state where premises are located, if other than that in which incorporated, (b) a certified list of names and addresses of the officers and directors, and (c) list of stockholders, as provided in § 182.126. In the case of an individual owner, copartnership, or association, there must be submitted with, and made a part of, the original or initial application on Form 1447, three copies of (a) certified copy of the articles of copartnership or association, if any, (b) an affidavit giving the name of every person interested, or to be interested, in the business, whether such interest appears in the name of the interested party or in the name of another for him, and (c) where the business is to be conducted under a trade name, a trade name certificate, or if no such certificate or other document is required by the laws of the State where the premises are located, then a certified statement to that effect. In addition to the foregoing requirements, and the requirements of § 182.138 hereby made applicable, the Commissioner or district supervisor may, at any time in his discretion, require the proprietor to furnish such additional information as he may deem necessary. (Secs. 3105, 3124 (a) (6), 3176, I. R. C.)

§ 182.181 *Other qualifying documents.* Where the applicant is a corporation, there must be submitted with, and made a part of, the original or initial application on Form 144, three copies of (a) certificate of incorporation or certificate authorizing the corporation to operate in the State where the application is filed, if other than that in which incorporated, (b) list of names and addresses of the officers and directors, and (c) list of stockholders, as provided in § 182.126. In the case of an individual owner, copartnership, or association, there must be submitted with, and made a part of, the original or initial application on Form 144, three copies of (a) certified copy of the articles of copartnership or association, if any, (b) an affidavit giving the name of every person interested, or to be interested, in the business, whether such interest appears in the name of the interested party or in the name of another for him, and (c) where the business is to be conducted under a trade name, a trade name certificate, or if no such certificate or other document is required by the laws of the State where the application is filed, then a certified statement to that effect. In addition to the foregoing requirements, and the requirements of § 182.138 hereby made applicable, the Commissioner or district supervisor may, at any time in his discretion, require the proprietor to furnish such additional information as he may deem necessary. (Secs. 3105, 3124 (a) (6), 3176, I. R. C.)

§ 182.207 *Preparation.* Every plat and plan shall be drawn to scale, and each sheet thereof shall bear a distinctive title and the complete name and address of the proprietor, enabling ready identification. The cardinal points of the compass must appear on each sheet, except those of elevational plans. The minimum scale of any plat will not be less than 1/50 inch per foot. Each sheet of the original plat and plans shall be numbered, the first sheet being designated number 1, and the other sheets numbered in consecutive order. Plats and plans shall be submitted on sheets of tracing cloth, opaque cloth, or sensitized linen. The dimensions of plats and plans shall be 15 by 20 inches, outside measurement, with a clear margin of at least 1 inch on each side of the drawing, lettering, and writing. Plats and plans may be original drawings, or reproductions made by the "ditto process," or by blue-, brown-, or black-line lithoprint, if such reproductions are clear and distinct. (Secs. 3105, 3124 (a) (6), 3176, I. R. C.)

§ 182.208 *Depiction of premises.* Plats must show the outer boundaries of the premises by courses and distances, in feet and inches, in a color contrasting with those used for other drawings on the plat, and the point of beginning with respect to its distance and bearings from some near and well-known landmark must be shown. The plat must also contain an accurate depiction of the building or buildings comprising the premises, and any driveway, public highway, or railroad right-of-way adjacent thereto or connecting therewith. The depiction of the premises on the plat should agree with the description thereof in the application. In the case of an industrial alcohol plant or bonded warehouse, if the premises consist of two or more lots or parcels of land, the condition of title to which is not the same, each such lot or parcel shall be separately depicted by courses and distances, in feet and inches, and such lots or parcels shall be delineated or cross-hatched in contrasting colors. If two or more buildings are to be used, they must be shown in their relative positions, the designated name of each indicated, and all pipe lines or other connections, if any, between the same depicted. Where two or more buildings are used for the same purpose, the name of each such building shall include an alphabetical designation, beginning with "A," and they shall be so shown on the plat. If the establishment consists of a room or floor of a building, an outline of the building, the precise location and the dimensions of the room or floor, and the means of ingress from and egress to a public street or yard, shall be shown. All first floor exterior doors of each building on the premises will be shown on the plat. Except as provided in § 182.216, all pipe lines leading to or from the premises, the purpose for which used, and the points of origin and termination will be indicated on the plat. (Secs. 3105, 3124 (a) (6), 3176, I. R. C.)

§ 182.210 *Floor plans.* The plans shall include a floor plan of each floor of each building, showing the general dimensions of the rooms and floors, and the location of all doors, windows, and other openings, and how such openings are protected. All apparatus and equipment, except pipe lines, must be shown in their exact location on the floor plans, and their designated use indicated. Pipe lines may be shown if desired. In the case of stills, tanks, and similar equipment, the serial number and capacity shall also be shown. (Secs. 3105, 3124 (a) (6), 3176, I. R. C.)

§ 182.212 *Elevational plans of buildings.* The plans shall also include an exterior, elevational view of each exposure of each building or room, showing the type of security afforded the openings. The number of stories, and the height of each story, will be indicated on the elevational plans. In lieu of drawings, the proprietor may submit a photograph of each exposure of each building in a size not smaller than 7 by 9 inches. The photographs must be in sufficient detail to clearly depict the buildings from the ground to the roof, and must be properly identified. Where photographs are submitted, drawings must be furnished to show the security afforded the openings in all rooms required to be locked, such as wine room or receiving room: *Provided,* That in lieu of such drawings, the photographs may be noted to show the type of security afforded the openings in such rooms by reference to the appropriate sheet of plans on file whereon such information is shown. (Secs. 3105, 3124 (a) (6), 3176, I. R. C.)

§ 182.217 *Elevational flow diagrams.* Elevational flow diagrams (plans) shall be submitted covering (a) distilling material system, (b) mashing and fermenting systems, (c) distilling system, and (d) the receiving tank system. Such diagrams or plans shall clearly depict all equipment in its relative operating sequence and elevation by floors, with all connecting pipe lines, valves, flanges (except as provided in § 182.214), Government locks, measuring devices, etc. The elevation by floors on the diagrams may be indicated by horizontal lines representing floor levels. All the flow diagrams as a unit must show the flow of the distilling material, and the resulting products, through the distilling material tanks, fermenters, stills, doublers, and other equipment, and the deposit and removal of the finished spirits from the receiving room or building. All major equipment, fermenters, stills, etc., must be identified on these plans as to number and use. The elevational flow diagram must be so drawn that all fixed pipe lines, except those indicated by § 182.216, may be readily traced from beginning to end. Other types of drawings that clearly depict the information required herein may be submitted in compliance with this section. (Secs. 3105, 3124 (a) (6), 3176, I. R. C.)

§ 182.218 *Certificate of accuracy.* The plat and plans shall bear a certificate of accuracy, preferably in the lower right hand corner of each sheet, signed by the proprietor, the draftsman, and the district supervisor, substantially in the following form:

(Name of proprietor)

(Address)

Approved ---
(Date)

(District supervisor)

Accuracy certified by:

(Name and capacity for proprietor)

(Draftsman)

Industrial Alcohol Plant No. ---

--- 19---. Sheet No. ---
(Date)

(Secs. 3105, 3124 (a) (6), 3176, I. R. C.)

§ 182.219 *Revised plats and plans.* The sheets of revised plats and plans shall bear the same number as the sheets superseded, but will be given a new date. Any additional plats and plans shall be given a new number in consecutive order, or will be otherwise numbered and lettered in such manner as will permit the filing of the plats and plans in proper sequence. (Secs. 3105, 3124 (a) (6), 3176, I. R. C.)

§ 182.262 *Change in proprietorship—* (a) *Suspension.* * * *

(3) *Registry of stills.* If the business is to be permanently discontinued, file Form 26, Registry of Stills, in triplicate, in accordance with § 182.432.

* * * * *

§ 182.269 *Changes in construction and use.* Where a change is to be made in the construction of a room or building of an industrial alcohol plant, bonded warehouse, or denaturing plant, not involving an extension or curtailment of the premises, or where a change is to be made in the use of any portion of such premises, the permittee shall first secure approval thereof by the district supervisor, pursuant to application, in triplicate, setting forth specifically the proposed changes. Upon approval of the application, the changes will be made under the supervision of a Government officer, unless they are of such a nature as, in the opinion of the district supervisor, do not require such supervision. The completed changes will be reflected in the next amended or annual application, Form 1431, and amended plans filed by the permittee, unless the district supervisor requires the immediate filing of an amended application and amended plans. (Secs. 3105, 3124 (a) (6), 3176, I. R. C.)

§ 182.270 *Indemnity bond covering changes in buildings.* If buildings on industrial alcohol plant or bonded warehouse premises, or on premises which have been eliminated from the industrial alcohol plant or bonded warehouse premises, are to be demolished or altered in such a manner as to decrease the value of the property, and a lien for taxes exists on such property under section 3112, I. R. C., the permittee, if (a) the owner of the fee unencumbered, or (b) consents, in accordance with § 182.119, are necessary and have been obtained, must file with the district supervisor an indemnity bond, Form 1617, in triplicate, in a penal sum equal to the decrease in the value of the property: *Provided,* That if such decrease in value is less

than $1,000, no indemnity bond will be required.

(a) *Appraisal.* The amount of the decrease in value of the property subject to the Government's lien, which will be caused by the demolition or alteration of buildings, shall be determined by appraisal by two or more competent persons designated by the district supervisor. The appraisers shall render to the district supervisor a report, in duplicate, of their appraisal, which shall include information as to the methods employed by them in determining their valuations. The appraisal shall be at the expense of the permittee, unless made by Government officers. The district supervisor may dispense with the formal appraisal when he has reason to believe that the value of the property concerned is less than $1,000. (Secs. 3103, 3105, 3112 (a), 3124 (a) (6), 3176, I. R. C.)

§ 182.272 *Indemnity bond covering removal of equipment.* If apparatus or equipment on industrial alcohol plant or bonded warehouse premises on which a lien has attached, under section 3112, I. R. C., for taxes on alcohol produced or stored, which has not been tax-paid or withdrawn for a tax-free purpose, is to be removed from the premises without replacement thereof with apparatus or equipment that will become a real fixture in law of an equal or greater value than the apparatus or equipment to be removed, (a) where the proprietor is the owner of the premises in fee unencumbered, whether the property is realty or personalty; (b) where consents, in accordance with § 182.119, are necessary and have been obtained, whether the property is realty or personalty; and (c) where an indemnity bond, Form 1604, is on file and the property is personalty; the permittee must file with the district supervisor an indemnity bond on Form 1617, in triplicate, in a penal sum equal to the value of the apparatus or equipment to be removed, or equal to the excess in value of the old apparatus or equipment to be removed over the value of the new apparatus or equipment to be substituted therefor: *Provided,* That if such value, or difference in value, as the case may be, is less than $1,000, no indemnity bond will be required. The value of the apparatus or equipment to be removed, or the difference between the value of such apparatus or equipment and the value of the apparatus or equipment to be substituted therefor, will be determined by appraisal in the manner prescribed in § 182.270 (a). (Secs. 3103, 3105, 3112 (a), 3124 (a) (6), 3176, I. R. C.)

§ 182.278 *Where operation of a bonded warehouse or denaturing plant on premises is continued—*(a) *Suspension.* * * *

(3) *Registry of stills.* Register the stills on Form 26, in triplicate, in accordance with § 182.432, if not previously registered.

