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TITLE 7—AGRICULTURE

Chapter I—Production and Marketing Administration (Standards, Inspection, Marketing Practices), Department of Agriculture

PART 51—FRUITS, VEGETABLES AND OTHER PRODUCTS (GRADING, CERTIFICATION AND STANDARDS)

UNITED STATES CONSUMER STANDARDS FOR FRESH CARROTS

On September 28, 1949, a notice of rule making was published in the FEDERAL REGISTER (F. R. Doc. 49–7817; 14 F. R. 5906) regarding proposed United States Consumer Standards for Fresh Carrots. After consideration of all relevant matters presented, including the proposals set forth in the aforesaid notice, the following United States Consumer Standards for Fresh Carrots are hereby promulgated under the authority contained in the Agricultural Marketing Act of 1946 (60 Stat. 1087; 7 U. S. C. 1621 et seq.):

§ 51.160 *Consumer standards for fresh carrots*—(a) *Styles of carrots.* (1) "Bunched carrots" means untopped carrots which are tied in bunches.

(2) "Carrots with short-trimmed tops" means carrots which have attached leafstems ranging up to 4 inches in length.

(3) "Topped carrots" means carrots which have practically all of the tops clipped off.

(b) *Grades.* (1) U. S. Grade A shall consist of carrots of similar varietal characteristics, the roots of which are firm, clean, fairly well colored, fairly well formed and fairly smooth; which are free from soft rot, and from damage caused by freezing, growth cracks, sunburn, pithiness, woodiness, internal discoloration, oil spray, dry rot, other disease, insects or mechanical or other means. Carrots on the shown face shall be reasonably representative in size and quality of the contents of the container.

(i) Unless otherwise specified, the diameter of each carrot shall be not less than ¾ inch nor more than 1½ inches.

(ii) Bunched carrots shall be free from damage caused by seedstems and shall have tops which are fresh and free from damage by any cause. Tops may be full or clipped back but shall be not less than 12 inches nor more than 20 inches in length. Each bunch shall weigh not less than one pound, including the tops, and contain at least 4 carrots.

(iii) Carrots with short-trimmed tops shall be free from damage caused by seedstems and shall have leafstems which are free from damage by any cause and which are cut back to not more than 4 inches in length.

(iv) Topped carrots shall be well trimmed.

(v) Incident to proper grading and handling, not more than 5 percent, by count, of the carrots in any lot may be smaller than the specified minimum diameter and not more than 10 percent may be larger than the specified maximum diameter. In addition, not more than 5 percent, by count, of the carrots in any lot may fail to meet the root requirements of the grade including not more than 1 percent for carrot roots affected by soft rot. In addition, for bunched carrots, not more than 10 percent, by count, of the bunches in any lot may have tops which vary from the specified length; and for carrots with short-trimmed tops not more than 5 percent, by count, of the carrots in any lot may fail to meet the requirement for length of leafstem.

(c) *Off-Grade Carrots.* Carrots which fail to meet the requirements of the foregoing grade shall be Off-Grade Carrots.

(d) *Definitions.* (1) "Similar varietal characteristics" means that the carrots in the lot are of the same general type. For example, carrots with a short, blunt growth like the Oxheart variety shall not be mixed with long or half-long carrots like the Imperator or Danvers varieties.

(2) "Firm" means that the carrot root is not soft, flabby or shriveled.

(3) "Clean" means that the individual carrots are practically free from stain, dirt, and other foreign matter.

(4) "Fairly well colored" means that the carrot root has an orange, orange red, or orange scarlet color, but not a pale orange or distinct yellow color.

(5) "Fairly well formed" means that the carrot root is not so forked or misshapen as to materially affect its appearance or cause a loss of more than 3 percent, by weight, in the ordinary preparation for use.

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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.

(6) "Fairly smooth" means that the carrot root is not rough, ridged, or covered with secondary rootlets to an extent which materially affects its appearance or causes a loss of more than 3 percent, by weight, in the ordinary preparation for use.

(7) "Damage" means any injury or defect which materially affects the appearance, or edible or shipping quality of the individual carrot or carrots in the lot, or causes a loss of more than 3 percent, by weight, in the ordinary preparation for use. Any one of the following defects or combination of defects the seriousness of which exceeds the maximum allowed for any one defect shall be considered as damage:

(i) Growth cracks which are unhealed; healed growth cracks which are not shallow and not smooth or which materially affect the appearance of the carrot root.

(ii) Sunburn which causes a loss of more than 3 percent, by weight, in the ordinary preparation for use, except that superficial light green color at the stem end which does not materially affect the appearance of the root shall be permitted.

(8) "Diameter" means the greatest dimension of the root taken at right angles to the longitudinal axis.

(9) "Tops which are fresh and free from damage by any cause" means that the tops are not badly wilted and not more than 10 percent, by count, of the bunches in any lot may have any injury which materially affects the appearance of the tops. The appearance of individual bunches shall be considered materially affected when the tops are trimmed to the extent that only a relatively few leaves or leafstems remain. The appearance of bunches with tops having slight discoloration such as yellowing, browning or other abnormal color affecting a few leaflets shall not be considered materially affected if the tops as a whole show a predominantly normal green color.

(10) "Leafstems which are free from damage by any cause" means that not more than 10 percent, by count, of the carrots in any lot may have leafstems with any injury which materially affects their appearance.

(11) "Well trimmed" means that the tops shall be cut back to not more than 1 inch in length.

(e) *Effective time.* The United States Consumer Standards for Fresh Carrots contained in this section shall become effective thirty (30) days after the date of publication in the FEDERAL REGISTER.

(60 Stat. 1087; 7 U. S. C. 1621 et seq.)

Done at Washington, D. C., this 7th day of November 1949.

[SEAL] F. R. BURKE,
Acting Assistant Administrator, Production and Marketing Administration.

[F. R. Doc. 49-9101; Filed, Nov. 9, 1949; 8:50 a. m.]

Chapter IV—Federal Crop Insurance Corporation, Department of Agriculture

[Amdt. 1]

PART 420—MULTIPLE CROP INSURANCE

SUBPART—REGULATIONS FOR 1950 AND SUCCEEDING CROP YEARS

APPLICATION FOR INSURANCE

The above-identified regulations (14 F. R. 5303) are hereby amended with respect to crops insured for the 1950 and succeeding crop years, as follows:

Section 420.24 is amended to read as follows:

§ 420.24 *Application for insurance.* Application for insurance on a form entitled "Application for Multiple Crop Insurance" may be made by any person to cover his interest as landlord, owner-operator, tenant, or sharecropper in all insurable crops in the county. For the following counties applications shall be submitted to the county office on or before the closing date which date for the 1950 crop year shall be November 15, 1949 and for any subsequent crop year October 31 preceding the calendar year in which the crops are to be harvested.

State:	*County*
Illinois	Jasper.
Kansas	Franklin.
Maryland	Talbot.
Nebraska	Pawnee.
Oregon	Linn.
Pennsylvania	Lebanon.
Virginia	Northumberland.

(52 Stat. 73-75, 77, as amended; 7 U. S. C. 1506 (e), 1507 (c), 1508, 1509, 1516 (b))

Adopted by the Board of Directors on October 25, 1949.

[SEAL] E. D. BERKAW,
Secretary, Federal Crop Insurance Corporation.

Approved: November 4, 1949.

CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 49-9092; Filed, Nov. 9, 1949; 8:49 a. m.]

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders), Department of Agriculture

PART 960—IRISH POTATOES GROWN IN MICHIGAN, WISCONSIN, MINNESOTA, AND NORTH DAKOTA

RELIEVING LIMITATION OF SHIPMENTS

(a) *Findings.* (1) Pursuant to Marketing Order No. 60 (7 CFR 960.3 et seq.) regulating the handling of Irish potatoes grown in the States of Michigan, Wisconsin, Minnesota, and North Dakota, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and upon the basis of the recommendation and information submitted by the North Central Potato Committee, established under said order, it is hereby found that the limitation of shipments, as amended, hereinafter set forth, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making, procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (5 U. S. C. 1001 et seq.) in that (i) shipments of potatoes from the State of Wisconsin have already begun; (ii) the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient; and (iii) this amendment relieves restrictions imposed by the regulations it amends.

(b) *Order.* Sections 960.301 and § 960.308 are hereby amended by adding to (b) (1) of each section the following proviso: *"Provided,* That during the period ending November 27, 1949, any potatoes grown in the State of Wisconsin which do not meet the requirements of § 960.301 (General Cull Regulations—7 CFR 960.301) or § 960.308 (U. S. Commercial or better grade—14 F. R. 6557) only because of damage due to hollow heart may be shipped."

The terms used herein shall have the same meaning as when used in Marketing Order No. 60 (7 CFR, Part 960.3 et seq.).

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup., 608c)

Done at Washington, D. C., this 8th day of November 1949, to be effective upon publication hereof in the FEDERAL REGISTER.

[SEAL] C. F. KUNKEL,
Acting Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 49-9147; Filed, Nov. 9, 1949; 10:35 a. m.]

TITLE 12—BANKS AND BANKING

Chapter I—Bureau of the Comptroller of the Currency, Department of the Treasury

PART 5—LOANS MADE BY NATIONAL BANKS SECURED BY LIENS UPON LEASEHOLDS

Part 5 is issued by the Comptroller of the Currency under authority of section 24 of the Federal Reserve Act, as amended (12 U. S. C. 371), and section 6 of Public Law 387, 81st Congress, approved October 25, 1949.

The purpose of the part is to prescribe conditions under which national banks may make loans secured by liens upon leaseholds.

The notice and public procedure and effective date limitation prescribed in sections 4 (a), 4 (b), and 4 (c) of the Administrative Procedure Act are impracticable, unnecessary, and contrary to the public interest in connection with the prescribing of this part, for the following reasons and good cause found:

(1) The most important immediate effect of section 6 of Public Law 387, 81st Congress, approved October 25, 1949, which granted to national banks the power to make loans secured by first liens on leaseholds, is to enable them to participate in the financing of military housing projects under title VIII of the National Housing Act, most of which projects may involve construction on leased land. Such housing is urgently needed immediately. It is, therefore, desirable in the public interest that the part become effective more promptly than would be possible if the above-mentioned procedures were followed.

(2) Since national banks, prior to the approval of Public Law 387, were not authorized to make loans secured by liens upon leaseholds and since the issuance of this part is necessary to implement the making of such loans, the effect of this part is to relieve national banks of certain restrictions upon real estate loans. Therefore, postponement of the effective date of this part is not necessary under section 4 (c) of the Administrative Procedure Act.

(3) The long-range effect of the broadening of the powers of national banks with respect to making loans secured by liens upon leaseholds and the desirability of changing the limitations, within the

authority conferred upon the Comptroller of the Currency, can be determined only by observing the operational practices pursued under the provisions of this part. Hence its immediate issuance is in the public interest.

Sec.
5.1 Scope and application.
5.2 General authorization.
5.3 Appraisals.
5.4 Covenants and restrictions.
5.5 Insured loans.
5.6 Effective date.

AUTHORITY: §§ 5.1 to 5.6 issued under sec. 24, 38 Stat. 273, as amended, sec. 6, Pub. Law 387, 81st Cong.; 12 U. S. C., and Sup. 371.

§ 5.1 *Scope and application.* This part is issued by the Comptroller of the Currency under authority of section 24 of the Federal Reserve Act, as amended (12 U. S. C. 371), and section 6 of Public Law 387, 81st Congress, approved October 25, 1949.

The part applies to real estate loans made by national banks secured by liens on leaseholds.