* * * * *

(b) *Resumption.* * * *

(3) *Registry of stills.* Register the stills on Form 26, in triplicate, in accordance with § 182.432, if not previously registered.

* * * * *

§ 182.284 *Indemnity bond application.* In the case of an industrial alcohol plant or bonded warehouse, when an application for permission to file an indemnity bond, Form 1604, in lieu of the written consent of the owner of the industrial alcohol plant or bonded warehouse premises or apparatus or equipment, or of any mortgagee, judgment-creditor, conditional sales vendor, or other person having a lien thereon, is submitted by the applicant and such application conforms to the requirements of the regulations in this part, the district supervisor will cause an investigation to be made of the facts upon which the application is based, and will designate two or more competent persons to make an appraisal of the value of the lot or tract of land on which the industrial alcohol plant or bonded warehouse is situated, the industrial alcohol plant or bonded warehouse, the buildings, and apparatus and equipment. The appraisal shall be made as provided in § 182.123. If the district supervisor finds, upon consideration of the appraisal and reports of investigation, that under the law and regulations an indemnity bond may properly be accepted in lieu of the consent of the owner or lienor, and if he is satisfied that the valuation placed upon the property by the appraisers is fair, he will note his approval on all copies of the applications. He will then return one copy of the approved application to the applicant and retain the original for his files. He will forward the remaining copy of the application and copies of the reports of investigation and appraisal to the Commissioner at the time of forwarding the indemnity bond. If the application is disapproved, the district supervisor will note his disapproval thereon and will return all copies of such application to the applicant with a statement of the reasons for his disapproval. (Secs. 3103, 3105, 3124 (a) (6), 3176, I. R. C.)

§ 182.286 *Investigation—*(a) *Inspection of premises.* * * *

(b) *Qualification of applicant to use specially denatured alcohol.* The district supervisor shall detail an officer or officers to inspect the premises of the applicant for permit to use specially denatured alcohol to determine whether the premises and storeroom are suitable for the business to be carried on and meet the requirements of the regulations. This investigation shall include a careful inquiry into the character of the applicant. His previous business experience must be carefully inquired into, and should the officers find that the applicant is not reasonably qualified to do or engage in the business proposed, recommendation for approval shall not be made. Inquiry should also be made of reputable firms, persons, and associates who have knowledge of the particular line of business being inquired into, and who are familiar with the general requirements of the trade in their respective territories, for the purpose of ascertaining the facts necessary to determine whether the applicant is proceeding in good faith in a lawful business enterprise. The premises where the business is to be conducted shall also be made the subject of careful and detailed inquiry, and approval of any application shall be withheld as to any premises not of a character generally regarded as suitable for a manufacturing business of the kind for which application is made. Such premises shall be substantially constructed, and approval shall not be given to premises of insecure construction where there is a likelihood of theft. Examining officers will be held strictly accountable for the recommendation of approval of only such premises as are suitable for the business to be carried on, and except in the case of very small operations, as would be generally satisfactory to strictly commercial or industrial establishments, and in locations that would commend themselves to any prudent business man. The manufacturing supplies and equipment should be ample for the business to be conducted. Where toilet articles or various liquids such as deodorants or sprays are to be manufactured, there shall be on hand raw materials, manufacturing apparatus, and packages for the finished product in a value which, in the opinion of the district supervisor, evidences the bona fides of the proposed business, and which is commensurate with the volume of business the applicant proposes to conduct. The applicant must submit a detailed inventory of all raw materials, such as oils and chemicals; of all manufacturing apparatus, such as tanks, pumps, filters, and filling machines; and all packages on hand in which the finished product is to be sold; and the inventory must be verified. In case of doubt as to appraisal of particular items, advice of disinterested persons who have knowledge of these particular lines of business shall be sought. (Secs. 3105, 3114, 3124 (a) (6), 3176, I. R. C.)

§ 182.297 *Applications and reports covering changes.* Where an application covering changes in apparatus or equipment, or in construction or use of a room or building, is approved by the district supervisor, he will retain one copy of the application and forward one copy to the permittee; and in the case of an industrial alcohol plant, bonded warehouse, denaturing plant, or user of specially denatured alcohol, one copy to the Commissioner, and, when reports covering changes in apparatus and equipment are received from Government officers in accordance with § 182.271, he will retain one copy and promptly forward one copy to the Commissioner. Similar disposition will be made of reports received from the permittee covering emergency repairs of apparatus and equipment. Where changes in buildings, apparatus, or equipment are such as to require the filing of an indemnity bond, in the case of an industrial alcohol plant or bonded warehouse, the district supervisor may approve the application, if he has recommended approval of the bond, and permit the changes in buildings, apparatus or equipment to proceed pending approval of the bond by the Commissioner. (Secs. 3105, 3124 (a) (6), 3176, I. R. C.)

§ 182.329 *Chemical plant producing alcohol as a byproduct.* * * *

(b) *Exception.* A manufacturer who uses products containing specially denatured alcohol in a process where part or all of the specially denatured alcohol is recovered will not be required to

qualify the premises as an industrial alcohol plant, provided he obtains a permit to recover and use specially denatured alcohol in an approved process or preparation. The recovered alcohol, if necessary, must be redenatured before use, or returned to an industrial alcohol plant or denaturing plant if he has no use for such recovered alcohol, and otherwise accounted for, as provided by the regulations in this part.

(c) *Exception.* A manufacturer who uses chemicals which do not contain specially denatured alcohol, but which were manufactured under a permit with specially denatured alcohol, and uses such chemicals in a process where part or all of the specially denatured alcohol used in their manufacture is recovered, will be required to qualify the premises as an industrial alcohol plant: *Provided,* That where the Commissioner finds there is no jeopardy to the revenue, the manufacturer may be permitted, in lieu of qualification as the proprietor of an industrial alcohol plant, to obtain a permit to recover and use specially denatured alcohol. The recovered alcohol, if necessary, must be redenatured before use, or returned to an industrial alcohol plant or denaturing plant, and otherwise accounted for, as provided by the regulations in this part. (Secs. 3103, 3105, 3124 (a) (6), 3176, I. R. C.)

§ 182.356 *Distillation of liquid chemicals.* * * *

(c) *Test for alcohol.* The chemicals produced, such as butyl alcohol, isopropyl alcohol, acetone, ether, etc., must be tested for the purpose of determining the presence of ethyl alcohol, in accordance with the applicable requirements of §§ 182.368 through 182.388, or by such other method or methods as may be prescribed by the Commissioner. (Secs. 3105, 3124 (a) (6), 3176, I. R. C.)

§182.432 *Registry on Form 26.* Every person having in his possession or custody, or under his control, any still or distilling apparatus that is set up, must register the same on Form 26, in triplicate, with the district supervisor for the district in which it is located. Stills to be used for the production of various types of alcohol may be registered for "alcohol," and the specific type need not be shown. Thereafter, where the plant is changed from the production of one type of alcohol to another, reregistration by the same proprietor will not be required. The temporary suspension of a type of alcohol to another, reregistration of the stills. The operation of a plant by alternating proprietors, where no permanent change in ownership occurs, does not require reregisration of the stills by the proprietors. When there is a change in location or use or a bona fide change in ownership of a still, the still must be registered to reflect the change. The district supervisor will, upon approving the registration of a still on Form 26, retain one copy, forward one copy to the Commissioner, and return the remaining copy to the plant proprietor. The proprietor will retain his copy at the industrial alcohol plant available for inspection by Government officers. (Secs. 3103, 3105, 3124 (a) (6), 3176, I. R. C.)

§ 182.478 *Rate of tax.* The law imposes a tax on distilled spirits, including alcohol, produced in or imported into the United States, at the rate prescribed therein on each proof gallon, or wine gallon when below proof, and a proportionate tax at a like rate on all fractional parts of such proof or wine gallon, to be paid when withdrawn from bond. (Secs. 2800 (a) (1), 3105, 3124 (a) (6), 3176, I. R. C.)

§ 182.502 *Filling of tank car.* The tank car must be filled in the immediate presence of the storekeeper-gauger. The pipe line from the weighing tank to the tank car must be in full view of the officer, and must not be connected or used except in his presence. The officer will seal-lock the car as soon as it is filled. The proprietor will enter on Form 1440, covering the gauge of the alcohol, the symbol and serial number of the car, the number of inches above or below the full mark, and the temperature of the alcohol at filling, the serial number of the lock seal or seals, the destination, and the date of shipment; for example: "Withdrawn in U. P. tank car number 1643, filled 2'' above full mark at 80° F, lock-seal number 46457, for transfer to Ind. Alc. Bonded Whse. No. 56, New York, N. Y. Billed out 4:30 p. m., May 1, 1941." The lock-seal numbers will also be entered on Form 1439. (Secs. 3101, 3105, 3107, 3108, 3124 (a) (6), 3176, I. R. C.)

§ 182.519 *Marks and brands*—(a) *Drums, barrels, etc.* * * *

(b) *Cases of bottled alcohol.* Each package containing alcohol in bottles shall bear all the marks required by §§ 182.517 and 182.518, except the gross weight, tare, and net weight, it not being necessary to ascertain such. The number and capacity of the bottles shall, however, be shown on each package. The marks shall be placed on one side of the case. (Secs. 2808, 3103, 3105, 3124 (a) (6), 3176, I. R. C.)

§ 182.527 *Stamps*—(a) *Affixing.* Tax-paid and export stamps shall be securely affixed to the Government head of packages, or the side of cases, with a good adhesive, and, when affixed to wooden packages or cases, with a tack or staple in each corner of the stamp.

* * * * *

(c) *Covering.* After the stamp has been canceled, it must be covered with a coating of transparent shellac, lacquer, or varnish, to protect it against moisture, alteration, and removal. (Secs. 3105, 3124 (a) (6), 3176, 3301, I. R. C.)

§ 182.539 *Bottle stamps.* The proprietor must affix over the mouth of each bottle of alcohol filled in his warehouse, except when alcohol is bottled for export, an engraved bottle stamp, with the serial number printed thereon. (Secs. 3105, 3124 (a) (6), 3176, 3300, I. R. C.)

§ 182.540 *Procurement and issuance of stamps*—(a) *Procurement.* Bottle stamps are supplied to collectors of internal revenue in the same manner as other stamps. District supervisors will obtain supplies of such stamps from the collectors as desired, and shall forward sufficient stamps of each denomination to the storekeeper-gaugers in charge of the bonded warehouses.

(b) *Issuance.* The storekeeper-gauger will issue bottle stamps as needed. The registry number of the industrial alcohol bonded warehouse and the name of the proprietor shall be entered on each bottle stamp by the proprietor. The required information may be rubber-stamped or overprinted on the bottle stamps. The stamps shall be issued in proper serial order, starting with the lowest serial number of the stamps at the time of issuance. However, the stamps need not be affixed in serial order. The total number of stamps used for each lot bottled shall be reported on Form 1440.

(c) *Record and Report, Form 118.* Storekeeper-gaugers having custody of bottle stamps at industrial alcohol bonded warehouses will keep a record of bottle stamps received and used on Part 1 of Form 118, "Storekeeper-gauger's Monthly Record and Report of Alcohol Warehousing Stamps," as required by the instructions on the form. The record will be kept in bound form, available for inspection by other Government officers. The storekeeper-gauger will prepare his monthly report on Part 2 of Form 118 in triplicate, retain one copy thereof, furnish one copy to the proprietor, and forward one copy to the district supervisor. (Secs. 3105, 3124 (a) (6), 3176, I. R. C.)