§ 5.2 *General authorization.* Any national bank may make or acquire a loan, in accordance with this part, secured by a first lien on a leasehold (a) under a lease for not less than ninety-nine years, which is renewable, or (b) under a lease having a period of not less than fifty years to run from the date the loan is made or acquired by the bank.

§ 5.3 *Appraisals.* The "appraised value" of a leasehold, for the purposes of section 24 of the Federal Reserve Act, shall be the full appraised value of the fee simple estate of the land and improvements, less the greater of:

(a) The value of the land without improvements;

(b) The average annual rental due under the lease from the date the loan is made or acquired by the bank to the maturity of the loan, multiplied by twenty (in other words, capitalized at 5%).

§ 5.4 *Covenants and restrictions.* In order to qualify as an acceptable leasehold for security for a real estate loan made by a national bank, the covenants and restrictions contained in the lease which provide for forfeiture or reversion in the event of a breach must not be more onerous or burdensome than those contained in leases in general use in the area in which such bank is located, and the lease should permit acquisition of the leasehold by the lending bank by voluntary conveyance or assignment by the lessee, and acquisition and sale under judicial process, without being subject to such restrictions as would jeopardize recovery of the security value of such leasehold.

§ 5.5 *Insured loans.* Loans insured under title II, title VI, or title VIII of the National Housing Act are not subject to the provisions of §§ 5.3 and 5.4.

§ 5.6 *Effective date.* This part shall become effective upon publication in the FEDERAL REGISTER.

PRESTON DELANO,
Comptroller of the Currency.

[F. R. Doc. 49-9114; Filed, Nov. 9, 1949; 8:53 a. m.]

TITLE 15—COMMERCE AND FOREIGN TRADE

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

Subchapter C—Office of International Trade

[4th Gen. Rev. of Export Regs., Amdt. 50]

PART 371—GENERAL LICENSES

SPECIAL PROVISIONS FOR MEXICO

Correction

In Federal Register Document 49-8387 appearing on page 6381 of the issue for Wednesday, October 19, 1949, the section number in the first line should read, "371.10" instead of "370.10."

[4th Gen. Rev. of Export Regs., Amdt. 57]

PART 371—GENERAL LICENSES

PART 372—PROVISIONS FOR INDIVIDUAL AND OTHER VALIDATED LICENSES

PART 373—LICENSING POLICIES AND RELATED SPECIAL PROVISIONS

MISCELLANEOUS AMENDMENTS

1. Section 371.9 *General in-transit license GIT* is amended in the following particulars:

Paragraph (c) *Excepted commodity list* is amended by deleting therefrom the following commodities (including the footnote reference following each and the footnote thereto):

Commodity	Schedule B No.	Schedule S No.
Jute [2]	320509	330
Jute yarn, cordage and twine [2]	321100	335
New jute and burlap bags or sacks—quantity only [2]	322402	335
New jute and burlap bags or sacks [2]	322403	335
Used jute bags weighing less than 2 pounds and used burlap bags of any weight—quantity only [2]	322407	335
Used jute bags weighing less than 2 pounds and used burlap bags of any weight [2]	322408	335
Jute burlaps except when used as a covering for other merchandise or as a component part of other products [2]	322905	335

2. Section 372.5 *Weight and volume tolerance* is amended in the following particulars:

Paragraph (f) *Units other than weight or volume* is amended to read as follows: [1]

(f) *Units other than weight or volume.* Where the amount or quantity on a license is required to be shown in number of units other than weight or volume a tolerance is allowed only as follows:

	Percent
Raw cotton, except linters, in bales, Schedule B Nos. 300006, 300206	10

3. Part 373, Licensing Policies and Related Special Provisions, is amended in the following particulars: § 373.6 *Provisions concerning licenses for jute and jute products* is hereby deleted.

(Pub. Law 11, 81st Cong., 63 Stat. 7; E. O. 9630, Sept. 27, 1945, 10 F. R. 12245, 3 CFR, 1945 Supp.; E. O. 9919, Jan. 3, 1948, 13 F. R. 59, 3 CFR, 1948 Supp.)

[1] The note to this section following this paragraph is retained without change.

This amendment shall become effective October 31, 1949.

Dated: October 27, 1949.

LORING K. MACY,
Assistant Director,
Office of International Trade.

[F. R. Doc. 49-9100; Filed, Nov. 9, 1949; 8:50 a. m.]

[4th Gen. Rev. of Export Regs., Amdt. P. L. 18]

PART 399—POSITIVE LIST OF COMMODITIES AND RELATED MATTERS

MISCELLANEOUS AMENDMENTS

Section 399.1 *Appendix A—Positive List of Commodities* is amended in the following particulars:

1. The following commodities are deleted from the Positive List:

Dept. of Comm. Sched. B No.	Commodity
023002	Sheep skins, dry.
023004	Sheep skins, wet.
023006	Lamb skins, dry.
023008	Lamb skins, wet.
025098	Hides and skins, raw, n. e. s.
	Leather:
	Upper leather, except lining and patent:
	Cattle, side upper, including kip side:
030050	Grain, black.
030150	Grain, other.
030200	Splits, finished.
030300	Splits, wax and rough.
	Calf and whole kip, except kip side:
030450	Grain, black.
030470	Grain, other.
030550	Except grain, black
030570	Except grain, other.
032400	Sole leather (bends, backs, and sides).
032500	Boot and shoe cut stock.
033000	Belting leather.
	Leather manufactures:
	Boots, shoes, and other footwear with leather uppers:
064510	Men's, McKay sewed.
064530	Men's, welt.
064540	Men's, stitchdown.
064590	Men's, other.
064600	Youths' and boys'.
068000	Leather belting, new.
068510	Harness, saddlery, and whips.
	Animal and fish oils and greases, inedible:
080905	Sperm oil.
103170	Corn seed, except sweet corn and popcorn seed.
	Oilcake and oilcake meal:
111300	Cottonseed.
111400	Linseed.
111700	Peanut.
111800	Soybean.
112909	Other (babassu, coconut, copra, hempseed, popyseed, rapeseed and sesame).
118500	Dried, powdered, or condensed milk products regardless of protein content.
118500	Other prepared and mixed feeds with crude protein content above 25%.
	Vegetable oils and fats, edible and/or refined:
142000	Coconut oil, refined (include solidified or hardened oil and coconut fat).
143500	Palm oil, edible or refined.
144998	Palm-kernel oil.
	Crude rubber and allied gums:
200400	Balata.
200600	Other.
	Synthetic rubbers (dry rubber content):
200901	G R-S.
200906	Thiokol-organic polysulfides.
200907	Polyisobutylene-polymers of isobutylene, except Vistanex.[1]
201200	Rubber scrap, unvulcanized.
	Pneumatic tires and casings:
206450	Farm tractor or implement casings, over 6 ply rating.
208900	Rubber hose and tubing, other than automotive and garden hose, except neoprene and N-type.[2]
209300	Rubber packing, except neoprene and N-type.[2]
	Gutta-percha manufactures:
209600	Insulating compounds.
209600	Submarine cables, gutta-percha chief value.

Dept. of Comm. Sched. B No.	Commodity
	Compounds of rubber or latex for use in further manufacture:
209800	Pliofilm.
209800	Pilolite S-6.
	Natural and synthetic rubber manufactures, n. e. s.:
209990	Breather bags.
209990	Insulating compounds.
209990	Pneumatic floats.
209990	Pontoons.
209990	Lifting bags.
218600	Shellac (bleached and unbleached).
	Oilseeds:
222001	Castor beans.
222020	Palm nuts and kernels.
222030	Copra.
	Vegetable Oils and Fats, Inedible and/or Crude:
	Expressed oils (except essential) and fats, inedible:
223000	Coconut oil, crude.
224901	Castor oil, commercial.
224927	Palm oil, crude.
224998	Palm-kernel oil, inedible.
233100	Chestnut extract.
233905	Quebracho extract.
233998	Vegetable dyeing and tanning extracts, n. e. s.
	Grass and field seeds:
241990	Sorghum.
	Miscellaneous vegetable products, inedible:
299995	Dyeing and tanning materials, crude.
	Cotton, unmanufactured:
	Linters:
300402 / 300403	Grades 1 to 4 inclusive (U. S. Official Standard) (Motes included).
	Cotton semimanufactures:
300800	Cotton rags, except paperstock.
301700	Tire cord (on cones or warps).
301800	Twine, rope, and cordage, except tire cord.
	Cotton manufactures:
	Cotton cloth, duck and tire fabrics:
	Unbleached (gray) cloth:
302000	Cord tire fabric.
302100	Other tire fabrics.
302300	Heavy filter cloth, hose and belting duck
302500	Ounce duck.
302600	Numbered duck.
	Laces, embroideries, and articles thereof, n. e. s.:
313200	Bobbinet machine mosquito bars and netting.
313200	Levers machine mosquito bars and netting.
	Cotton narrow fabrics, nonelastic, not over 12 inches wide:
314000	Woven belting for machinery.
316000	Webbing for binding field coils.
316100	Hose fabric, except rubberized.
316100	Hose jackets.
	Fabricated products of cotton, n. e. s.:
319110 / 319111	Cotton bags or sacks, new.
319150 / 319151	Cotton bags or sacks, used and reclaimed.
319600	Canvas articles, n. e. s., except bathinettes; and canvas scrap in bales.
	Cotton manufactures, n. e. s.:
319900	Condensers.
319900	Extractor filter cloths.
319900	Felts; and felt padding.
319900	Filter bags, for all types of machinery.
319900	Fish netting, tarred or not tarred (not a finished product).
319900	Flotation blankets.
319900	Laminated sheets, rods, and tubes.
319900	Mask filter pads.
319900	Multiple woven fabric, over 12 inches wide for use on machinery.
319900	Varnished cotton cable yarn.
	Vegetable fibers and manufactures:
	Vegetable fibers, unmanufactured:
320505	Hemp.
320509	Jute.
320598	Kapok.
321100	Jute yarn, cordage, and twine.
322402	New jute and burlap bags or sacks—quantity only.
322403	New jute and burlap bags or sacks.
322407	Used jute bags weighing less than 2 pounds and used burlap bags of any weight—quantity only.
322408	Used jute bags weighing less than 2 pounds and used burlap bags of any weight.
322905	Jute burlaps, except when used as a covering for other merchandise or as a component part of other products.
	Flax (linen) fabrics, wide and narrow:
339916	Drawing cloth.
339916	Filter stockings, narrow.
339916	Gill nettings.
339916	Net fabrics, for fishing nets.
339916	Webbing.

Dept. of Comm. Sched. B No.	Commodity
	Vegetable fibers and manufactures—Con.
	Cordage, except of cotton or jute:
341998	Other cordage: Coir hawsers; coir rope; cyclone twine; flax cordage; flax fishline; halyard marline, hemp or ramie; hemp cable (tarred or untarred); hemp cord; hemp rope (tarred or untarred); hemp twine; Jacquard loom flax cordage; lanyard marline, hemp or ramie; ramie cord; ramie twine; and sunn cordage.
	Vegetable fibers and manufactures, n. e. s.:
349998	Bags, sisal and jute mixed.
349998	Belts, machinery.
349998	Coir yarns.
349998	Cushions, kapok.
349998	Hinoki chip rope.
349998	Hose, for liquid or gases.
349998	Kapok fiber, matted.
349998	Life jackets, kapok.
349998	Life-saving appliances, kapok.
349998	Upholstery pads, kapok.
349998	Kapok manufactures, n. e. s.
349998	Sunn yarn.
	Wool semimanufactures:
362200	Wool rags, woven and knit.
	Wool manufactures:
	Other wool fabrics:
364900	Felt cloth.
364900	Filter-press cloth.
366400	Wool felts, woven, for machines.
	Hair and manufacturers, n. e. s.:
369100	Hog hair, new.
	Silk and manufactures:
370200	Raw silk.
371000	Tram, organzine, and hard twists.
371100	Spun silk.
	Broad silks:
372098	Stencil silk.
	Silk manufactures, n.e.s.:
379900	Belting.
379900	Fishing line, unfinished.
379900	Fishline, braided.
379900	Oiled silk.
379900	Varnished silk cloth.
	Synthetic fibers and manufactures:
384013	Viscose high-tenacity tire cord or yarn, on cones or warps, treated, dipped, or untreated (fuel-cell high-tenacity cord or yarn included).