§ 182.541 *Manner of affixing bottle stamps.* The bottle stamps must be securely affixed to the bottles with the use of a good adhesive. The adhesive used must be in proper liquid condition, and care must be taken to cover the entire back of the stamp with the adhesive, and to press the whole surface of the stamp firmly against the surface of the bottle sufficiently long to cause the entire surface of the stamp to adhere securely to the bottle. The stamp must pass over the mouth of the bottle, extending an approximately equal distance on two sides of the bottle. The stamp must be affixed in such manner that upon opening the bottle, a portion of the stamp will be left attached thereto until emptied. (Secs. 3105, 3124 (a) (6), 3176, 3301, I. R. C.)

§ 182.634 *Losses from packages.* Losses sustained from packages in bonded warehouses will be determined when the packages are withdrawn from warehouse, unless they are regauged for repackaging or other reason prior to withdrawal, and the loss reported on Form 1440 and Form 1443–B. Where the quantity lost from any package exceeds 1 percent in the case of metal packages, or 6 percent in the case of wooden packages, of the quantity originally contained therein, claim for remission of tax on the entire quantity lost from the package will be made by the proprietor, except as herein provided. If the loss does not exceed 1 percent, or 6 percent, so calculated, claim for remission of tax will not be required: *Provided,* That (a) claim for remission of tax will not be required for an amount less than one proof gallon, and (b) there are no circumstances indicating that the alcohol lost, or any

part thereof, was unlawfully used or removed. (Secs. 3105, 3113, 3124 (a) (6), 3176, I. R. C.)

§ 182.635 *Losses in transit.* Losses in transit to bonded warehouses must be determined at the time alcohol is received at the warehouse, and the loss reported on Form 1443–A when received in tank cars, and on Form 1443–B when received in packages. Where the quantity lost from any tank car or package exceeds 1 percent (3 percent on wooden packages) of the quantity shipped therein, claim for remission of tax on the entire quantity lost from the package will be made by the proprietor, except as herein provided. If the loss does not exceed 1 percent (3 percent on wooden packages), so calculated, claim for remission of tax will not be required: *Provided,* That (a) claim for remission of tax will not be required for an amount less than one proof gallon, and (b) there are no circumstances indicating that the alcohol lost, or any part thereof, was unlawfully used or removed. (Secs. 3105, 3113, 3124 (a) (6), 3176, I. R. C.)

§ 182.657 *Deposit in storeroom.* Tax-free alcohol received pursuant to withdrawal permit, Form 1450, shall be placed in the locked storeroom or compartment required to be provided in accordance with § 182.61. Such alcohol shall remain in the original packages in the storeroom or compartment until withdrawn for use. The room or compartment for the storage of tax-free alcohol must be used for the purpose of storing such alcohol in the original containers. (Secs. 3105, 3108, 3114 (a), 3124 (a) (6), 3176, I. R. C.)

§ 182.665 *Losses in transit.* Losses in transit to tax-free permittee's premises must be ascertained at the time the alcohol is received by the permittee. Accordingly, when packages are received showing evidence of having sustained a loss in transit, the permittee should determine the extent of the loss at that time. The quantity ascertained to have been lost will be noted on Form 1451 immediately below the line on which receipt of the shipment is reported. Where the quantity lost from any package exceeds 1 percent of the quantity originally contained therein, claim for allowance of the entire quantity lost from the package will be made by the permittee, except as herein provided. If the loss does not exceed 1 percent, so calculated, claim for allowance will not be required: *Provided,* That (a) claim for remission of tax will not be required for an amount less than one proof gallon, and (b) there are no circumstances indicating that the alcohol lost, or any part thereof, was unlawfully used or removed. (Secs. 3105, 3113, 3124 (a) (6), 3176, I. R. C.)

§ 182.666 *Losses at permittee's premises.* Losses of tax-free alcohol at permittee's premises will be reported on Form 1451 for the month in which the loss in ascertained. If the loss of alcohol at a permittee's premises during any month exceeds 1 per cent of the quantity on hand during the month, claim for allowance of the entire quantity lost will be made by the permittee, except as herein provided. If the loss does not exceed 1 percent, so calculated, claim for allowance will not be required: *Provided,* That (a) claim for remission of tax will not be required for an amount less than one proof gallon, and (b) there are no circumstances indicating that the alcohol lost, or any part thereof, was unlawfully used or removed. (Secs. 3105, 3113, 3124 (a) (6), 3176, I. R. C.)

§ 182.691 *Return of recovered denatured alcohol for restoration and redenaturation.* Denatured alcohol recovered for reuse by manufacturers using the same, may be shipped to industrial alcohol plants or denaturing plants for restoration and redenaturation. If the shipment is to a denaturing plant, such plant must be equipped for restoring recovered alcohol. The recovered alcohol will be returned to the industrial alcohol plant or denaturing plant pursuant to notice on Form 1484, as provided in § 182.895. (Secs. 3073, 3105, 3124 (a) (6), 3176, I. R. C.)

§ 182.728 *Railroad tank cars or tank trucks.* Denatured alcohol may be shipped in railroad tank cars only where the premises of both the denaturer and the consignee are equipped with suitable railroad siding facilities. Denatured alcohol may be transported by tank trucks only where suitable storage tanks are provided on the consignees' premises. The manhole covers, outlet valves, and all other openings on all railroad tank cars or tank trucks used for shipping denatured alcohol shall be equipped with facilities for sealing so that the contents cannot be removed without showing evidence of tampering. Railroad, or other appropriate seals, dissimilar in marking from cap seals used by the Bureau of Internal Revenue, for securing manhole covers, outlet valves, and all other openings in tank cars or tank trucks containing denatured alcohol, shall be furnished and affixed by the carrier or the proprietor: *Provided,* That serially numbered cap seals for use on tank trucks for the transportation of specially denatured alcohol shipped from one denaturing plant to another denaturing plant shall be furnished by the Government and affixed by the storekeeper-gauger. Immediately after filling, the tank car or tank truck shall be sealed in such a manner as will secure all openings affording access to the contents of the tank.

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§ 182.773 *Losses from packages.* Losses sustained from packages in denaturing plants will be determined when the packages are dumped for denaturation, and the loss will be reported on Form 1468–A at that time. Where the quantity lost from any package exceeds 1 percent in the case of metal packages, or 6 percent in the case of wooden packages, of the quantity originally contained therein, claim for remission of tax on the entire quantity lost from the package will be made by the proprietor, except as herein provided. If the loss does not exceed 1 percent, or 6 percent, so calculated, claim for remission of tax will not be required: *Provided,* That (a) claim for remission of tax will not be required for an amount less than one proof gallon, and (b) there are no circumstances indicating that the alcohol lost, or any part thereof, was unlawfully used or removed. (Secs. 3105, 3113, 3124 (a) (6), 3176, I. R. C.)

§ 182.774 *Losses in transit.* Losses in transit to denaturing plants must be determined at the time alcohol is received at the denaturing plant, and the loss reported on Form 1468–A. Where the quantity lost from any tank car or package exceeds 1 percent of the quantity shipped therein, claim for remission of tax on the entire quantity lost from the package will be made by the proprietor, except as herein provided. If the loss does not exceed 1 percent, so calculated, claim for remission of tax will not be required: *Provided,* That (a) claim for remission will not be required for an amount less than one proof gallon, and (b) there are no circumstances indicating that the alcohol lost, or any part thereof, was unlawfully used or removed. (Secs. 3105, 3113, 3124 (a) (6), 3176, I. R. C.)

§ 182.780 *Registry on Form 26.* Every denaturer having in his possession or custody, or under his control, stills set up, must register the same with the district supervisor on Form 26. (Secs. 2810 (a), 3105, 3124 (a) (6), 3176, I. R. C.)

§ 182.815 *Destruction or other disposition.* Specially denatured alcohol in the possession of a bonded dealer may, upon the approval of the district supervisor, be destroyed or disposed of to the proprietor of an industrial alcohol plant or a denaturing plant because of unsalability or other legitimate reason, in accordance with the provisions of §§ 182.867 to 182.869. Notations concerning the destruction or disposition of specially denatured alcohol shall be made on Form 1478. (Secs. 3105, 3124 (a) (6), 3176, I. R. C.)

§ 182.816 *Losses in transit.* Losses in transit to bonded dealer's premises must be ascertained at the time the specially denatured alcohol is received by the bonded dealer. Accordingly, when packages, tank cars, or tank trucks are received which show evidence of having sustained a loss in transit, the bonded dealer should determine the extent of the loss at that time. The quantity ascertained to have been lost will be reported on Form 1478 on the line on which receipt of the shipment is reported, and in the column provided therefor. Where the quantity lost from any package, tank car, or tank truck exceeds 1 percent of the quantity originally contained therein, claim for allowance of the entire quantity lost from the package, tank car, or tank truck will be made by the bonded dealer, except as herein provided. If the loss does not exceed 1 per cent, so calculated, claim for allowance will not be required: *Provided,* That (a) claim for allowance will not be required for an amount less than one wine gallon, and (b) there are no circumstances indicating that the specially denatured alcohol lost, or any part thereof, was unlawfully used or removed. (Secs. 3105, 3113, 3124 (a) (6), 3176, I. R. C.)

§ 182.855 *Labels*—(a) *Brand label.* * * *

(4) The legend "Contains 70 percent alcohol by volume," "Contains 70 percent ethyl alcohol by volume," or "Contains 70 percent absolute alcohol by volume."

* * * * *

(b) *Caution notice.* There must be placed on each bottle, as a part of the brand label or otherwise, but not on the back of any label, a caution notice, printed in plain and legible type of not less than 6 point, reading as follows: * * *

§ 182.868 *Return to industrial alcohol plant, denaturing plant or bonded dealer.* Where specially denatured alcohol, lawfully in the possession of a manufacturer, is found to be unsuitable for use, or where any such manufacturer discontinues the use thereof, or where for any other legitimate reason such manufacturer desires so to do, such denatured alcohol may be returned to any industrial alcohol plant, denaturing plant, or bonded dealer for lawful disposition: *Provided,* That (a) consent of surety is filed on the bond (if any) of the manufacturer, extending terms thereof to cover the transportation of the specially denatured alcohol to the industrial alcohol plant, denaturer, or bonded dealer, (b) the industrial alcohol plant, denaturer, or bonded dealer consents to the return, and (c) permission for such transfer is, in each instance, first obtained from the district supervisor of the district from which the specially denatured alcohol is to be returned. The application shall be filed in triplicate with the district supervisor. If the application is approved, the district supervisor will forward one copy of the approved application to the Commissioner, attached to Form 1482, and one copy to the permittee, and retain the remaining copy for his files. If the industrial alcohol plant, denaturer, or bonded dealer is situated in another district, the district supervisor authorizing the return will forward a letter of authorization to the district supervisor of such other district. (Secs. 3105, 3124 (a) (6), 3176, I. R. C.)

§ 182.868a *Authorization for redenaturation of returned specially denatured alcohol.* Pursuant to appropriate application by the proprietor of the denaturing plant to which specially denatured alcohol is returned, the district supervisor may authorize the conversion of any specially denatured alcohol not containing Methyl (wood) alcohol into any one of the completely denatured alcohol formulae by adding the required denaturants, under supervision of the Government officer. Upon authority of the district supervisor, any such specially denatured alcohol contained in tank cars may be redenatured in such tank cars at the denaturing plant premises. Appropriate entries, in red, should be made in the denaturing plant records covering such conversion. (Secs. 3105, 3124 (a) (6), 3176, I. R. C.)

§ 182.870 *Losses in transit.* Losses in transit to a manufacturer's premises must be ascertained at the time the specially denatured alcohol is received by the manufacturer. Accordingly, when packages, tank cars, or tank trucks are received which bear evidence of having sustained a loss in transit, the manufacturer should determine the extent of the loss at that time. The quantity ascertained to have been lost will be noted on Form 1482 immediately below the line on which receipt of the shipment is reported. Where the quantity lost from any package, tank car, or tank truck exceeds 1 per cent of the quantity originally contained therein, claim for allowance of the entire quantity lost from the package, tank car, or tank truck will be made by the manufacturer, except as herein provided. If the loss does not exceed 1 per cent, so calculated, claim for allowance will not be required: *Provided,* That (a) claim for allowance will not be required for an amount less than one wine gallon, and (b) there are no circumstances indicating that the specially denatured alcohol lost, or any part thereof, was unlawfully used or removed. (Secs. 3105, 3113, 3124 (a) (6), 3176, I. R. C.)

§ 182.874 *Form 1482*—(a) *Recovery.* * * *

(b) *Special entries.* If specially denatured alcohol is destroyed on the premises, or is returned to an industrial alcohol plant, or a denaturer, or bonded dealer, or disposed of to another manufacturer, notation of such transactions, in the case of destruction, giving the dates of the destruction and, if supervised, the name of the officer supervising the destruction; and, in the case of disposal, the name and address of the industrial alcohol plant, denaturer, bonded dealer, or manufacturer to whom shipped, and the date, quantity, and formula number, etc., shall be made on the form. (Secs. 3070, 3105, 3124 (a) (6), 3176, I. R. C.)

§ 182.895 *Shipment to industrial alcohol plant or denaturing plant.* Recovered denatured alcohol requiring restoration or redenaturation, or both, unless redenatured on the manufacturer's premises in accordance with § 182.894, shall be shipped to an industrial alcohol plant for restoration, or to a denaturing plant for restoration and redenaturation: *Provided,* That where the recovered alcohol is to be restored and the shipment is to a denaturing plant, the denaturing plant must be equipped with the necessary apparatus to restore the alcohol. Appropriate entries of the recovered denatured alcohol shall be made on Forms 1442 and 1452 as to industrial plant transactions, and on Form 1468–F as to denaturing plant transactions.

(a) *Marks on packages.* Packages of recovered denatured alcohol shipped to an industrial alcohol plant or a denaturing plant for restoration or redenaturation must be numbered in serial order and have marked or stenciled thereon the name of the manufacturer, his permit number and address, and the quantity of alcohol contained therein, and the words "Recovered (specially) or (completely) denatured alcohol formula No. ____."

(b) *Notice, Form 1484.* The manufacturer, at the time of shipping recovered denatured alcohol to an industrial alcohol plant or a denaturing plant, shall submit Form 1484, "Manufacturer's Notice of Shipment of Recovered Denatured Alcohol." The notice shall give all of the information called for by the form, and shall be forwarded on the day of shipment to the storekeeper-gauger at the industrial alcohol plant or denaturing plant, and to the district supervisor of the district in which the industrial alcohol plant or denaturing plant is located, as provided in subparagraphs (1) and (2) of this paragraph.

(1) *Interdistrict shipments.* When shipment is made to an industrial alcohol plant or a denaturing plant located in another supervisory district, the manufacturer will prepare Form 1484, in triplicate, and forward one copy to the storekeeper-gauger at the plant to which shipment is made, and the remaining copies to the district supervisor of the district in which the plant is located. The district supervisor will check both copies of the form with the monthly report of the receiving plant, execute his certificate of report of receipt on the form, and forward one copy of the form to the district supervisor of the manufacturer's district, who will check the form against the manufacturer's monthly report on Form 1482.

(2) *Intradistrict shipments.* When recovered alcohol is shipped to an industrial alcohol plant or a denaturing plant located in the same district, the manufacturer will prepare Form 1484, in duplicate, and forward one copy to the storekeeper-gauger at the receiving plant, and the remaining copy to the district supervisor. The district supervisor will check the form with the monthly reports of the manufacturer and the receiving plant on Forms 1482 and 1442, or 1468–F.

(c) *Record of shipment.* All denatured alcohol recovered for reuse on the manufacturer's premises and shipped to an industrial alcohol plant or a denaturing plant for restoration or denaturation shall be duly entered by the manufacturer on his monthly report, Form 1482. (Secs. 3070, 3073, 3105, 3124 (a) (6), 3176, I. R. C.)

3. The words "Warehouse Stamp" are hereby deleted from Figure 6 of § 182.528.

4. This Treasury decision shall be effective on the 31st day after its publication in the FEDERAL REGISTER.

(Secs. 2800, 2808, 2810, 2815, 2823, 2829, 3070, 3073, 3101, 3103, 3105, 3107, 3108, 3112, 3113, 3114, 3124, 3176, and 3300, Internal Revenue Code; 26 U. S. C. 2800, 2808, 2810, 2815, 2823, 2829, 3070, 3073, 3101, 3103, 3105, 3107, 3108, 3112, 3113, 3114, 3124, 3176, and 3300)

[F. R. Doc. 49–1639; Filed, Mar. 3, 1949; 8:54 a. m.]

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR, Part 51]

UNITED STATES STANDARDS FOR POTATOES

NOTICE OF PROPOSED RULE MAKING

Notice is hereby given under the authority contained in the Department of

Agriculture Appropriation Act, 1949 (Pub. Law 712, 80th Cong., 2d sess., approved June 19, 1948) that the United States Department of Agriculture is considering the issuance of United States Standards for Potatoes to supersede United States Standards for Potatoes (12 F. R. 3651) currently in effect. The standards are proposed to become effective during June 1949.

All persons who desire to submit written data, views or arguments for consideration in connection with the proposed standards shall file the same with N. W. Baker, Assistant Director, Fruit and Vegetable Branch, Production and Marketing Administration, United States Department of Agriculture, South Building, Washington 25, D. C., not later than 5:30 p. m., e. s. t. on the 30th day after the publication of this notice in the FEDERAL REGISTER.

The proposed standards are as follows:

§ 51.366 *Standards for potatoes*—(a) *General.* (1) All percentages shall be calculated on the basis of weight.

(2) The tolerances for the standards are on a container basis. However, individual packages in any lot may vary from the specified tolerances as stated below, provided the averages for the entire lot, based on sample inspection, are within the tolerances specified.

(3) When the tolerance specified is 10 percent or more, individual packages in any lot may contain not more than one and one-half times the tolerance specified, except that at least one defective and one off-size specimen shall be permitted in a package.

(4) When the tolerance specified is less than 10 percent, individual packages in any lot may contain not more than double the tolerance specified except that for frozen potatoes, or those affected by soft rot or wet break-down, no package may contain more than four times the tolerance specified, and except that at least one defective and one off-size specimen shall be permitted in a package.

(b) *Grades*—(1) *U. S. Fancy.* U. S. Fancy shall consist of potatoes of one variety or similar varietal characteristics which are firm, mature, bright, well shaped, not frozen; which are free from freezing injury, blackheart, late blight, southern bacterial wilt, ring rot, shriveling, sprouting, soft rot or wet break-down, hollow heart, and internal discoloration, and free from injury caused by dirt or other foreign matter, sunburn, second growth, growth cracks, air cracks, cuts, external discoloration, scab, dry rot, rhizoctonia, other disease, wireworm, other insects or mechanical or other means.

(i) The diameter of each potato shall be not less than 2 inches.

(ii) For long varieties such as Burbank, Russet Burbank, Early Ohio, White Rose, or other similar varieties, not less than 40 percent of the potatoes in any lot shall be 6 ounces or more in weight.

(iii) For round or intermediate shaped varieties such as Irish Cobbler, Katahdin, Bliss Triumph, Green Mountain, or other similar varieties, not less than 60 percent of the potatoes in any lot shall be 2¼ inches or larger in diameter.

(iv) The size of the potatoes may be stated in terms of minimum diameter or minimum weight, or of range in diameter or weight, or of a certain percentage over a certain size, following the grade name, but in no case shall the potatoes be below the sizes specified for this grade. (See Tolerance for Size.)

(v) Tolerance for defects: In order to allow for variations other than size, incident to proper grading and handling, not more than a total of 6 percent of the potatoes in any lot may fail to meet the requirements of the grade, but not more than 3 percent shall be allowed for potatoes affected by southern bacterial wilt, ring rot, or late blight, and including not more than 1 percent for potatoes which are frozen, or affected by soft rot or wet breakdown.

(2) *U. S. Extra No. 1.* U. S. Extra No. 1 shall consist of potatoes of one variety or similar varietal characteristics which are fairly well shaped, fairly clean, not frozen; which are free from freezing injury, blackheart, late blight, southern bacterial wilt, ring rot, and soft rot or wet breakdown, and from damage caused by sunburn, second growth, growth cracks, air cracks, hollow heart, internal discoloration, external discoloration, cuts, shriveling, sprouting, scab, dry rot, rhizoctonia, other disease, wireworm, other insects or mechanical or other means. (See Skinning Classification.)

(i) Unless otherwise specified, size of potatoes (See Size Classification and Tolerance for Size) shall be as follows:

(ii) The diameter of each potato shall be not less than 1⅞ inches.

(iii) For long varieties such as Burbank, Russet Burbank, Early Ohio, White Rose, or other similar varieties, not less than 60 percent of the potatoes in the lot shall be 6 ounces or larger, of which not less than one-half, or 30 percent, shall be 10 ounces or more in weight.

(iv) For round or intermediate shaped varieties, such as Irish Cobbler, Katahdin, Bliss Triumph, Green Mountain or other similar varieties, not less than 60 percent of the potatoes in the lot shall be 2¼ inches or larger, of which not less than one-half, or 30 percent, shall be 2¾ inches, or larger in diameter.

(v) Tolerance for defects: In order to allow for variations other than size, hollow heart, and internal discoloration, incident to proper grading and handling, not more than a total of 6 percent of the potatoes in any lot may fail to meet the requirements of the grade, but not more than 3 percent shall be allowed for potatoes affected by southern bacterial wilt, ring rot, or late blight, and including not more than 1 percent for potatoes which are frozen, or affected by soft rot or wet breakdown. In addition, not more than 5 percent may be damaged by hollow heart, and internal discoloration.

(3) *U. S. No. 1.* U. S. No. 1 shall consist of potatoes of one variety or similar varietal characteristics which are fairly well shaped, not frozen; which are free from freezing injury, blackheart, late blight, southern bacterial wilt, ring rot, and soft rot or wet breakdown, and from damage caused by dirt or other foreign matter, sunburn, second growth, growth cracks, air cracks, hollow hearts, internal discoloration, external discoloration, cuts, shriveling, sprouting, scab, dry rot, rhizoctonia, other disease, wireworm, other insects or mechanical or other means. (See Skinning Classification.)