Dept. of Comm. Sched. B No.	Commodity
	Synthetic fiber and manufactures—Con.
	Piece goods, wholly or chiefly of synthetic fibers—Woven filament yarn fabrics, n.e.s.:
384925 / 384926	Cord-tire and fuel-cell fabrics (treated, dipped, or untreated).
	Synthetic textile manufactures, n.e.s.:
385900	Filter cloths.
385900	Nets and netting, fabricated.
385900	Press cloth.
	Miscellaneous textile products:
	Book cloth (all types):
391410	Pyroxylin-coated or impregnated.
	Coated or impregnated fabrics, n.e.s.:
391700	Hydraulic oil press duck, copper-impregnated.
391700	Litho tracing cloth, except sensitized.
391700	Photographic cloth, except pyroxylin-coated or sensitized.
391700	Profile cloth, except pyroxylin-coated.
391700	Tracing cloth, cut to size, not sensitized.
391700	Tracing cloth, micro-weave.
391700	Translucent cloth.
391700	Zelan finish cotton poplin.
	Textile manufactures, n. e. s.:
399900	Coated textile manufactures, except rubberized.
399900	Impregnated textile manufactures, except rubberized.
399900	Lastex articles, except yarn and thread.
399900	Raw felt.
	Wood, unmanufactured:
401700	Port Orford cedar logs (including Lawson's cypress).
	Sawmill products:
405720	Port Orford cedar lumber (including Lawson's cypress).
	Wood manufactures:
429450	Port Orford cedar battery separators and blanks. (Report separator veneers on basis of 4 separators to 1 square foot of veneer.) (Include all Port Orford cedar veneers.)
	Paper, related products, and manufactures:
	Paper:
481200	Condenser tissue; and capacitator tissue.
484600	Masonite.

By this amendment the descriptions of the commodities remaining on the Positive List under these Schedule B numbers are revised to read as follows:

[1] 200907 Vistanex.

[2] 208900 Rubber hose and tubing, neoprene and N-type only, except automotive and garden hose.

[2] 209300 Rubber packing, neoprene and N-type only.

2. The entries set forth below are amended to read as follows: [1]

Item	Dept. of Com. Sched. B No.	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Validated license required
1	501900	Naphtha, mineral spirits, solvents, and other finished light products (bbl. of 42 gal.).	Bbl.	PETR	1,000	R
		to				
	501900	Naphtha, mineral spirits, solvents, and other finished light products (bbl. of 42 gal.)	Bbl.	PETR	1,000	RO
2	503510	Cylinder, bright stock (including bright stock and industrial lubricating oils which are predominantly bright stock and have a Saybolt Universal Viscosity at 210° F. of 95 seconds or more) (bbl. of 42 gal.)	Bbl.	PETR 23	25	R
		to				
	503510	Cylinder, bright stock (including bright stock and industrial lubricating oils which are predominantly bright stock and have a Saybolt Universal Viscosity at 210° F. of 95 seconds or more) (bbl. of 42 gal.)	Bbl.	PETR 24	25	RO
3	503800	Insulating or transformer oils	Gal.	PETR 23	25	R
		to				
	503800	Insulating or transformer oils	Gal.	PETR 24	25	RO
4	504001	High-viscosity index grade (including any aviation lubricating oils intended for internal-combustion engine lubrication having a Saybolt Universal Viscosity at 210° F. of more than 95 seconds and viscosity index of 85 or more) (bbl. of 42 gal.)	Bbl.	PETR 23	25	R
		to				
	504001	High-viscosity index grade (including any aviation lubricating oils intended for internal-combustion engine lubrication having a Saybolt Universal Viscosity at 210° F. of more than 95 seconds and viscosity index of 85 or more) (bbl. of 42 gal.)	Bbl.	PETR 24	25	RO

[1] These changes represent, variously, changes of commodity descriptions, processing codes, related commodity groups, and commodities from R to RO commodities. The first entry, or group of entries, in each of the above-numbered items is the entry, or group of entries, as it has been previously published and the second entry, or group of entries, in the numbered item represents the change made by this amendment.

Item	Dept. of Com. Sched. B No.	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Validated license required
5	504003	Medium-viscosity index grade (including any aviation lubricating oils intended for internal-combustion engine lubrication and having a Saybolt Universal Viscosity at 210° F. of more than 60 seconds and a viscosity index of 60 or over) (bbl. of 42 gal.)	Bbl.	PETR 23	25	R
		to				
	504003	Medium-viscosity index grade (including jet lubricating oils and any aviation lubricating oils intended for internal-combustion engine lubrication and having a Saybolt Universal Viscosity at 210° F. of more than 60 seconds and a viscosity index of 60 or over) (bbl. of 42 gal.)	Bbl.	PETR 24	25	RO
6	504020	Heavy duty detergent motor oil (bbl. of 42 gal.)	Bbl.	PETR 23	25	R
	504020	Other automotive lubricating oil (bbl. of 42 gal.)	Bbl.	PETR 23	25	R
		to				
	504020	Automotive lubricating oils having a Saybolt Universal Viscosity at 75° F. or above and pour of 0° F. and below (bbl. of 42 gal.).	Bbl.	PETR 24	25	RO
	504020	Other heavy duty detergent motor oil (bbl. of 42 gal.)	Bbl.	PETR 23	25	R
	504020	Other automotive lubricating oil (bbl. of 42 gal.)	Bbl.	PETR 23	25	R
7	504090	Lubricating oils, n. e. s. (bbl. of 42 gal.)	Bbl.	PETR 23	25	R
		to				
	504090	Lubricating oils, n. e. s. (bbl. of 42 gal.)	Bbl.	PETR 24	25	RO
8	504100	Lubricating greases, except graphite lubricants	Lb.	PETR	25	R
		to				
	504100	Lubricating greases, except graphite lubricants, containing synthetic oil, or for very high or very low performance (temperature and/or pressure).	Lb.	PETR	25	RO
	504100	Other lubricating greases, except graphite lubricants	Lb.	PETR	25	R
9	505900	Additives of petroleum origin, for motor oils		PETR	25	R
	505900	Hydraulic oils of petroleum origin, containing synthetics		PETR	25	R
	505900	Reference fuels		PETR	25	R
	505900	Petroleum products, n. e. s., except finished petroleum sprays and finished blended gasolines.		PETR	100	R
		to				
	505900	Additives of petroleum origin for lubricating oils and greases, including all agents which act as: oxidation inhibitors; anticatalysts; rust-preventative inhibitors; inhibitor detergents; viscosity-index improvers; pour depressants; stringiness agents; antifoam agents; antiwear and corrosion inhibitors; film-strength improvers; extreme pressure agents; and metal deactivators.		PETR	25	RO
	505900	Hydraulic oils of petroleum origin, containing synthetics		PETR	25	R
	505900	Reference fuels		PETR	25	R
	505900	Petroleum products, n. e. s., except finished petroleum sprays and finished blended gasolines.		PETR	100	R
10	708400	High-frequency electronic signaling and detection apparatus, and parts, 500 megacycles and over (include land-borne, ship-borne, and air-borne).		RARA 51	None	R
		to				
	708400	High-frequency electronic signaling and detection apparatus, and parts, 500 megacycles and over (include land-borne, ship-borne, and air-borne).		ELME	None	R

Shipments of any of the above commodities removed from general license to Country Group O destinations which were on dock, on lighter, laden aboard an exporting carrier, or in transit to a port of exit pursuant to an actual order for export prior to the effective date of this amendment may be exported under the previous general license provisions.

(Pub. Law 11, 81st Cong., 63 Stat. 7; E. O. 9630, Sept. 27, 1945, 10 F. R. 12245, 3 CFR, 1945 Supp.; E. O. 9919, Jan. 3, 1948, 13 F. R. 59, 3 CFR, 1948 Supp.)

This amendment shall become effective October 31, 1949.

Dated: October 27, 1949.

LORING K. MACY,
Assistant Director,
Office of International Trade.

[F. R. Doc. 49-9099; Filed, Nov. 9, 1949; 8:50 a. m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 3—VETERANS CLAIMS

ISSUANCE OF PREFERENCE CERTIFICATES

A new § 3.1509 is added to read as follows:

§ 3.1509 *Issuance of preference certificates under section 302, Public Law 171, 81st Congress.* (a) Section 302, Public Law 171, 81st Congress, approved July 15, 1949, provides as follows:

The United States Housing Act of 1937, as amended, is hereby amended as follows:

(a) By adding the following new subsection to section 10:

(g) Every contract made pursuant to this act for annual contributions for any low-rent housing project shall require that the public housing agency, as among low-income families which are eligible applicants for occupancy in dwellings of given sizes and at specified rents, shall extend the following preferences in the selection of tenants:

First, to families which are to be displaced by any low-rent housing project or by any public slum-clearance or redevelopment project initiated after January 1, 1947, or which were so displaced within three years prior to making application to such public housing agency for admission to any low-rent housing; and as among such families first preference shall be given to families of disabled veterans whose disability has been determined by the Veterans' Administration to be service-connected, and second preference shall be given to families of deceased veterans and servicemen whose death has been determined by the Veterans' Administration to be service-connected, and third preference shall be given to families of other veterans and service men;

Second, to families of other veterans and servicemen and as among such families first preference shall be given to families of disabled veterans whose disability has been determined by the Veterans' Administration to be service-connected, and second preference shall be given to families of deceased veterans and servicemen whose death has been determined by the Veterans' Administration to be service-connected.

(b) By adding the following new subsection to section 2:

(14) The term "veteran" shall mean a person who has served in the active military or naval service of the United States at any time on or after September 16, 1940, and prior to July 26, 1947, or at any time on or after April 6, 1917, and prior to November 11, 1918, and who shall have been discharged or released therefrom under conditions other than dishonorable. The term "serviceman" shall mean a person in the active military or naval service of the United States who has served therein on or after September 16, 1940, and prior to July 26, 1947, or at any time on or after April 6, 1917, and prior to November 11, 1918.

DISABILITY CASES

(b) For the purpose of complying with the provisions of section 302, Public Law 171, 81st Congress, the adjudication officer or contact officer in a field station, the director, veterans claims service, central office, or the chief, central office contact division, will, upon application of a person seeking disability preference or at the request of the Housing and Home Finance Agency, Public Housing Administration, furnish either the person or the Public Housing Administration, a certification as set forth in paragraph (c) of this section. The certification will be furnished by the chief, central office contact division, or by a contact officer in a field station, only where the claims folder shows a current rating of a service-connected disability evaluated in percentage terms of at least 1% under the 1925 Schedule, where that schedule is still applicable, or less than 10%, 1945 Schedule, under § 3.158. In cases requiring adjudicative action the certification will be issued by the adjudication division in an office having regional office activities, or by the director, veterans claims service, in central office.

(c) All certifications will contain the name of the veteran, claim number, and the date of preparation and will be in the following form:

This is to certify that the records of the Veterans' Administration in the case of (name of veteran) disclose the present existence of a service-connected disability or disabilities, upon medical examination acceptable to the Veterans' Administration, based on active service in the (branch of service) from (date) to (date).

(d) The requirement for the discharge or release from active military or naval service under conditions other than dishonorable, as contained in section 302 (b), is identical to the provisions of section 1503, Public Law 346, 78th Congress, which are a prerequisite to the grant of compensable or noncompensable service connection for disabilities incurred in service. This precludes the issuance of a certificate in those instances where the character of the veteran's discharge appears as a bar to preference. A certificate will not be issued if the veteran's disability is due to willful misconduct or in any case where there is of record a rating which severs or proposes the severance of service connection of the veteran's disability.

(e) In instances wherein the only service connected disability is a non-compensable dental condition, the case may be referred to the director, veterans claims service, under § 3.142 if there is a question as to satisfactory replacement by dentures or dental conditions other than by absence of teeth. The mere absence of teeth, replaceable by suitable prosthesis, is not considered a disability for the purpose of disability preference certification.

(f) Where a veteran or the Housing and Home Finance Agency, Public Housing Administration, makes application to a Veterans' Administration office for a certification for disability preference and there is no record of the veteran having made a claim for benefits from which it can be determined that he is entitled to disability preference, the veteran or the Public Housing Administration, as the case may be, should be informed that in the absence of a claim it will not be possible to comply with the request for a certification.

DEATH CASES

(g) Where the application for preference is made on behalf of the family of a deceased veteran whose death has been determined to be service-connected, the certification will be furnished in district office cases over the signature of the director, claims service, or in central office cases of the director, dependents and beneficiaries claims service. The certification will contain the name of the veteran, XC–number and date of the certification and will be in the following form:

This is to certify that the records of the Veterans' Administration in the case of (name of veteran) disclose that the veteran's death was due to his active service in (branch of service) from (date) to (date).

In those cases in which death compensation is being paid to the person requesting the certification or on whose behalf the request is made, the foregoing certification may be furnished in district office cases over the signature of the chief, contact division, and in central office cases over the signature of the chief, central office contact division.

(h) The certification may be furnished to the person making the application for preference or to the Housing and Home Finance Agency, Public Housing Administration, at the request of either. It is not necessary that the relationship between the veteran and person requesting the certification be established by evidence in file. In any instance in which a claim for death compensation has not been filed, and accordingly no determination of service connection for the cause of death has been made, a statement to this effect will be furnished.

(Instruction 1, section 302, Pub. Law 171, 81st Cong.)

This regulation effective November 10, 1949.

[SEAL] O. W. CLARK,
Deputy Administrator.

[F. R. Doc. 49–9090; Filed, Nov. 9, 1949; 8:49 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VII—Department of the Air Force

Subchapter B—Aircraft

PART 823—USE OF UNITED STATES AIR FORCE BASES OVERSEAS BY CIVIL AIRCRAFT (DOMESTIC OR FOREIGN)

CERTIFICATION OF AIRCRAFT

Part 823 is hereby amended by rescinding § 823.9 (a) and substituting the following therefor:

§ 823.9 *Certification of aircraft*—(a) *Certificate form.* All operators of civil aircraft will be required to execute an original and five copies of Air Force Form 32, "Agreement Covering Civil (Domestic or Foreign) Aircraft Operations at United States Air Force Bases Overseas", prior to the inauguration of their operation. One copy of the agreement will be retained by the individual or airline executing the agreement.

[AFR 55–20B, Sept. 8, 1949] (Sec. 5, 44 Stat 570; 49 U. S. C. 175)

[SEAL] L. L. JUDGE,
Colonel, U. S. Air Force,
Air Adjutant General.

[F. R. Doc. 49–9071; Filed, Nov. 9, 1949; 8:47 a. m.]

TITLE 39—POSTAL SERVICE

Chapter I—Post Office Department

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

MISCELLANEOUS AMENDMENTS

1. Amend § 127.15 *Registration* (13 F. R. 9080) to read as follows:

§ 127.15 *Registration.* (a) Unless indicated to the contrary under the country items commencing with § 127.201 Postal Union (regular) mail articles of all classifications (except air letter sheets) may be registered on payment of a fee of 25 cents in addition to the postage. Registry return receipt: 5 cents if requested at time of mailing, and 10 cents if requested after mailing. (For further information, see §§ 127.100 and 127.101.)

(b) Registered articles in the regular mails which are accompanied with a return receipt and are endorsed by the sender (as shown below) that they are to be delivered to the addressee only may be mailed to the following countries:

Country	*Endorsement required*
Afghanistan	"A remettre en main propre"
Austria	"A remettre en main propre" or "Zu eigenen Handen."
Belgium	"A remettre en main propre" or the equivalent in the Flemish language.
China	"A remettre en main propre"
Czechoslovakia	"A remettre en main propre"
Denmark	"Personlig"
Finland	"A remettre en main propre"
Greece	"A remettre en main propre" or "ΙΔΙΑΣΧΕΡΣΙΝ"
Hungary	"A remettre en main propre"
Iraq	"A remettre en main propre"
Italy	"A remettre en main propre"
Luxemburg	"A remettre en main propre"
Morocco (French Zone)	"A remettre en main propre"
Poland	"A remettre en main propre"
Rumania	"A remettre en main propre"
Spain	"A remettre en main propre"
Sweden	"A remettre en main propre" or "Far utlamnas endast till adressaten personligen"
Switzerland	"A remettre en main propre"
Turkey	"Alicinin kendine verilecek"

The endorsements shown in the second column shall be placed above and near the address and must be underlined in red. The foreign country will make two attempts to effect delivery and if unsuccessful the article will be returned as undeliverable.

(c) Only the usual registry fee of 25 cents, plus the registry return receipt fee of 5 cents, is chargeable in connection with registered regular mail articles of which the delivery has been restricted in accordance with the foregoing provisions.

2. In § 127.100 *General information and instructions* (13 F. R. 9101) amend paragraph (g) to read as follows:

(g) *Restricted delivery.* The addressee in this country may restrict delivery to himself, or to his order, of registered, insured, and collect-on-delivery mail of foreign origin upon payment of the additional fee of 20 cents prescribed in § 58.6 (b) of this chapter.

Registered Postal Union articles from foreign countries which are accompanied by a return receipt and bear the notation (underlined in red) "Deliver to addressee only," or a similar notation, shall be delivered only to the addressee. Two attempts must be made to deliver such articles. If delivery cannot be effected by the second attempt, the articles should be returned to the sender as undeliverable. The senders in this country may restrict delivery of registered regular mail articles only when they are addressed for delivery in countries which have given their consent to this arrangement. See § 127.15 for list of countries permitting restricted delivery.

3. In § 127.101 *Special provisions applicable to international registry service* (13 F. R. 9101; 14 F. R. 5595) amend paragraph (d) to read as follows:

(d) *Registry receipt.* (1) The usual registry receipt shall be issued for mail matter accepted for registration to foreign countries. In instances in which parcel post is presented for registration to foreign countries under the provisions of the Agreement relative to parcel post of the Postal Union of the Americas and Spain of Rio de Janeiro (see § 127.104), there must be a notation on the receipt showing the exact weight of the parcel and the total amount of postage paid (including transit charges and/or surcharges wherever applicable), in addition to the registration number, amount of fee paid, date of mailing, and the name and address of sender and addressee.

(2) The registry receipt and office record covering an air mail article or air parcel shall be endorsed "via air mail."

(3) When the sender restricts delivery to addressee only, as provided in § 127.15 the registry receipt and the mailing office record shall bear a notation to that effect.

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

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

[F. R. Doc. 49-9086; Filed, Nov. 9, 1949; 8:48 a. m.]

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

SPAIN

In § 127.356 *Spain* (13 F. R. 9218) make the following changes:

1. Amend paragraph (b) (1) by the insertion of subdivision (ii) immediately following the tabulated information below the table of rates for the Canary Islands, to read as follows:

(b) *Parcel post.* * * *
(1) *Table of rates.* * * *
(ii) Air parcels.

Lb.	Oz.	Rate	Lb.	Oz.	Rate
0	4	$1.21	5	12	$11.11
0	8	1.66	6	0	11.56
0	12	2.11	6	4	12.01
1	0	2.56	6	8	12.46
1	4	3.01	6	12	12.91
1	8	3.46	7	0	13.36
1	12	3.91	7	4	13.81
2	0	4.36	7	8	14.26
2	4	4.81	7	12	14.71
2	8	5.26	8	0	15.16
2	12	5.71	8	4	15.61
3	0	6.16	8	8	16.06
3	4	6.61	8	12	16.51
3	8	7.06	9	0	16.96
3	12	7.51	9	4	17.41
4	0	7.96	9	8	17.86
4	4	8.41	9	12	18.31
4	8	8.86	10	0	18.76
4	12	9.31	10	4	19.21
5	0	9.76	10	8	19.66
5	4	10.21	10	12	20.11
5	8	10.66	11	0	20.56

Weight limit: 11 pounds.
Customs declarations: 3 Forms 2966.
Dispatch note: 1 Form 2972.
Parcel-post sticker: 1 Form 2922.
Sealing: Compulsory.
Group shipments: No.
Registration: Yes. Fee, 25 cents.
Insurance: No.
C. o. d.: No.

2. Amend paragraph (b) (7) by the addition of subdivision (iv) to read as follows:

(7) *Observations.* * * *
(iv) Air parcel service is available only for parcels addressed to continental Spain, subject to the following conditions:

(*a*) The addressees must provide themselves in advance with the corresponding import permit issued by the Direction General of Commerce and Tariff Policy of Spain.

(*b*) Addressees must provide themselves in advance with the required health permit or other corresponding permit issued by the Direction General of Health, or other authority concerned, when the parcels contain medicines or other similar products.

(*c*) In the case of merchandise to be paid for by the addressee, the latter must be in possession of the equivalent in currency of the country of origin of the merchandise, allotted by the Spanish Institute for Foreign Exchange.

(*d*) If addressees fail to present the import permit, health permit, or other permits as may be required according to the nature of the contents, the parcels will be treated as undeliverable 15 days after their arrival in Spain.

(*e*) The United States Post Office Department assumes no responsibility on account of failure or inability of the addressees to take delivery of the parcels.

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

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

[F. R. Doc. 49-9084; Filed, Nov. 9, 1949; 8:48 a. m.]

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

SPECIAL DELIVERY

1. In § 127.19 *Special delivery (Express) service* (13 F. R. 9080) amend paragraph (a) by deleting "Germany (American, British and French Zones only)" from the list of countries and substituting "Germany (American, British and French Zones, and the American, British and French Sectors of Berlin)." in lieu thereof.

2. In § 127.264 *Germany* (13 F. R. 9155) amend paragraph (a) (4) to read as follows:

(4) *Special delivery.* Service available only to American, British and French Zones, and the American, British and French Sectors of Berlin. Fee, 20 cents. (See § 127.19)

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

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

[F. R. Doc. 49-9085; Filed, Nov. 9, 1949; 8:48 a. m.]

TITLE 44—PUBLIC PROPERTY AND WORKS

Chapter VIII—United States Philippine War Damage Commission

PART 801—PAYMENTS AND REINVESTMENT PRIVATE PROPERTY CLAIMS; REINVESTMENT

Correction

In Federal Register Document 49-8451 appearing on page 6444 of the issue for Friday, October 21, 1949, the part number and headnote, and the section number should read "Part 801—Payments and Reinvestment" and "§ 801.5", respectively, instead of "Part 820" and "§ 820.25."