(i) Unless otherwise specified the diameter of each potato shall be not less than 1⅞ inches. (See Size Classification and Tolerance for Size.)

(ii) Tolerance for defects: In order to allow for variations other than size, hollow heart, and internal discoloration, incident to proper grading and handling, not more than a total of 6 percent of the potatoes in any lot may fail to meet the requirements of the grade, but not more than 3 percent shall be allowed for potatoes affected by southern bacterial wilt, ring rot, or late blight, and including not more than 1 percent for potatoes which are frozen, or affected by soft rot or wet breakdown. In addition, not more than 5 percent may be damaged by hollow heart and internal discoloration.

(4) *U. S. Commercial.* U. S. Commercial shall consist of potatoes which meet the requirements for U. S. No. 1 grade except that they shall be free from serious damage by dirt and except for the increased tolerance for defects specified below. (See Skinning Classification.)

(i) Unless otherwise specified, the diameter of each potato shall be not less than 1⅞ inches. (See Size Classification and Tolerance for Size.)

(ii) Tolerance for defects: In order to allow for variations other than size and sprouting, incident to proper grading and handling, not more than a total of 20 percent of the potatoes in any lot may fail to meet the requirements of the grade, but not more than 5 percent may be seriously damaged by hollow heart and internal discoloration and not more than 6 percent may fail to meet the remaining requirements of U. S. No. 2 grade, but not more than one-half of this amount, or 3 percent, shall be allowed for potatoes affected by southern bacterial wilt, ring rot, or late blight and including not more than 1 percent for potatoes which are frozen, or affected by soft rot or wet breakdown. In addition, not more than 10 percent of the potatoes may have sprouts over ¾ inch long, but which are not seriously damaged by shriveling, provided, that if all of the 20 percent tolerance is not used for other defects, the unused part of the tolerance may also be used for potatoes having sprouts over ¾ inch long but which are not seriously damaged by shriveling.

(5) *U. S. No. 2.* U. S. No. 2 shall consist of potatoes of one variety or similar varietal characteristics which are not seriously misshapen, or frozen; which are free from freezing injury, blackheart, late blight, southern bacterial wilt, ring rot, and soft rot or wet breakdown, and from serious damage caused by dirt or other foreign matter, sunburn, second growth, growth cracks, air cracks, hollow heart, internal discoloration, cuts, shriveling, scab, dry rot, other disease, wireworm, other insects or mechanical or other means. (See Skinning Classification.)

(i) Unless otherwise specified the diameter of each potato shall be not less

than 1½ inches. (See Size Classification and Tolerance for Size.)

(ii) Tolerance for defects: In order to allow for variations other than size, hollow heart, and internal discoloration, incident to proper grading and handling, not more than a total of 6 percent of the potatoes in any lot may fail to meet the requirements of the grade, but not more than 3 percent shall be allowed for potatoes affected by southern bacterial wilt, ring rot, or late blight, and including not more than 1 percent for potatoes which are frozen, or affected by soft rot or wet breakdown. In addition, not more than 5 percent may be seriously damaged by hollow heart and internal discoloration.

(c) *Size classification for all grades except U. S. Fancy.* (1) When the potatoes are designated as "U. S. No. 1," "U. S. commercial," or "U. S. No. 2" without specifying a size classification, it is understood that the potatoes meet the minimum size specified in the grade but that no definite percentage of the potatoes is required to be larger than this minimum size.

(2) When potatoes meet the requirements of Size A or Size B as described below, the size classification may be specified in connection with any of the U. S. grades except U. S. Fancy, as: "U. S. No. 1, Size A"; "U. S. Extra No. 1, Size A"; "U. S. Commercial, Size B"; "U. S. No. 1, Size B"; "U. S. No. 2, Size A"; or "U. S. No. 2, Size B"; in accordance with the facts. When Size A or Size B is used in connection with the grade, it is not permissible to specify any smaller sizes than those specified under these designations.

(3) Size A: (i) For long varieties such as Burbank, Russet Burbank, Early Ohio, White Rose, or other similar varieties, the diameter of each potato shall be not less than 1⅞ inches and not less than 40 percent of the potatoes in the lot shall be 6 ounces or more in weight.

(ii) For round or intermediate shaped varieties such as Irish Cobbler, Katahdin, Bliss Triumph, Green Mountain, or other similar varieties, the diameter of each potato shall be not less than 1⅞ inches and not less than 60 percent of the potatoes in the lot shall be 2¼ inches or larger in diameter.

(4) Size B: For all varieties the size shall be from 1½ inches to not more than 2 inches in diameter.

(5) Other sizes: When any of the above size designations are not used in connection wth U. S. Extra No. 1, U. S. No. 1, U. S. Commercial, or U. S. No. 2 grades, it is permissible to specify any other minimum size such as "1¼ inches inches minimum," "2 inches minimum"; or both a minimum and a maximum size as "1⅞ inches to 3 inches," "6 to 10 ounces"; or to specify a certain percentage over a certain size as "25 percent or more 2¼ inches and larger," "50 percent or more 6 ounces and larger."

(6) Tolerance for size: (i) In order to allow for variations incident to proper sizing, not more than 3 percent of the potatoes in any lot may fail to meet the specified minimum size except that a tolerance of 5 percent shall be allowed for potatoes packed to meet a minimum size of 2¼ inches or more in diameter, or 6 ounces or larger in weight. In addition, not more than 15 percent may fail to meet any specified maximum size.

(ii) When a percentage of the potatoes is specified to be of a certain size and larger, no part of any tolerance shall be used to reduce such a percentage for the lot as a whole, but individual containers may have not more than 15 percent less than the percentage required or specified, provided that the entire lot averages within the percentage specified. For example, a lot specified as 25 percent 2½ inches and larger may have containers with not less than 10 percent 2½ inches and larger provided the lot as a whole averages 25 percent 2½ inches and larger.

(d) *Skinning classification.* (1) "Practically no skinning" means that not more than 5 percent of the potatoes in any lot have more than one-tenth of the skin missing or "feathered."

(2) "Slightly skinned" means that not more than 10 percent of the potatoes in any lot have more than one-fourth of the skin missing or "feathered."

(3) "Moderately skinned" means that not more than 10 percent of the potatoes in any lot have more than one-half of the skin missing or "feathered."

(4) "Badly skinned" means that more than 10 percent of the potatoes in any lot have more than one-half of the skin missing or "feathered."

(e) *Unclassified.* Unclassified shall consist of potatoes which have not been classified in accordance with any of the foregoing grades. The term "unclassified" is not a grade within the meaning of these standards but is provided as a designation to show that no definite grade has been applied to the lot.

(f) *Definitions.* (1) "Mature" means that the outer skin (epidermis) does not loosen or "feather" readily during ordinary handling and that practically no skin has been removed from the potatoes.

(2) "Bright" means practically free from dirt or other foreign matter, and that the outer skin (epidermis) has the attractive color normal for the variety.

(3) "Well shaped" means the normal shape for the variety and that the potato is not pointed, dumbbell-shaped, excessively elongated, or otherwise ill-formed.

(4) "Soft rot or wet breakdown" means any soft, mushy, or leaky condition of the tissue such as slimy soft rot, leak, or wet breakdown following freezing injury or sunscald.

(5) "Internal discoloration" means discoloration such as is caused by net necrosis or any other type of necrosis, stem-end browning, internal brown spot, or other similar types of discoloration not visible externally, except blackheart.

(6) "Injury" means any defect which more than slightly affects the edible or shipping quality, or the appearance of the individual potato or the general appearance of the potatoes in the container, or which cannot be removed without a loss of more than 2 percent of the total weight of the potato including peel covering defective area.

(7) "Diameter" means the greatest dimension at right angles to the longitudinal axis. The long axis shall be used without regard to the position of the stem (rhizome).

(8) "Fairly well shaped" means that the appearance of the individual potato or the general appearance of the potatoes in the container is not materially injured by pointed, dumbbell-shaped or otherwise ill-formed potatoes.

(9) "Fairly clean" means that from the viewpoint of general appearance, the potatoes in the container are reasonably free from dirt or other foreign matter and that individual potatoes are not materially caked with dirt or materially stained.

(10) "Damage" means any injury or defect which materially injures the edible or shipping quality, or the appearance of the individual potato or the general appearance of the potatoes in the container, or which cannot be removed without a loss of more than 5 percent of the total weight of the potato including peel covering defective area. Any one of the following defects or any combination of defects the seriousness of which exceeds the maximum allowed for any one defect shall be considered as damage:

(i) Second growth or growth cracks which have developed to such an extent as to materially injure the appearance of the individual potato or the general appearance of the potatoes in the container.

(ii) Air cracks which are deep, or shallow air cracks which materially injure the appearance of the individual potato or the general appearance of the potato in the container.

(iii) External discoloration, when skinned areas on individual potatoes are materially affected by dark discoloration, or when the general appearance of the lot is materially affected by discoloration.

(iv) Shriveling, when the potato is more than moderately shriveled, spongy, or flabby.

(v) Sprouting, when more than 10 percent of the potatoes have sprouts over three-fourths of an inch long.

(vi) Surface scab which covers an area of more than 5 percent of the surface of the potato in the aggregate.

(vii) Pitted scab which affects the appearance of the potato to a greater extent than the amount of surface scab permitted or causes a loss of more than 5 percent of the total weight of the potato including peel covering defective area.

(viii) Rhizoctonia, when the general appearance of the potatoes in the container is materially injured or when individual potatoes are badly infected.

(ix) Wireworm, grass root or similar injury, when any hole, on potatoes ranging in size from 6 to 8 ounces, is longer than ¾ inch or when the aggregate length of all holes is more than 1¼ inches. Smaller potatoes shall have lesser amounts and larger potatoes may have greater amounts, provided that the removal of the injury by proper trimming does not cause the appearance of such potatoes to be injured to a greater extent than that caused by the proper trimming of such injury permitted on a 6 to 8 ounce potato.

(x) Dirt, when the general appearance of the potatoes in the container is more than slightly dirty or stained, or when

individual potatoes are badly caked with dirt or badly stained; or other foreign matter which materially affects the appearance of the potatoes.

(11) "Serious damage" means any injury or defect which seriously injures the edible or shipping quality, or the appearance of the individual potato or the general appearance of the potatoes in the container, or which cannot be removed without a loss of more than 10 percent of the total weight of the potato including peel covering defective area. Any one of the following defects or any combination of defects the seriousness of which exceeds the maximum allowed for any one defect shall be considered as serious damage:

(i) Dirt, when the general appearance of the potatoes in the container is seriously affected by tubers badly caked with dirt; or other foreign matter which seriously affects the appearance of the potatoes.

(ii) External discoloration, when skinned areas on individual potatoes are seriously affected by very dark discoloration, or when the general appearance of the lot is seriously affected by discoloration.

(iii) Fairly smooth cuts such as are made by the digger or by a knife to remove injury, when both ends are clipped, or when more than an estimated one-fourth of the potato is cut away, or, in the case of long varieties, when the remaining portion of the clipped potato weighs less than 6 ounces. Irregular types of cuts which seriously affect the appearance of the individual potato, or which cannot be removed without a loss of more than 10 percent of the total weight of the potato including peel covering defective area.

(iv) Shriveling, when the potato is excessively shriveled, spongy or flabby.

(v) Surface scab which covers an area of more than 50 percent of the surface of the potato in the aggregate.

(vi) Pitted scab which affects the appearance of the potato to a greater extent than the amount of surface scab permitted or causes a loss of more than 10 percent of the total weight of the potato including peel covering defective area.

(vii) Wireworm, grass root or similar injury, when any hole, on potatoes ranging in size from 6 to 8 ounces, is longer than 1¼ inches or when the aggregate length of all holes is more than 2 inches. Smaller potatoes shall have lesser amounts and larger potatoes may have greater amounts, provided that the removal of the injury by proper trimming does not cause the appearance of such potatoes to be injured to a greater extent than that caused by the proper trimming of such injury permitted on a 6 to 8 ounce potato.

Done at Washington, D. C., the 28th day of February 1949.

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

[F. R. Doc. 49-1618; Filed, Mar. 3, 1949; 8:46 a. m.]

No. 42——3

[7 CFR, Part 729]

PEANUTS

NOTICE OF INTENTION TO FORMULATE AND ISSUE REGULATIONS GOVERNING MARKETING OF PEANUTS, COLLECTION OF MARKETING PENALTIES, AND RECORDS AND REPORTS FOR THE 1949-50 MARKETING YEAR

Pursuant to the authority contained in the applicable provisions of the Agricultural Adjustment Act of 1938, as amended (7 U. S. C. 1301, 1358–1359, 1372–1375), the Secretary of Agriculture is preparing to formulate marketing quota regulations governing the issuance of marketing cards, the identification of peanuts, the collection and refund of penalties, and the records and reports incident thereto on the marketing of peanuts for the 1949–50 marketing year.

Prior to issuance of such regulations, consideration will be given to any data, views, and recommendations relating thereto which are submitted in writing to the Director, Fats and Oils Branch, Production and Marketing Administration, U. S. Department of Agriculture, Washington 25, D. C. All submissions must be postmarked not later than 15 days from the date of publication of this notice in the FEDERAL REGISTER.

Issued at Washington, D. C., this 1st day of March 1949.

[SEAL] RALPH S. TRIGG,
Administrator.

[F. R. Doc. 49-1641; Filed, Mar. 3, 1949; 8:55 a. m.]

FEDERAL SECURITY AGENCY

Bureau of Federal Credit Unions

[45 CFR, Part 301]

ORGANIZATION AND OPERATION OF FEDERAL CREDIT UNIONS

AMENDMENT OF FEES CHARGED FOR EXAMINATION AND FOR FINAL EXAMINATION OF FEDERAL CREDIT UNIONS

Notice is hereby given, pursuant to the Administrative Procedure Act, approved June 11, 1946 (60 Stat. 238, 5 U. S. C. 1003) that the regulations set forth in tentative form below are proposed to be prescribed by the Director of the Bureau of Federal Credit Unions with approval of the Commissioner for Social Security and the Federal Security Administrator, in lieu of §§ 301.7 and 301.8 of the present regulations of the Bureau of Federal Credit Unions (45 CFR 301.7 and 301.8; 13 F. R. 9344). The proposed regulations are designed to revise and amend the existing regulations concerning fees for examination and fees for final examination of Federal Credit Unions.

Prior to the official adoption of the proposed regulations, consideration will be given to any data, views, or arguments pertaining thereto which are submitted in writing in duplicate to the Director of the Bureau of Federal Credit Unions, Federal Security Agency, Federal Security Building, Washington 25, D. C., within a period of fifteen days from the date of the publication of this notice in the FEDERAL REGISTER. The proposed regulations are to be issued under authority contained in section 16 (a) of the Federal Credit Union Act, as amended. (48 Stat. 1221, 12 U. S. C. 1766 and section 2 of the act of June 29, 1948 (62 Stat. 1091))

Approved: February 21, 1949.

[SEAL] C. R. ORCHARD,
Director, Bureau of Federal Credit Unions.

Dated: February 28, 1949.

A. J. ALTMEYER,
Commissioner for Social Security.

Dated: February 28, 1949.

J. DONALD KINGSLEY,
Acting Federal Security Administrator.

Sections 301.7 and 301.8 (13 F. R. 9344) are hereby amended to read as follows:

§ 301.7 *Fee for examination.* Each Federal credit union shall pay to the Bureau of Federal Credit Unions a fee for each examination. Except as provided in § 301.8 the fee shall be assessed at 35 cents per hundred dollars of the Federal credit union's assets as of the effective date of the examination or the cost of making the examination, whichever is lower: *Provided, however,* That the minimum fee for each examination shall be $3.50. The cost of making the examination shall be computed at the rate of $32.08 per examiner day: *Provided, however,* That during the month of December 1949, and during each December thereafter the cost per examiner day shall be recomputed and shall be reset by the Bureau of Federal Credit Unions on the basis of the following elements: (a) Average daily cost of salaries and travel expenses for credit union examiners (using 220 working days as basis for computation); (b) average daily cost of reviewing and typing examiners' reports as related to an examiner day; and (c) ten percent of the sum of items 1 and 2 above to defray the costs of overall planning and direction of the examination program and incidental costs for supplies, equipment, and communications directly applicable to examinations. For the purpose of computing the cost per examiner day, annual salaries at the rate in effect as of December 1, will be used; other items will be based on the experience in the fiscal year ended June 30. The check in payment of such fee shall be made payable to the Treasurer of the United States and the check shall be delivered to the examiner at the completion of the examination.

§ 301.8 *Fee for final examination.* At the completion of voluntary or involuntary liquidation of a Federal credit union, and prior to dissolution, each such Federal credit union shall be examined by the Bureau of Federal Credit Unions. For such final examination the Federal credit union shall pay a fee computed at 35 cents per $100 of the Federal credit union's assets as of the effective date of the final examination: *Provided, however,* That the minimum fee for each final examination shall be $3.50.

[F. R. Doc. 49-1624; Filed, Mar. 3, 1949; 8:49 a. m.]

UNITED STATES MARITIME COMMISSION

[46 CFR, Part 226]

[Docket No. 659]

FREE TIME AND DEMURRAGE CHARGES AT NEW YORK

NOTICE OF PROPOSED RULE MAKING

Notice is hereby given that, in accordance with the provisions of section 17 of the Shipping Act, 1916, and section 4 of the Administrative Procedure Act, the United States Maritime Commission has under consideration an amendment to Finding No. 2 of the Commission's report and order of October 19, 1948 (13 F. R. 6538), in this proceeding. There appear to be certain local ordinances and regulations requiring the removal of certain commodities within very short times for fire prevention or health reasons, and certain commodities such as live animals, or treasure which the piers are not equipped to care for. These matters were not made of record in this proceeding as no question had been raised concerning them.

Finding No. 2 (§ 226.1 (a) (2)) and the proposed amendment thereto are as follows:

Finding No. 2. Free time on import property at New York shall not be less than five days, except as the Commission may hereafter direct.

Proposed amendment. Free time on import property at New York shall not be less than five days, except on import property of such a special nature as to require earlier removal because of local ordinances or other governmental regulations or because piers are not equipped to care for such property for such period or except as the Commission may hereafter direct.

All persons interested in the proposed amendment may file with the Secretary of the Commission, Commerce Building, Washington 25, D. C., within thirty (30) days of the publication of this notice in the FEDERAL REGISTER, written views and suggestions thereon.

By order of the United States Maritime Commission.

[SEAL] A. J. WILLIAMS, *Secretary.*

FEBRUARY 23, 1949.

[F. R. Doc. 49-1620; Filed, Mar. 8, 1949; 8:46 a. m.]

NOTICES

DEPARTMENT OF LABOR

Wage and Hour and Public Contracts Divisions

EMPLOYMENT OF HANDICAPPED CLIENTS BY SHELTERED WORKSHOPS

NOTICE OF ISSUANCE OF SPECIAL CERTIFICATES

Notice is hereby given that special certificates authorizing the employment of handicapped clients at hourly wage rates lower than the minimum wage rates applicable under section 6 of the Fair Labor Standards Act of 1938 and section 1 (b) of the Walsh-Healey Public Contracts Act have been issued to the sheltered workshops hereinafter mentioned, under section 14 of the Fair Labor Standards Act of 1938 (sec. 14, 52 Stat. 1068; 29 U. S. C. 214) and Part 525 of the regulations issued thereunder (29 CFR Cum. Supp., Part 525, amended 11 F. R. 9556), and under sections 4 and 6 of the Walsh-Healey Public Contracts Act (secs. 4, 6, 49 Stat. 2038; 41 U. S. C. 38, 40) and Article 1102 of the regulations issued pursuant thereto (41 CFR Cum. Supp., 201.1102).

The names and addresses of the sheltered workshops to which certificates were issued, wage rates, and the effective and expiration dates of the certificates are as follows:

Goodwill Industries of New York, Inc., 123 East 24th Street, New York 35, New York; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards, or not less than 20 cents per hour whichever is higher, and a rate of not less than 15 cents for each new client during his initial 4-week evaluation period in the workshop; certificate is effective March 1, 1949, and expires February 28, 1950.

Mount Sinai Hospital, 1 East 100th Street, New York 29, New York; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards, or not less than 30 cents per hour, whichever is higher, and a rate of not less than 30 cents for each new client during his initial 4-week evaluation period in the workshop; certificate is effective March 1, 1949, and expires February 28, 1950.

Pennsylvania Association for the Blind, 1246 Vine Avenue, Williamsport, Pennsylvania; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards, or not less than 20 cents per hour, whichever is higher, and a rate of not less than 10 cents for each new client during his initial 4-week evaluation period in the workshop; certificate is effective February 16, 1949, and expires May 31, 1949.

Pennsylvania Association for the Blind, 110 South 18th Street, Philadelphia, Pennsylvania; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards, or not less than 20 cents per hour, whichever is higher, and a rate of not less than 15 cents for each new client during his initial 4-week evaluation period in the workshop; certificate is effective March 1, 1949, and expires May 31, 1949.

Pennsylvania Branch, Shut In Society, 511 North Broad Street, Philadelphia, Pennsylvania; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards, or not less than 10 cents per hour, whichever is higher, and a rate of not less than 5 cents for each new client during his initial 4-week evaluation period in the workshop; certificate is effective March 1, 1949, and expires February 28, 1950.

United Vocational and Employment Service, 931 Penn Avenue, Pittsburgh, Pennsylvania; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards, or not less than 15 cents per hour, whichever is higher, and a rate of not less than 10 cents for each new client during his initial 4-week evaluation period in the workshop; certificate is effective March 1, 1949, and expires February 28, 1950.

Chicago Metropolitan Unit of Illinois Association for the Crippled, Inc., 116 South Michigan Avenue, Chicago 3, Illinois; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards, or not less than 10 cents per hour, whichever is higher, and a rate of not less than 5 cents for each new client during his initial 4-week evaluation period in the workshop; certificate is effective February 22, 1949, and expires December 31, 1949.

Fort Worth–Tarrant County Association for the Blind, 428 South Lake, Fort Worth, Texas; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards, or not less than 15 cents per hour, whichever is higher, and a rate of not less than 15 cents for each new client during his initial 4-week evaluation period in the workshop; certificate is effective January 25, 1949, and expires January 31, 1950.