TITLE 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

PART 120—ANNUAL, SPECIAL OR PERIODICAL REPORTS

CARRIERS BY PIPELINE ANNUAL REPORT FORM P

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 31st day of October A. D. 1949.

The matter of Annual Reports from Carriers by Pipeline being under consideration:

It is ordered, That the order dated February 16, 1949, In the Matter of Annual Reports from Carriers by Pipeline (§ 120.61, Title 49, Code of Federal Regulations) be, and it is hereby modified with respect to annual reports for the year ended December 31, 1949 and subsequent years, as follows:

§ 120.61 *Form prescribed for carriers by pipeline.* All carriers by pipeline subject to the provisions of section 20, Part I of the Interstate Commerce Act, are hereby required to file annual reports for the year ended December 31, 1949, and for each succeeding year until further order, in accordance with Annual Report Form P (Carriers by Pipeline), which is hereby approved and made a part of this order.[1] The annual report shall be filed, in duplicate, in the Bureau of Transport Economics and Statistics, Interstate Commerce Commission, Washington 25, D. C., on or before March 31 of the year following the one to which it relates.

(24 Stat. 386, as amended, 49 U. S. C. 20 (1)–(8))

NOTE: Budget Bureau No. 60-R 108.6.

By the Commission, Division 1.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 49-9083; Filed, Nov. 9, 1949; 8:48 a. m.]

[1] Filed as a part of the original document.

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Bureau of Entomology and Plant Quarantine

[7 CFR, Part 301]

HAWAIIAN AND PUERTO RICAN COTTON, COTTONSEED, AND COTTONSEED PRODUCTS

NOTICE OF PROPOSED RULE MAKING

Notice is hereby given under section 4 (a) of the Administrative Procedure Act (5 U. S. C. 1003 (a)) that the Secretary of Agriculture, pursuant to section 8 of the Plant Quarantine Act of 1912, as amended (7 U. S. C. 161), is considering revising the regulations supplemental to the quarantine relating to the movement of cotton, cottonseed, and cottonseed products from Hawaii and Puerto Rico into or through any other Territory, State, or District of the United States (7 CFR 301.47–1, 301.47–2), to read as follows:

§ 301.47–1 *Definitions.* For the purpose of the regulations in this subpart the following words, names, and terms shall be construed, respectively, to mean:

(a) *Cotton.* Products of plants of the genus Gossypium, including seed cotton; cottonseed; cotton lint and linters; all forms of unmanufactured cotton fiber; cottonseed hulls, cake, and meal; waste; and all other unmanufactured cotton products, except oil.

(b) *Cottonseed.* The seed of the cotton plant, either separated from the lint or as a component part of seed cotton.

(c) *Lint.* All forms of raw or unmanufactured ginned cotton, either baled or unbaled, including all cotton fiber, except linters, which has not been woven or spun, or otherwise manufactured.

(d) *Linters.* All forms of unmanufactured cotton fiber separated from cottonseed after the lint has been removed, including that form referred to as "hull fiber."

(e) *Waste.* All forms of cotton waste derived from the manufacture of cotton lint, after ginning, in any form or under any trade designation, including waste products derived from the milling of cottonseed.

(f) *"Certificate" ("certification", "certified").* A type of authorization issued by the Chief of the Bureau of Entomology and Plant Quarantine to allow the movement of lint, linters, and waste in accordance with the regulations in this subpart. "Certification" and "certified" shall be construed accordingly.

(g) *Permit.* A type of authorization issued by the Chief of the Bureau of Entomology and Plant Quarantine to allow the movement of lint, linters, waste, cottonseed cake, cottonseed meal, and other cottonseed products in accordance with the regulations in this subpart.

(h) *Vacuum-fumigated.* Vacuum-fumigated under the supervision of an inspector of the Bureau of Entomology and Plant Quarantine in a vacuum fumigation plant approved by the Chief of that Bureau and in accordance with methods administratively approved by the Chief of such Bureau.

(i) *Seed cotton.* The unginned lint and seed admixture, just as it is picked from the cotton boll.

(j) *"Moved" (movement," "move").* Shipped, offered for shipment to a common carrier, received for transportation or transported by a common carrier, or carried, transported, moved, or allowed to be moved, directly or indirectly, from the Territories of Hawaii and Puerto Rico into or through any other Territory, State, or District of the United States. "movement" and "move" shall be construed accordingly.

§ 301.47–2 *Articles the movement of which is prohibited or regulated—(a) Articles prohibited movement.* The movement of seed cotton, cottonseed, and cottonseed hulls is prohibited.

(b) *Articles the movement of which is regulated.* Lint, linters, waste, cottonseed cake, cottonseed meal, and other cottonseed products are permitted movement in accordance with the provisions of § 301.47–3.

§ 301.47–3 *Conditions governing the issuance of permits and certificates—(a) Unfumigated lint, linters, and waste.* (1) Unfumigated Hawaiian or Puerto Rican lint, linters, and waste will be allowed to move under permit by all-water route only for entry at the ports of Norfolk, Baltimore, New York, Boston, San Francisco, and Seattle, or other port of arrival designated in the permit, and at such designated port of arrival shall become subject to the regulations governing the importation of cotton from foreign countries (7 CFR 321.101 et seq.).

(2) Vacuum fumigation may be waived and certificates issued for lint, linters, clean waste, and other forms of cotton which the inspector can determine as having been so manufactured or processed by bleaching or dyeing, as to have removed all seed, or to have destroyed all insect life.

(b) *Fumigated lint, linters, waste, cottonseed cake, cottonseed meal, and other cottonseed products.* Lint, linters, waste, cottonseed cake, cottonseed meal, and other cottonseed products vacuum-fumigated in the Territory of origin and so certified are allowed unrestricted movement to any port.

(c) *Cottonseed cake, cottonseed meal, and cottonseed products.* (1) Hawaiian and Puerto Rican cottonseed cake, cottonseed meal, and other cottonseed products, except oil, when neither treated nor inspected, will be allowed to enter the United States mainland under permit only at the ports of Norfolk, Baltimore, New York, Boston, San Francisco, and Seattle, or other port of arrival designated in the permit, and under the conditions applying to the same articles imported from foreign countries (7 CFR 321.201 et seq.).

(2) Cottonseed cake, cottonseed meal, and other cottonseed products which have been inspected in the Territory of origin and certified by an inspector of the Bureau of Entomology and Plant Quarantine as being free from contamination with whole, uncrushed cottonseed, will be allowed unrestricted movement to any port.

The purpose of this revision is to authorize the vacuum fumigation in the Territory of origin of cotton lint, linters, and waste and certification of such products for unrestricted movement therefrom to any port in the United States. Present regulations require that such fumigation be performed at a designated port on the United States mainland. Vacuum fumigation plants have been constructed in Puerto Rico where this operation may be accomplished before the products are shipped.

All persons who desire to submit written data, views, or arguments in connection with this matter should file the same with the Chief of the Bureau of Entomology and Plant Quarantine, Agricultural Research Administration, United States Department of Agriculture, Washington 25, D. C., within 10 days after the publication of this notice in the FEDERAL REGISTER.

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

Done at Washington, D. C., this 4th day of November 1949.

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

[F. R. Doc. 49–9091; Filed, Nov. 9, 1949; 8:49 a. m.]

Production and Marketing Administration

[7 CFR, Part 722]

1950 CROP OF COTTON

NOTICE OF APPORTIONMENT OF NATIONAL ACREAGE ALLOTMENT AND OF FORMULATION OF REGULATIONS RELATING TO ESTABLISHMENT OF ACREAGE ALLOTMENTS

Pursuant to the provisions of the Agricultural Adjustment Act of 1938, as amended, including amendments made by Public Laws 272 and 439, 81st Congress (7 U. S. C. 1301–1393) (hereinafter referred to as the "act"), the Secretary of Agriculture is preparing to apportion among the cotton-producing States the national acreage allotment of 21,000,000 acres heretofore proclaimed for the 1950 crop of cotton (14 F. R. 6279) and to issue regulations providing for apportionment of the State acreage allotments among counties and for the establishment of farm acreage allotments. The principal determinations and procedures being considered for issuance in connection with the apportionment of the national and State acreage allotments and the establishment of farm allotments are explained below.

I. *Appointment of national acreage allotment.* The national acreage allotment would be apportioned among the States, as provided in section 344 (c) of

the act, on the basis of a national acreage allotment base of 22,500,000 acres, computed and adjusted as explained herein. The average of the planted acreages (including acreage regarded as planted under the provisions of Public Law 12, 79th Cong. in the States for the years 1945, 1946, 1947, and 1948 (except that in the case of any State having a 1948 planted cotton acreage of over 1,000,000 acres and less than 50 percent of the 1943 State allotment, the period of years would be 1944 to 1948, inclusive) would constitute the national base. To the acreage in the national base would be added the following amounts:

(1) The estimated additional acreage for each State required for small-farm allotments under section 344 (f) (1) of the act. This estimate would be made on the basis of the additional acreage which was or would have been required from the State reserve provided in section 344 (g) (1) and (2) of the Agricultural Adjustment Act of 1938 to establish small-farm allotments for the 1942 crop of cotton under section 344 (d) (1) of such act.

(2) The additional acreage required to provide each State an acreage allotment base of not less than the larger of 95 percent of the average acreage actually planted to cotton in the State during the years 1947 and 1948 or 85 percent of the acreage actually planted to cotton in the State in 1948.

(3) The additional acreage required, after adding the acreages determined under (1) and (2) to the national base, to determine a total national allotment base of 22,500,000 acres. This additional acreage would be distributed on a proportionate basis among the States receiving no additional acreage under (2), using as a base for the distribution of such additional acreage the average acreage planted to cotton in the State during the period 1945–48 (or 1944–48 in the case of any State having a 1948 planted cotton acreage of over 1,000,000 acres and less than 50 percent of the 1943 State allotment) as determined above for purposes of computing the national base. If, after the additions under (1) and (2), the national base exceeds 22,500,000 acres, such base would be adjusted to 22,500,000 acres by reducing on a proportionate basis the State allotment base acreage for those States which received no additional acreage under (2), except that such proportionate reduction would not cause any State allotment base to be less than the larger of 95 percent of the average acreage actually planted to cotton in the State during the years 1947 and 1948 or 85 percent of the acreage actually planted to cotton in the State in 1948.

(4) The State acreage allotment base would be the 1945–48 average planted acreage of cotton (1944–48 average where applicable) plus the acreage added to the State base under (1) and (2) and plus or minus, whichever is applicable, the acreage determined under (3).

The 1950 national acreage allotment of 21,000,000 acres would be apportioned to States as follows:

(i) A minimum State acreage allotment would be determined for applicable States in accordance with the provisions of section 344 (k) of the act.

(ii) For States not included in (i) an apportionment factor would be obtained by dividing the 1950 national acreage allotment of 21,000,000 acres (less the total of the State acreage allotments determined under (i)) by the national acreage allotment base of 22,500,000 acres (less the State allotment bases determined for States under (i)).

(iii) The 1950 State allotment for each State to which (i) is not applicable would be computed by multiplying the State acreage allotment base as determined under (4) by the apportionment factor as determined under (ii).

II. *Apportionment of State acreage allotment.* The 1950 State acreage allotment would be apportioned among the counties as follows:

(a) An acreage resulting by multiplying the acreage added to the State acreage allotment base in I (i) for small farm adjustments by the apportionment factor computed under I (ii) would be used by the State Production and Marketing Administration Committee (hereinafter referred to as the "State Committee") to apportion to counties for establishing allotments of the smaller of five acres or the highest planted acreage (or regarded as planted) to cotton during any one of the years, 1946, 1947, or 1948.