The Rehabilitation Institute, 2700 McGee Trafficway, Kansas City, Missouri; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards, or not less than 15 cents per hour, whichever is higher, and a rate of not less than 5 cents for each new client during his initial 4-week evaluation period in the workshop; certificate is effective March 1, 1949, and expires February 28, 1950.

The employment of handicapped clients in the above-mentioned sheltered workshops under these certificates is limited to the terms and conditions therein contained and is subject to the

provisions of Part 525 of the regulations. These certificates have been issued on the applicants' representations that they are sheltered workshops as defined in the regulations and that special services are provided their handicapped clients. A sheltered workshop is defined as, "A charitable organization or institution conducted not for profit, but for the purpose of carrying out a recognized program of rehabilitation for individuals whose earning capacity is impaired by age or physical or mental deficiency or injury, and to provide such individuals with remunerative employment or other occupational rehabilitating activity of an educational or therapeutic nature."

These certificates may be cancelled in the manner provided by the regulations. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the FEDERAL REGISTER.

Signed at Washington, D. C., this 23d day of February 1949.

RAYMOND G. GARCEAU,
Director,
Field Operations Branch.

[F. R. Doc. 49-1614; Filed, Mar. 3, 1949; 8:45 a. m.]

FEDERAL POWER COMMISSION

[Project No. 1198]

JACKSON HOLE LIGHT & POWER CO.

NOTICE OF APPLICATION FOR AMENDMENT OF LICENSE (MAJOR)

FEBRUARY 28, 1949.

Public notice is hereby given pursuant to the provisions of the Federal Power Act (16 U. S. C. 791-825r), that Jackson Hole Light & Power Company, of Jackson, Wyoming, has filed application for amendment of its license for water-power Project No. 1198, located on Flat Creek, a tributary of Snake River, in Teton County, Wyoming, to include an addition to the powerhouse in which have been installed a turbine developing approximately 300 horsepower connected to a 219-kv.-a. generator, a 106-kv.-a. auxiliary Diesel unit, and appurtenant equipment, and a machine shop.

Any protest against the approval of this application or request for hearing thereon, with the reasons for such protest of request and the name and address of the party or parties so protesting or requesting, should be submitted before April 8, 1949, to the Federal Power Commission, Washington 25, D. C.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 49-1619; Filed, Mar. 3, 1949; 8:46 a. m.]

[Docket No. G-1156]

MICHIGAN-WISCONSIN PIPE LINE CO. AND MICHIGAN CONSOLIDATED GAS CO.

ORDER FIXING DATE OF HEARING

FEBRUARY 28, 1949.

On December 2, 1948, Michigan-Wisconsin Pipe Line Company, Michigan Consolidated Gas Company and Austin Field Pipe Line Company filed a joint application for certificates of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, authorizing the construction and operation, and the construction or operation of certain natural-gas transmission facilities, subject to the jurisdiction of the Commission, as described in such joint application on file with the Commission and open to public inspection. Due notice of the filing of such application has been given, including publication in the FEDERAL REGISTER on December 23, 1948 (13 F. R. 8280).

On February 9, 1949, applicants filed an amendment to said application. This amendment provides that Michigan Consolidated Gas Company shall be substituted in place of Austin Field Pipe Line Company as the applicant herein seeking authorization to construct the facilities referred to in paragraph (C) of said published notice. The effect of said amendment is also to eliminate Austin Field Pipe Line Company as an applicant herein.

The Commission orders:

(A) Pursuant to authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, as amended, and the Commission's rules of practice and procedure, a public hearing be held commencing on the 14th day of March 1949, at 10:00 a. m. (e. s. t.), in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the matters presented and the issues involved in said application and other pleadings, including intervening petitions.

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

Date of issuance: March 1, 1949.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 49-1622; Filed, Mar. 3, 1949; 8:47 a. m.]

INTERSTATE COMMERCE COMMISSION

[Application No. 10]

WATERWAYS FREIGHT BUREAU

APPLICATION FOR APPROVAL OF AGREEMENT

MARCH 1, 1949.

The Commission is in receipt of the above-entitled and numbered application for approval of an agreement under the provisions of section 5a of the Interstate Commerce Act.

Filed by: American Barge Line Company, 1706 Grant Building, Pittsburgh 19, Pa., and others.

Agreement involved: An agreement between and among common carriers by water, establishing the Waterways Freight Bureau, and providing procedures for the joint consideration, initiation, or establishment of rates, classifications, divisions, allowances, or charges (including charges between carriers and compensation paid or received for the use of facilities and equipment), or rules and regulations pertaining thereto, applicable to the transportation by water in interstate or foreign commerce along the Mississippi River and tributary waterways.

The complete application may be inspected at the office of the Commission in Washington, D. C.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 20 days from the date of this notice. As provided by the general rules of practice of the Commission, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing.

By the Commission, Division 2.

[SEAL] G. W. LAIRD,
Acting Secretary.

[F. R. Doc. 49-1631; Filed, Mar. 3, 1949; 8:53 a. m.]

[Application No. 11]

GENERAL TARIFF BUREAU, INC., NEW FURNITURE

APPLICATION FOR APPROVAL OF AGREEMENT

MARCH 1, 1949.

The Commission is in receipt of the above-entitled and numbered application for approval of an agreement under the provisions of section 5a of the Interstate Commerce Act.

Filed by: C. B. Christian, 412 Bradley, P. O. Box 270, South Haven, Van Buren County, Mich.

Agreement involved: An agreement between and among common carriers by motor vehicles, pertaining to the General Tariff Bureau, Inc., and providing procedures for the joint consideration, initiation or establishment of rates, charges, classifications, exceptions to classifications, and rules, regulations and practices pertaining thereto, applicable to the transportation by motor common carriers of new furniture and allied commodities, between points in Georgia, Illinois, Indiana, Iowa, Massachusetts, Michigan, Missouri, New York, Ohio, Pennsylvania and Texas, on the one hand, and points in Connecticut, Delaware, District of Columbia, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Nebraska, New Hampshire, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Vermont, Virginia, West Virginia and Wisconsin, on the other.

The complete application may be inspected at the office of the Commission in Washington, D. C.

Any interested person desiring the Commission to hold a hearing upon such

application shall request the Commission in writing so to do within 20 days from the date of this notice. As provided by the general rules of practice of the Commission, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing.

By the Commission, Division 2.

[SEAL] G. W. LAIRD,
Acting Secretary.

[F. R. Doc. 49-1632; Filed, Mar. 3, 1949; 8:53 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File Nos. 54-75, 70-726]

COMMONWEALTH & SOUTHERN CORP. (DEL.)

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

In the matter of the Commonwealth & Southern Corporation, (Delaware), File No. 54-75; the Commonwealth & Southern Corporation, (Delaware), File No. 70-726.

At a regular session of Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 25th day of February 1949.

The Commonwealth & Southern Corporation ("Commonwealth"), a registered holding company, having heretofore filed with this Commission a "Plan for Compliance with sections 11 (b) (1) and 11 (b) (2) of the Public Utility Holding Company Act of 1935, dated July 30, 1947," and amendments thereto dated July 6, 1948 (which plan, as so amended, is hereinafter referred to as the "Plan"), and said Plan having provided in part that Commonwealth will pay, from time to time pending consummation of the Plan, dividends on its outstanding shares of Preferred Stock at the rate of $6 per share per annum from July 1, 1948 to the date for initial distribution under the Plan; and

The Commission by its order dated November 22, 1948 having approved said Plan and having applied to the United States District Court for the District of Delaware for an order enforcing the Plan; and

Commonwealth having filed a declaration pursuant to the Public Utility Holding Company Act of 1935 (the "act"), particularly section 12 (c) thereof and Rule U-46 thereunder, regarding the declaration and payment out of net profits subsequent to January 1, 1948, from time to time pending the consummation of the Plan and not later than the date for the initial distribution of securities under the Plan, of dividends on the outstanding Preferred Stock at the rate of $6 per share per annum ($1.50 per share, or approximately $2,161,870 per quarterly dividend period) from January 1, 1949 to the date for such distribution; and

Commonwealth having stated in the instant declaration that "The Board * * * recognizes that * * * the 'Earned Surplus' account may be so qualified that under the rules and practice of the Commission, payment of said dividends is subject to the requirement of Commission authorization under the provisions of section 12 (c) of the act and Rule U-46 in spite of the fact that, as authorized by section 34 of the Delaware General Corporation Law, the source of payment of such dividends under such Law is to be Commonwealth's net profits for the current fiscal year and the preceding fiscal year"; and

The instant declaration having been filed on January 25, 1949 and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for a hearing with respect to said declaration within the period specified in the said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission deeming that it would not be necessary or appropriate to deny effectiveness to the declaration under the standards of section 12 (c) of the act and Rule U-46 if it should be found that the proposed payments were to be made out of capital and that, therefore, it is unnecessary for the Commission to determine whether said proposed payments are to be made out of capital; and

The Commission therefore deeming it appropriate in the public interest and in the interest of investors and consumers to permit said declaration to become effective insofar as section 12 (c) and Rule U-46 are applicable to the proposed payments;

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of the act and subject to the terms and conditions prescribed in Rule U-24, that the aforesaid declaration be, and the same hereby is, permitted to become effective forthwith: *Provided, however*, That this order shall not be construed as a determination that such dividend payments are or are not taxable to the recipient pursuant to the provisions of the Internal Revenue Code: *And provided further*, That Commonwealth accompany the dividend checks with a statement to the effect (1) that Commonwealth filed a declaration regarding the proposed dividend payments pursuant to section 12 (c) and Rule U-46 by reason of its uncertainty as to whether the "Earned Surplus" account may be so qualified, under the rules and practice of the Commission, that payment of the proposed dividends is subject to the requirement of Commission authorization under the act and the rules thereunder and that the Commission permitted the declaration to become effective without determining whether the proposed payments are being made out of capital and (2) that the Commission's action in permitting the declaration to become effective should not be construed as a determination that such dividend payments are or are not taxable to the recipient pursuant to the provisions of the Internal Revenue Code.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 49-1615; Filed, Mar. 3, 1949; 8:46 a. m.]

[File No. 70-2050]

SALEM TERMINAL CORP. AND NEW ENGLAND POWER CO.

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 24th day of February A. D. 1949.

Notice is hereby given that a joint application-declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by New England Power Company ("NEPCO"), a subsidiary company of New England Electric System, a registered holding company and by Salem Terminal Corporation ("Salem Terminal"), a subsidiary of NEPCO. Applicants-declarants designate sections 9, 10 and 12 of the act and Rules U-42, U-43 and U-46 promulgated thereunder as applicable to the proposed transactions.

Notice is further given that any interested person may, not later than March 10, 1949, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request, the nature of his interest, and the issues of fact or law raised by said joint application-declaration which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after March 10, 1949, said joint application-declaration, as filed or as amended, may be permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof.

All interested persons are referred to said joint application-declaration which is on file in the offices of this Commission for a statement of the transactions therein proposed, which may be summarized as follows:

Salem Terminal, which proposes to liquidate and dissolve, owns certain real estate and coal handling facilities in Salem, Massachusetts. Under the plan of liquidation all of the assets of Salem Terminal will be distributed to, and its current liabilities assumed by NEPCO. The net assets of Salem Terminal will be distributed to NEPCO as payment in full for the $1,200,000 principal amount of demand notes of Salem Terminal held by NEPCO and as a final liquidating dividend upon the 20,000 shares of $25 par value capital stock likewise held by NEPCO. Such notes and stock constitute all of the outstanding securities of Salem Terminal.