(b) The State Committee would set aside not in excess of 10 percent of the State acreage allotment (15 percent in the case of any State having a 1948 planted acreage of over 1,000,000 acres and less than 50 percent of the 1943 State allotment) for the following uses:

(i) *Adjustments in county allotments for trends in cotton acreage.* If the State Committee determines that adjustments were required for upward trends in cotton acreage in some counties in the State, a formula would be developed to accomplish the desired result and would be applied uniformly to all counties in the State. The acreage allotted to the county under this adjustment provision would become a part of the county allotment.

(ii) *Adjustments in the county allotments for counties adversely affected by abnormal conditions affecting plantings.* The State committee would examine the annual acreages actually planted to cotton for each year in the period used as the basis for apportionment of the State acreage allotment to the counties. The annual acreage would be compared with the acreage usually planted in the county and with the relationship of actual planted acreages to usual acreages in other counties in the area. If the State committee determines that the county acreage of cotton for any year was adversely affected by abnormal conditions affecting plantings, an adjustment for such conditions would be made by the State committee from the State reserve. The State committee would use a uniform basis for making adjustments in the allotments for counties affected by the same adverse condition. The acreage allotted to a county under this provision would become a part of the county allotment.

(iii) *Adjustments in acreage allotments for small farms.* The State committee may use the State reserve to supplement the county reserve set aside as provided herein for making adjustments in farm allotments otherwise established at 15 acres or less. The acreage apportioned to the county for this purpose would not become a part of the county allotment but would be used by the county committee only for adjusting farm allotments of 15 acres or less in accordance with the applicable factors.

(iv) *Small farm increases.* If the State committee determines that the acreage set aside as provided in (a) above for establishing farm allotments of five acres or less pursuant to section 344 (f) (1) of the act is insufficient for such purpose, the State committee would set aside from the State acreage reserve an amount sufficient to make allotments to such farms at the level prescribed by the act. This acreage would be apportioned to counties on the basis of actual needs for allotments to such farms and would not be a part of the county allotment.

(v) *Acreage reserve for new farms.* The State committee would determine whether acreage allotments for farms on which cotton will be produced in 1950 but on which cotton was not planted (or not regarded as planted under Public Law 12, 79th Congress) to cotton during any one of the years 1946, 1947, and 1948 (hereinafter referred to as "new farms") are to be established from the State reserve or the county reserve, or from a combination of acreages from both reserves.

In States where new areas have been brought into cotton production in 1949, or will be brought into cotton production in 1950, to the extent that the portion of the county reserve available for new farms in such areas would be inadequate to establish fair and reasonable allotments for the farms in such areas, the State committee may set aside acreage to supplement the acreage set aside from the county reserve for establishing allotments for such farms.

If the need for acreage for establishing allotments for new farms is generally uniform throughout the State, the State and county committees would be authorized to determine whether the allotments for all new farms would be established with acreage set aside from the State reserve or the county reserve, or from a combination of acreages from both reserves.

The State committee would determine the acreage to be set aside for new cotton farms on the basis of the county surveys provided in III B (c) below.

(c) The State acreage allotment, less the amounts set aside under (a) and (b) above, would be apportioned to the counties on the same basis as to years or conditions as were applicable to the apportionment of the national acreage allotment to the State. If, for example, the State acreage allotment base were determined under section 344 (c) (2) of the act to be 85 percent of the acreage actually planted to cotton in 1948, each county in the State would receive its share of the remainder of the State acreage allotment on the basis of 85 percent of the acreage actually planted to cotton in the county in 1948.

(d) The county allotment, from which the county acreage reserve would be determined and the acreage that would be

apportioned to farms on the basis of the uniform county percentage factor as provided in III below, is the sum of the amounts allotted to the county under II (b) (i), II (b) (ii), and II (c).

III. *Establishment of farm acreage allotments*—A. *Old cotton farms.* The county acreage allotment, less the county reserve, would be apportioned among farms on which cotton was planted in 1946, 1947, or 1948 (or regarded as planted in 1946 or 1947 under Public Law 12, 79th Congress) on the basis of a prescribed percentage (which percentage would be the same for all such farms in the county or administrative area) of the "adjusted cropland" for the farm. The adjusted cropland is the acreage on the farm that in 1949 was tilled annually or in regular rotation, less the sum of (a) the acreages planted in 1949 to sugarcane for sugar and sugar beets for sugar; (b) an acreage equal to the farm allotments last established for tobacco, peanuts and wheat (excluding the wheat acreage used on the farm for other than feeding to livestock for market); (c) the 1949 acreage planted to rice plus the acreage of other rice land on the farm; (d) the 1949 acreages of lands devoted primarily to orchards or vineyards; and (e) in irrigated areas the cropland for which irrigation water is not available for the production of irrigated crops during the cotton-producing season. The farm allotment so determined by applying such percentage (hereinafter referred to as the "county cropland factor") could not exceed, however, the largest acreage planted (and regarded as planted under Public Law 12, 79th Congress) to cotton in 1946, 1947, and 1948.

With the acreage allotted to the county Production and Marketing Administration committee (hereinafter referred to as the "county committee") by the State committee for such purpose, or with acreage provided by the county reserve as described herein, the farm allotments established as provided above would be increased so that there would be allotted to each farm the smaller of five acres or the highest number of acres planted (or regarded as planted in 1946 or 1947 under Public Law 12, 79th Congress) to cotton in 1946, 1947, or 1948.

B. *County reserve.* The county committee would reserve not in excess of 15 percent of the county allotment for use in establishing allotments for new farms in accordance with B (c) below and for making adjustments in the farm allotments established as provided above for old farms as follows:

(a) Not less than 20 percent of the acreage so reserved would, to the extent required, be allotted to those farms for which allotments of not less than 5 acres and not more than 15 acres are established as provided above on the basis of the application of the county cropland factor.

The adjustment of allotments for such farms would be made by the county committee so as to establish allotments which are fair and reasonable in relation to the allotments established for other similar farms in the community, taking into consideration the land, labor, and equipment available for the production of cotton, crop-rotation practices, and the soil and other physical facilities affecting the production of cotton. The county committee would not establish an allotment for any such farm (i) in excess of the acreage which could be planted on the farm in 1950 consistent with sound crop-rotation practices followed in the community, (ii) in excess of the acreage which can be farmed with the labor and equipment currently or normally available on the farm, or (iii) which would result in the planting of cotton on land unsuited to the production of cotton.

(b) If the acreage apportioned to the county by the State committee for increases in small farm allotments under section 344 (f) (1) of the act is insufficient, the county committee would use the acreage needed from the county reserve to meet such requirements.

(c) The county committee, with the assistance of the community committees, would determine from county office records and other available sources of information (1) the number of farms on which cotton was planted in 1949 but on which cotton had not been planted (or not regarded as planted under Public Law 12, 79th Congress) to cotton in 1946, 1947, or 1948, and (2) the estimated acreage of adjusted cropland for such farms. The county and community committees would estimate (1) the number of farms on which cotton is to be produced in 1950 but on which cotton was not planted (or not regarded as planted under Public Law 12, 79th Congress), in 1946, 1947, 1948, and 1949, and (2) the adjusted cropland for such farms. The data with respect to these farms would be used by the county committee as a basis for determining the acreage to be set aside from the State or county reserve for new farms.

The acreage to be made available for such new farms would not exceed 75 percent of the acreage determined by multiplying the estimated county cropland factor by the total estimated adjusted cropland for such farms. The operators of new farms would be required to file with the county committee a written application requesting an acreage allotment not later than the closing date established by the State committee, which would be not earlier than January 15, 1950. The county committee would establish allotments for new farms on the basis of land, labor, and equipment available for the production of cotton, crop-rotation practices, and the soil and other physical facilities affecting the production of cotton, but such allotment could not exceed the allotment for old cotton farms in the county which are similar with respect to such factors. The allotments so established would be subject to review and revision by the State committee.

(d) The remainder of the acreage in the county reserve, after meeting the requirements under (a), (b), (c) and (d), would be used by the county committee for adjusting the allotments for farms receiving less than 5 acres or more than 15 acres in the apportionment of the county acreage allotment to old farms on the basis of the county cropland factor. The adjustments of such farm allotments would be made on the basis of the same factors set forth in (a) above and for abnormal conditions of production.

IV. *Exemption of long staple cotton.* Section 347 of the act provides that the cotton marketing quota provisions shall not apply (1) to cotton the staple of which is one and one-half inches or more in length or (2) to extra long staple cotton designated by the Secretary which is produced from pure strain varieties of American Egyptian, Sea Island, or other similar types of extra long staple cotton having characteristics needed for various end uses for which American upland cotton is not suitable and when such varieties are produced in designated irrigated cotton-growing regions of the United States or other areas designated by the Secretary as suitable for the production of such varieties. The act further provides that the exemption under this provision shall not apply unless such long staple cotton is ginned on a roller-type gin.

Under this provision of the act, cotton produced in 1950 which is ginned on a roller-type gin and which staples one and one-half inches or more in length would be exempt from the marketing quota provisions of the act, if quotas are in effect for American upland cotton, regardless of where the cotton is produced in the United States or the variety of the cotton. It is proposed that American Egyptian cotton produced in those areas of Arizona and New Mexico and in those areas of Ector, El Paso, Hudspeth, Jeff Davis, Loving, Pecos, Presidio, Reeves, and Ward Counties of Texas in which cotton is produced with irrigation throughout the growing season, would be designated for the exemption. The exemption would not apply to a farm in any such area, however, unless the approval of the county committee were obtained in advance of the planting of such cotton. The county committee would require the farm operator to furnish an approved purity test certificate or approved State seed certification tags covering the American Egyptian seed to be planted to establish that such seed were of a pure strain. The farm operator would also be required to show that roller-type gin facilities are available for the ginning of cotton to be produced on his farm and to satisfy the county committee that such facilities will be used by him.

It is further proposed that Sea Island cotton, including Sealand cotton, which is produced in Alachua, Lake, Marion, Columbia, Orange, Seminole, Union, Bradford, Jefferson and Suwannee Counties, Florida, and in Lanier, Cook, Atkinson, and Berrien Counties, Georgia, would be designated for exemption under section 347 of the act. The exemption would not apply to a farm in any such area, however, unless the approval of the county committee were obtained in advance of the planting of such cotton. The county committee would require the farm operator to furnish approved certification tags or other evidence satisfactory to the committee showing that the seeds are of a pure strain. The committee would also require a showing by the farm operator that roller-type gin facilities are available for the ginning of

the long-staple cotton and satisfy the committee that such facilities will be used for the ginning of the cotton.

The State committees are preparing to determine the percentage of the State acreage allotment which will be set aside as the State reserve. Any person interested in the size of the State reserve or the purposes for which the acreage in the reserve will be used may submit his views, data, and recommendations thereon to the States committee for the State in which his farm is located. Similarly, the county committees are preparing to determine the percentage of the county allotment which is to be reserved, and any person interested in the size of the county reserve or the use to be made of the acreage in the reserve may submit his views, data, and recommendations thereon to the county committee for the county in which his farm is located.

Any person interested in the opportionment of the national acreage allotment among the States and the regulations to be issued by the Secretary of Agriculture with respect to apportionment of the State acreage allotments among counties and to establishment of farm acreage allotments may submit his views, data, and recommendations thereon to the Director, Cotton Branch, Production and Marketing Administration, United States Department of Agriculture, Washington 25, D. C.

All submissions to the Director of the Cotton Branch or to the State and county committees must be in writing and must be postmarked, or delivered to the office of The Director of the Cotton Branch, or of the proper committee, not later than November 19, 1949.