NEPCO plans to construct a steam-electric generating station on the land of Salem Terminal and states in the joint application-declaration that the Salem Terminal properties will become an integral part of the new plant. The joint application-declaration further states that no state commission or federal commission, other than this Commission, has jurisdiction over the proposed transactions and that services in connection with the proposed transactions will be performed by New England Power Service Company, an affiliated service company, at the actual cost thereof, estimated not to exceed $1,500.

Applicants-declarants request that the Commission's order be issued without a hearing and become effective immediately upon issuance.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 49-1616; Filed, Mar. 3, 1949; 8:46 a. m.]

[File No. 70-2057]

UTAH POWER & LIGHT CO. AND WESTERN COLORADO POWER CO.

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 28th day of February A. D. 1949.

Notice is hereby given that Utah Power & Light Company ("Utah"), a registered holding company, and its wholly owned electric utility subsidiary, the Western Colorado Power Company ("Colorado"), have filed a joint application-declaration and amendment thereto pursuant to the Public Utility Holding Company Act of 1935 and have designated sections 6 (b), 9 (a), 10 and 12 (f) of the act and Rule U-45 of the rules and regulations promulgated thereunder as applicable to the proposed transactions which are summarized as follows:

Colorado proposes to borrow from Utah from time to time during the year 1949 up to an aggregate amount of $700,000, such borrowings to be evidenced by Colorado's promissory note or notes, which notes will bear interest at the rate of 3½% per annum and will mature not more than eleven months after the date thereof.

All of the outstanding securities of Colorado, consisting of 110,000 shares of $20 par value common stock and a fifteen year 4% note in the principal amount of $2,500,000 are owned by Utah.

The application - declaration, as amended, states that the proposed borrowings are necessary to finance Colorado's construction program during the year 1949.

Applicants-declarants request that the Commission's order issue as promptly as may be practicable and that it be effective forthwith upon issuance.

Notice is further given that any interested person may not later than March 14, 1949 at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law raised by said application-declaration which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after March 14, 1949 said application-declaration, as filed or as amended, may be granted as provided in Rule U-23 of the rules and regulations promulgated under said act or the Commission may exempt such transactions as provided in Rule U-20 (a) and Rule U-100 thereof. All interested persons are referred to said application-declaration which is on file with this Commission for a statement of the transactions therein proposed.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 49-1617; Filed, Mar. 3, 1949; 8:46 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 12834]

MUNETSUGU NARA

In re: Stock owned by Munetsugu Nara also known as Munetsuger Nara. F-39-5162-D-1; D-2.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Munetsugu Nara also known as Munetsuger Nara, whose last known address is Kusakabe, Cho Higashiyamanashi, Gun Yamanashi, Ken, Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows:

a. Ten and one-half (10½) shares of $2.00 par value capital stock of Transamerica Corporation, Montgomery Street at Columbus Avenue, San Francisco 11, California, a corporation organized under the laws of the State of Delaware, evidenced by certificates registered in the name of Munetsugu Nara and numbered and in the amounts as follows:

Certificate numbers:	*Number of shares*
SFS 94031	½
SFH 95211	5
SFL 19644	5

together with all declared and unpaid dividends thereon, and

b. Three (3) shares of $12.50 par value common stock of Bank of America National Trust and Savings Association, 300 Montgomery Street, San Francisco 20, California, a national banking association organized under the laws of the United States, evidenced by certificates registered in the name of Munetsuger Nara and numbered and in the amounts as follows:

Certificate numbers:	*Number of shares*
A 54900	2
F 92112	1

together with all declared and unpaid dividends thereon,

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

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on February 15, 1949.

For the Attorney General.

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

[F. R. Doc. 49-1633; Filed, Mar. 3, 1949; 8:53 a. m.]

[Vesting Order 12774]

AUGUSTE RUSTEMEYER ET AL.

In re: Trust indenture April 7, 1920 between Auguste Rustemeyer a/k/a Auguste Gensheimer, settlor, and the New York Trust Co., as successor trustee to Hubert E. Rogers. File F-28-6896-G-1; E. T. Sec. 8505.

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 Auguste Rustemeyer, also known as Auguste Gensheimer, Karl Philipp Gensheimer, Ilse Gertrude Crusius, Paula Balzar, Emilie Mann, Otto Jorgens, Valentine Gensheimer and Paul Gensheimer, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the issue, names unknown, of Auguste Rustemeyer, also known as Auguste Gensheimer; issue, names unknown of Karl Philipp Gensheimer; issue, names unnkown of Ilse Gertrude

Crusius; issue, names unknown of Paula Balzar; issue, names unknown, of Emilie Mann; issue, names unknown of Otto Jorgens; issue, names unknown, of Valentine Gensheimer; and issue, names unknown, of Paul Gensheimer, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

3. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraphs 1 and 2 hereof, and each of them, in and to and arising out of or under that certain trust indenture dated April 7, 1920, by and between Auguste Rustemeyer, also known as Auguste Gensheimer, settlor, and Hubert E. Rogers, trustee, and presently being administered by the New York Trust Company as successor trustee,

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:

4. That to the extent that the persons identified in subparagraph 1 hereof and the issue, names unknown of Auguste Rustemeyer, also known as Auguste Gensheimer; issue, names unknown of Karl Philipp Gensheimer; issue, names unknown of Ilse Gertrude Crusius; issue, names unknown of Paula Balzar; issue, names unknown, of Emilie Mann; issue, names unknown of Otto Jorgens; issue, names unknown of Valentine Gensheimer; and issue, names unknown of Paul Gensheimer, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on February 1, 1949.

For the Attorney General.

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

[F. R. Doc. 49-1634; Filed, Mar. 3, 1949; 8:53 a. m.]

[Vesting Order 12846]

TOSHIO KOYAMA AND ISAMU KOYAMA

In re: Real property, equipment and claim owned by Toshio Koyama and Isamu Koyama, also known as Yoshio Koyama.

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 Toshio Koyama and Isamu Koyama, also known as Yoshio Koyama, whose last known addresses are Japan, are residents of Japan and nationals of a designated enemy country (Japan);

2. That the property described as follows:

a. Real property situated in the County of Sacramento, State of California, particularly described in Exhibit A, 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. That certain pumping plant installation located on the property described in subparagraph 2-a hereof, and

c. That certain debt or other obligation owing to the persons named in subparagraph 1 hereof by Henry L. Ehrhardt, Box 205, Elk Grove, Sacramento County, California, arising out of the collection of rentals from the 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 (Japan);

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described in subparagraph 2-a hereof, subject to 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 subparagraphs 2-b and 2-c hereof,

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 February 24, 1949.

For the Attorney General.

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

EXHIBIT A

All that certain real property situate, lying and being in the County of Sacramento, State of California, particularly described as follows:

All that portion of the Northeast one-quarter of Section 13, Township 7 North, Range 5 East, M. D. B. & M., described as follows:

Commencing at a point in the East line of the Northeast one-quarter of said Section 13, said point being also in the center line of the Florin-Elk Grove Road, distant South 0° 08' East 1321.4 feet from the Northeast corner of said Section 13; thence, from said point of commencement, North 89° 38½' West 2630.2 feet to a point; thence, South 0° 16½' East 439.0 feet to a point; thence South 89° 36' East 2629.2 feet to a point in the East line of the Northeast one-quarter of said Section 13; thence, North 0° 08' West, along said East line and along the center line of the Florin-Elk Grove Road, 440.9 feet to the point of commencement.

[F. R. Doc. 49-1604; Filed, Mar. 2, 1949; 8:57 a. m.]

PIERRE FRANCOIS DANEL

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

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

Claimant, Claim No., and Property

Pierre Francois Danel, Grenoble, France, 4796; property described in Vesting Order No. 667 (8 F. R. 4996, April 17, 1943) relating to United States Letters Patent No. 2,207,479.

Executed at Washington, D. C., on February 28, 1949.

For the Attorney General.

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

[F. R. Doc. 49-1635; Filed, Mar. 3, 1949; 8:54 a. m.]

WILHELM HANSEN MUSIK-FORLAG

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

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

Claimant, Claim No., and Property

Wilhelm Hansen Musik-Forlag, Gothersgade 9-11, Copenhagen K, Denmark; 31038; property to the extent owned by claimant immediately prior to the vesting thereof, described in Vesting Order No. 4034 (9 F. R. 13781, November 17, 1944), relating to musical

compositions and literary works entitled "Valse Chevaleresque", "Valse Finlandaise", "Slumber Song", "Humorous Dance II", "Chord Grasps", "Studies for Left Hand", "Legato and Staccato", "Rhythmic and Polyrhythmic Studies", "Alternation", "Octaves", "Shakes and Tremelo", "Broken Chords", "Energy", "Elegance", "Festival March", "Old Melody", "6 Violin Pieces", "Romance", "Bravura", "Lyric Quality", "Prelude", "Sketches from Finland", "Melody", "Joys of Youth", "25 Easy Studies", "Middle Grade (Bks. 1, 2, & 3)", "Preparatory Grade (Bk. 1 & 2)", "6 Cello Pieces", "Technical Piano Pieces", "10 Easy Transcriptions", "Forty Pedal Studies", "Major & Minor (Books 1–4)", "Triumphal Entry", "The Swan", "Mother's Song", "Isle of Shadows", "Serenata (Opus 51 #2)", "Second Romance", "Valse Lyrique", "Etude (Opus 76, #2)", "The Spruce", "Six Lyric Pieces", "Valse Mignonne", "For Little Folks", "Tales and Fables", "Easy and Characteristic", "Musical Pictures", and "Pedal Studies" (attached as exhibits to said vesting order), including royalties pertaining thereto in the amount of $1074.59.

Executed at Washington, D. C., on February 28, 1949.

For the Attorney General.

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

[F. R. Doc. 49–1636; Filed, Mar. 3, 1949; 8:54 a. m.]

GABRIEL SCOTT

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

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

Claimant, Claim No., and Property

Gabriel Scott, Tromoy, Arendal, Norway, 36469; Property to the extent owned by claimant immediately prior to the vesting thereof, described in Vesting Order No. 4034 (9 F. R. 13781, November 17, 1944) relating to the literary work entitled "Kari" (listed in Exhibit A of said vesting order), including royalties pertaining thereto in the amount of $204.57.

Executed at Washington, D. C., on February 28, 1949.

For the Attorney General.

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

[F. R. Doc. 49–1637; Filed, Mar. 3, 1949; 8:54 a. m.]

ARTHUR WEIDENFELD

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

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

Claimant, Claim No., and Property

Arthur Weidenfeld, 26 Manchester Square, London W. 1, England, 1930; Property to the extent owned by claimant immediately prior to the vesting thereof, described in Vesting Order No. 1758 (9 F. R. 13773, November 17, 1944), relating to the literary work entitled "The Goebbels Experiment" (listed in Exhibit A of said vesting order), including royalties pertaining thereto in the amount of $223.70.

Executed at Washington, D. C., on February 28, 1949.

For the Attorney General.

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

[F. R. Doc. 49–1638; Filed, Mar. 3, 1949; 8:54 a. m.]