Issued at Washington, D. C., this 8th day of November 1949.

[SEAL] F. K. WOOLLEY,
Acting Administrator, Production and Marketing Administration.

[F. R. Doc. 49-9141; Filed, Nov. 9, 1949; 8:58 a. m.]

[7 CFR, Parts 723, 726]

VIRGINIA SUN-CURED TOBACCO AND FIRE-CURED AND DARK AIR-CURED TOBACCO

NOTICE OF DETERMINATIONS TO BE MADE WITH RESPECT TO MARKETING QUOTAS FOR 1950–51 MARKETING YEAR, APPORTIONMENT OF FIRE-CURED AND DARK AIR-CURED TOBACCO NATIONAL MARKETING QUOATAS AMONG THE SEVERAL STATES, AND FORMULATION OF REGULATIONS RELATING TO ESTABLISHMENT OF VIRGINIA SUN-CURED TOBACCO FARM ACREAGE ALLOTMENTS AND NORMAL YIELDS FOR 1950–51 MARKETING YEAR

Pursuant to the authority contained in the Agricultural Adjustment Act of 1938, as amended, including amendments contained in the Agricultural Act of 1948 (Pub. Law 897, 80th Cong.), and the Agricultural Act of 1949 (Pub. Law 439, 81st Cong.), the Secretary of Agriculture is required to proclaim national marketing quotas for fire-cured, dark air-cured and Virginia sun-cured tobacco for the 1950–51 marketing year, specify the amounts of the national marketing quotas, and apportion the fire-cured and dark air-cured tobacco national marketing quotas among the several States. No apportionment of the Virginia sun-cured tobacco national marketing quota is required since it is grown only in the State of Virginia.

The Agricultural Adjustment Act of 1938, as amended (7 U. S. C. 1312 (a)), including amendments contained in the Agricultural Act of 1948 and the Agricultural Act of 1949, provides that the Secretary shall proclaim a national marketing quota for each marketing year for each kind of tobacco for which a national marketing quota was proclaimed for the immediately preceding marketing year and shall proclaim a national marketing quota for Virginia sun-cured tobacco for each marketing year for which a quota is proclaimed for fire-cured tobacco. National marketing quotas were proclaimed for fire-cured and dark air-cured tobacco for the 1949–50 marketing year on November 19, 1948 (13 F. R. 6704). The act provides further that the Secretary shall also determine and specify in such proclamation the amount of the national marketing quota in terms of the total quantity of tobacco which may be marketed, which will make available during such marketing year a supply of tobacco equal to the reserve supply level. The act provides further that the amount of the 1950–51 national marketing quota may, not later than March 1, 1950, be increased by not more than 20 per centum if the Secretary determines that such increase is necessary in order to meet market demands or to avoid undue restriction of marketings in adjusting the total supply to the reserve supply level.

The act (7 U. S. C. 1301 (b)) defines the "total supply" of tobacco for the 1949–50 marketing year as the carry-over on October 1, 1949, the beginning of the fire-cured, dark air-cured, and Virginia sun-cured tobacco marketing year, plus the estimated 1949 production in the United States. "Reserve supply level" is defined as a normal supply plus 5 per centum thereof. A "normal supply" is defined as a normal year's domestic consumption and exports, plus 175 per centum of a normal year's domestic consumption, and 65 per centum of a normal year's exports. A "normal year's domestic consumption" for the 1949–50 marketing year is defined as the yearly average quantity produced in the United States, and consumed in the United States during the ten marketing years, 1939–40 through 1948–49, adjusted for current trends in such consumption. A "normal year's exports" for the 1949–50 marketing year is defined as the average quantity produced in the United States which was exported from the United States during the ten marketing years, 1939–40 through 1948–49, adjusted for current trends in such exports.

The act (7 U. S. C. 1313 (a)) requires the Secretary to apportion the fire-cured and dark air-cured tobacco national marketing quotas, less the amounts to be allotted under subsection (c) of section 1313 (small farms and "new" farms), among the several States on the basis of the total production in each State during the five calendar years immediately preceding the calendar year in which the quota is proclaimed, with such adjustments as are determined to be necessary to make correction for abnormal conditions of production, for small farms, and for trends in production, giving due consideration to seed bed and other plant diseases during such five-year period.

The act (7 U. S. C. 1313 (g)) authorizes the Secretary to convert State marketing quotas into State acreage allotments on the basis of average yield per acre for the State during the five years last preceding the year in which the national marketing quota is proclaimed, adjusted for abnormal conditions of production.

The act (7 U. S. C. 1312 (b)) provides further that within 30 days after a national marketing quota is proclaimed for Virginia sun-cured tobacco for the 1950–51 marketing year, the Secretary shall conduct a referendum of farmers who were engaged in the production of the 1949 crop of Virginia sun-cured tobacco to determine whether such farmers are in favor of or opposed to such quota. If more than one-third of the farmers voting in the referendum oppose such quota, the quota shall not be effective thereafter. The Secretary is also required to submit to such farmers the question of whether they favor marketing quotas for a period of three years beginning with the 1950–51 marketing year. If two-thirds of the farmers voting on this question favor marketing quotas for such three-year period, the Secretary is required to proclaim marketing quotas for such period. In referenda held on November 27, 1948, 20,031 of the 21,140 fire-cured tobacco growers voting and 17,028 of the 17,717 dark air-cured tobacco growers voting favored marketing quotas for the marketing years 1949–50, 1950–51, and 1951–52 (14 F. R. 55).

Pursuant to authority contained in the applicable provisions of the Agricultural Adjustment Act of 1938, as amended (7 U. S. C. 1301, 1312, 1313), the Secretary of Agriculture is preparing to formulate regulations governing the establishment of Virginia sun-cured tobacco farm acreage allotments and normal yields for marketing quotas to be in effect during the 1950–51 marketing year. Except for farms on which Virginia sun-cured tobacco has not been produced during any one of the years 1945 through 1949 or a farm operated, controlled, or directed by a person who also operates, controls, or directs another farm on which Virginia sun-cured tobacco is produced, the farm acreage allotment is required to be increased by the smaller of (1) 20 per centum of such allotment or (2) the percentage by which the normal yield of such allotment (as determined through the local committees in accordance with regulations prescribed by the Secretary) is less than 2,400 pounds. The act provides that the Virginia sun-cured allotment shall be apportioned among farms in the State of Virginia on the basis of past acreage of tobacco, making due allowance for drought, flood, hail, other abnormal weather conditions, plant bed and other diseases; land, labor and equipment available for the production

of tobacco; crop-rotation practices; and the soil and other physical factors affecting the production of tobacco. An amount not in excess of 5 per centum of the State allotment of Virginia sun-cured tobacco is required to be allotted to farms on which no tobacco was produced during any of the years 1945 through 1949 on the basis of the factors stated in the preceding sentence, using the past tobacco experience of the farm operator in lieu of the past acreage of tobacco; and for further increases in small farm acreage allotments. The applicability of the regulations to be issued with respect to Virginia sun-cured tobacco will be contingent upon the approval of marketing quotas by growers in the referendum. The Secretary's regulations governing the establishment of farm acreage allotments and normal yields for fire-cured and dark air-cured tobacco were issued on September 26, 1949 (14 F. R. 5919).

In making the determinations of the amounts of the national marketing quotas, the apportionment of the quotas among the several States, the conversion of State marketing quotas into State acreage allotments for fire-cured, dark air-cured, and Virginia sun-cured tobacco, and formulating regulations relating to establishment of Virginia sun-cured tobacco farm acreage allotments and normal yields, consideration will be given to any data, views, and recommendations pertaining thereto which are submitted in writing to the Director, Tobacco Branch, Production and Marketing Administration, U. S. Department of Agriculture, Washington 25, D. C. All submissions, in order to be considered, must be postmarked not later than November 19, 1949.

Issued at Washington, D. C., this 7th day of November 1949.

[SEAL] RALPH S. TRIGG,
Administrator.

[F. R. Doc. 49-9102; Filed, Nov. 9, 1949; 8:51 a. m.]

NOTICES

DEPARTMENT OF AGRICULTURE

Forest Service

TIMBER

DETERMINATION AND DECLARATION OF GRAYS HARBOR FEDERAL SUSTAINED YIELD UNIT

Whereas, advance notice of the public hearing on the proposed establishment of the Grays Harbor Federal Sustained Yield Unit was given and published in accordance with the provisions of the act of March 29, 1944 (58 Stat. 132; 16 U. S. C. 583–583i); and,

Whereas, such public hearing was held at Aberdeen, Washington, on August 2, 1949; and,

Whereas, the record of such hearing, including written statements thereafter filed pursuant to an announcement made at such hearing, has been carefully considered by me,

Now, therefore, by virtue of the authority vested in me and in accordance with the regulations of the Secretary of Agriculture issued pursuant to the provisions of the act of March 29, 1944, (36 CFR 221.4), I, Lyle F. Watts, Chief of the Forest Service, do hereby find that the stability of the communities in that portion of Grays Harbor County, State of Washington, which lies west of the range line between Ranges 5 and 6 W., W. M., is primarily dependent upon the sale of timber and other forest products from the Federally-owned land hereafter described and thus such stability cannot be secured effectively by following the usual procedure in selling such timber and other forest products.

It is therefore declared that the Grays Harbor Federal Sustained Yield Unit, consisting of certain national forest land in the Olympic National Forest, from which the Forest Service will, from time to time, offer timber for sale in accordance with sustained yield plans with the requirement that the timber be given at least primary manufacture within the communities in that portion of Grays Harbor County above described, is hereby established. The exterior boundaries of said unit are described in two parcels as follows:

Parcel I. Beginning at the northeast corner of Section 4, Township 21 North, Range 8 West, thence in a northeasterly direction along the divide between the watersheds of the Humptulips and Wynoochee Rivers to a point on the northern boundary of the Olympic National Forest at the approximate center of unsurveyed Section 8, Township 23 North, Range 7 West; thence in a southwesterly direction along said national forest boundary to the southeast corner of unsurveyed Section 9, Township 23 North, Range 8 West; thence North to a point on the south bank of the Quinault River where it crosses the line between Sections 33 and 34, Township 24 North, Range 8 West; thence West along the south bank of said river to the point where it crosses the line between the NE¼NE¼ and the NW¼NE¼ Section 33; thence South to the southeast corner of the NW¼NE¼ Section 33; thence West to the line between Sections 32 and 33; thence South to the ¼ corner common to Sections 32 and 33; thence West to the southeast corner of the SW¼NW¼ Section 32; thence North to the northeast corner of the SW¼NW¼ Section 32; thence West to the northwest corner of the SW¼NE¼ Section 31; thence South to the center of Section 31; thence West to the northwest corner of Lot 4, Section 31; thence South to the southwest corner of Section 31, all in Township 24 North, Range 8 West; thence West to the northwest corner of Lot 1, Section 1, Township 23 North, Range 9 West; thence South to the southwest corner of Lot 1, Section 1; thence West to the northwest corner of the SW¼NE¼ Section 1; thence South to the center of Section 1; thence West to the northwest corner of the NE¼SW¼ Section 1; thence South to the southwest corner of the NE¼SW¼ Section 1; thence West to the northwest corner of the SW¼SW¼ Section 1; thence South to the northeast corner of Section 11; thence West to the northwest corner of the NE¼NE¼ Section 11; thence South to the northeast corner of the SE¼NW¼NE¼ Section 11; thence West to the northwest corner of the SW¼NW¼NE¼ Section 11; thence South to the northeast corner of the SE¼SE¼NW¼ of Section 11; thence West to the northwest corner of the SE¼SE¼NW¼ of Section 11; thence South to the northeast corner of the SE¼SW¼SE¼ NW¼ of Section 11; thence West to the northwest corner of the SW¼SW¼SE¼NW¼ of Section 11; thence South to the northeast corner of the NW¼SW¼ of Section 11; thence West to the northwest corner of the NE¼NW¼SW¼ of Section 11; thence South to the center of the NW¼SW¼ of Section 11; thence West to the northwest corner of the SW¼NW¼SW¼ Section 11; thence South to the northeast corner of the SE¼SE¼ Section 10; thence West to the northwest corner of the NE¼SE¼SE¼ Section 10; thence South to the southwest corner of the SE¼SE¼SE¼ Section 10; thence West to the northwest corner of the NE¼NW¼NE¼ Section 15; thence South to the center of the NW¼NE¼ Section 15; thence West to the center of the NE¼NW¼ Section 15; thence South to the southwest corner of the SE¼NE¼NW¼ Section 15; thence West to the northwest corner of the SE¼NW¼ Section 15; thence South to the northeast corner of the NW¼SW¼ Section 15; thence West to the northwest corner of the NW¼SW¼ Section 15; thence South to the northwest corner Section 27; thence West to the northwest corner of the NE¼NE¼ Section 28; thence South to the southwest corner of the SE¼SE¼ Section 28; thence West to the northwest corner of the NE¼NE¼ Section 32; thence South to the southwest corner of the SE¼NE¼ Section 32; thence West to the center of Section 32; thence South to the south ¼ corner of Section 32, all in Township 23 North, Range 9 West; thence West to the northwest corner of the NE¼NW¼ Section 5, Township 22 North, Range 9 West; thence South to the southwest corner of the SE¼NW¼ Section 5; thence West to the northwest corner of Lot 6, Section 6; thence North to the northwest corner of Section 6, all in Township 22 North; Range 9 West; thence North to the northeast corner of Lot 1, Section 36, Township 23 North, Range 10 West; which is a point on the boundary between the Quinault Indian Reservation and the Olympic National Forest; thence in a southwesterly direction along this boundary to the southwest corner of Lot 9, Section 31, Township 22 North, Range 10 West; thence in an easterly direction along the boundary of the Olympic National Forest to the southeast corner of Township 22 North, Range 10 West; thence South along said boundary to the southwest corner of Section 6, Township 21 North, Range 9 West; thence East along the Forest boundary to the southeast corner of Section 1, Township 21 North, Range 9 West; thence South to the southwest corner of Section 18, Township 21 North, Range 8 West; thence East to the southeast corner of Section 17, Township 21 North, Range 8 West; thence South to the southwest corner of Section 16; thence East to the southeast corner of Lot 11; thence North to the center of Section 16; thence East to the ¼ corner common to Sections 15 and 16, all in Township 21 North, Range 8 West; thence North along the boundary of the Olympic National Forest to the point of beginning.

Parcel II. Beginning at the southeast corner of Section 15, Township 23 North, Range 10 West; thence in a northwesterly direction along the boundary between the Olympic National Forest and the Quinault Indian Reservation to the southwest corner of Lot 3, Section 6, Township 23 North, Range 11 West; thence North to the northwest corner of said Lot 3; thence East along the boundary of the Olympic National Forest to the southwest corner of Section 26, Township 24 North, Range 10½ West; thence North to the northwest corner of Section 2, Township 24 North, Range 10½ West; thence West to the southwest corner of Section 31, Township 25 North, Range 10 West; thence North to the northwest corner of Section 30; thence East to the northeast corner of Section 29; thence South to the center of the channel of Sams River; thence in an easterly direction up the channel of Sams River to a point where it intersects the western boundary of unsurveyed Section 2, Township 24 North, Range 10 West; thence North to the northern boundary of Township 24 North, Range 10 West; thence East to the northeast corner of unsurveyed Section 3, Township 24 North, Range 9 West; thence South to the southeast corner of Section 15; thence West to the northeast corner of Section 21; thence South to the southeast corner of Section 33; thence West to the South ¼ corner of Section 31, all in Township 24 North, Range 9 West; thence South to the center of Section 6, Township 23 North, Range 9 West; thence West to the ¼ corner common to Sections 2 and 3, Township 23 North, Range 10 West; thence South to the point of beginning; all in the Willamette Meridian, State of Washington.

The boundaries of the said Grays Harbor Federal Sustained Yield Unit are shown on maps on file in the office of the Forest Supervisor, Olympia, Washington, of the Regional Forester, Portland, Oregon, and of the Chief, Forest Service, Washington, D. C.

In witness whereof, I have executed this determination and declaration on behalf of the United States of America on this 2d day of November 1949.

[SEAL] LYLE F. WATTS,
Chief, Forest Service,
Department of Agriculture.

[F. R. Doc. 49-9093; Filed, Nov. 9, 1949; 8:49 a. m.]

FEDERAL POWER COMMISSION

NORTH CENTRAL GAS CO.

NOTICE OF ORDER APPROVING AND DIRECTING DISPOSITION OF AMOUNTS CLASSIFIED IN ACCOUNTS 100.5, GAS PLANT ACQUISITION ADJUSTMENTS, 107, GAS PLANT ADJUSTMENTS, AND TRANSFER OF CHARGES FROM ACCOUNT 250.1, RESERVE FOR DEPRECIATION OF GAS PLANT, TO ACCOUNT 271, EARNED SURPLUS

NOVEMBER 4, 1949.

Notice is hereby given that, on November 3, 1949, the Federal Power Commission issued its order entered November 1, 1949, in the above-designated matter, approving and directing disposition of amounts classified in Accounts 100.5, Gas Plant Acquisition Adjustments, and 107, Gas Plant Adjustments.

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

[F. R. Doc. 49-9075; Filed, Nov. 9, 1949; 8:47 a. m.]

PITTSBURGH AND WEST VIRGINIA GAS CO.

NOTICE OF ORDER APPROVING AND DIRECTING DISPOSITION OF AMOUNTS

NOVEMBER 4, 1949.

Notice is hereby given that, on November 3, 1949, the Federal Power Commission issued its order entered November 1, 1949, in the above-designated matter, approving and directing disposition of amounts classified in Account 107, Gas Plant Adjustments.

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

[F. R. Doc. 49-9079; Filed, Nov. 9, 1949; 8:48 a. m.]

[Docket No. E-6232, E-6234]

KENTUCKY UTILITIES CO. AND LOUISVILLE GAS AND ELECTRIC CO.

NOTICE OF ORDER APPROVING DISPOSITION AND ACQUISITION OF FACILITIES

NOVEMBER 4, 1949.

Notice is hereby given that, on November 3, 1949, the Federal Power Commission issued its order entered November 2, 1949, approving disposition and acquisition of facilities in the above-designated matters.

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

[F. R. Doc. 49-9076; Filed, Nov. 9, 1949; 8:47 a. m.]

[Docket No. E-6235]

IOWA ELECTRIC CO.

NOTICE OF ORDER VACATING ORDER AND DISMISSING APPLICATION FOR WANT OF JURISDICTION

NOVEMBER 4, 1949.

Notice is hereby given that, on November 2, 1949, the Federal Power Commission issued its order entered November 1, 1949, in the above-designated matter, vacating order of October 13, 1949, published in the FEDERAL REGISTER on October 20, 1949 (14 F. R. 6413), and dismissing, for want of jurisdiction, the application for issuance of First Mortgage Bonds.

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

[F. R. Doc. 49-9077; Filed, Nov. 9, 1949; 8:47 a. m.]

[Docket No. E-6237]

IDAHO POWER CO.

NOTICE OF ORDER AUTHORIZING ISSUANCE OF BONDS

NOVEMBER 7, 1949.

Notice is hereby given that, on November 4, 1949, the Federal Power Commission issued its order entered November 4, 1949, authorizing issuance of bonds in the above-designated matter.

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

[F. R. Doc. 49-9094; Filed, Nov. 9, 1949; 8:49 a. m.]

[Docket No. G-992]

CRYSTAL CITY GAS CO. AND ALLEGANY GAS CO.

NOTICE OF FINDINGS AND ORDER ISSUING A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY AND AUTHORIZING THE ABANDONMENT OF FACILITIES

NOVEMBER 4, 1949.

Notice is hereby given that, on November 3, 1949, the Federal Power Commission issued its findings and order entered November 1, 1949, in the above-designated matter, issuing a certificate of public convenience and necessity to Crystal City Gas Company, and approving the abandonment of certain facilities of Allegany Gas Company.

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

[F. R. Doc. 49-9072; Filed, Nov. 9, 1949; 8:47 a. m.]

[Docket No. G-1214]

COLORADO INTERSTATE GAS CO.

NOTICE OF ORDER AND DECISION

NOVEMBER 4, 1949.

Notice is hereby given that, on November 2, 1949, the Federal Power Commission issued its order entered October 27, 1949, in the above-designated matter, disallowing changes in the applicability provisions as contained in Colorado Interstate Gas Company's proposed FPC Gas Tariff, Original Volume No. 1, requiring the filing of revised sheets by December 1, 1949, and ordering Colorado Interstate Gas Company FPC Gas Tariff, Original Volume No. 1, with revised sheets, to take effect as of December 1, 1949. The Commission also issued its Opinion No. 182 dated November 1, 1949, adopting as its decision, the Intermediate Decision, with a modification, upon Colorado Interstate Gas Company FPC Gas Tariff, Original Volume No. 2.

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

[F. R. Doc. 49-9073; Filed, Nov. 9, 1949; 8:47 a. m.]

[Docket No. G-1266]

COLORADO INTERSTATE GAS CO.

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

NOVEMBER 4, 1949.

Notice is hereby given that, on November 3, 1949, the Federal Power Commission issued its findings and order entered November 1, 1949, issuing certificate of public convenience and necessity in the above-designated matter.

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

[F. R. Doc. 49-9074; Filed, Nov. 9, 1949; 8:47 a. m.]

[Project Nos. 979, 980]

STAMINA MINING & MILLING CO. ET AL

NOTICE OF ORDERS AUTHORIZING ISSUANCE OF NEW LICENSES (MINOR)

NOVEMBER 7, 1949.

In the matters of Stamina Mining & Milling Company, Edgar F. Percival and Ruth R. Percival.

Notice is hereby given that, on November 4, 1949, the Federal Power Commission issued its orders entered November 1, 1949, authorizing issuance of new licenses (minor) in the above-designated matter.

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

[F. R. Doc. 49-9095; Filed, Nov. 9, 1949; 8:49 a. m.]

[Project No. 2022]

ARTHUR W. CHISHOLM

NOTICE OF ORDER AUTHORIZING ISSUANCE OF LICENSE (MINOR)

NOVEMBER 4, 1949.

Notice is hereby given that, on November 4, 1949, the Federal Power Commission issued its order entered November 1, 1949, authorizing issuance of license (minor) in the above-designated matter.

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

[F. R. Doc. 49-9078; Filed, Nov. 9, 1949; 8:48 a. m.]

HOUSING AND HOME FINANCE AGENCY

Public Housing Administration

DESCRIPTION OF AGENCY AND PROGRAMS AND FINAL DELEGATIONS OF AUTHORITY

1. In section II, *Central Office organization and final delegations of authority to Central Office Officials*, paragraph a, which appeared at 14 F. R. 1622, is amended to read as follows:

a. *Functions of the Commissioner and the First Assistant Commissioner.* The Commissioner of the Public Housing Administration, who is appointed by the President of the United States with the advice and consent of the Senate, is primarily responsible for the administration of all programs of the Public Housing Administration. Under Public Law 901, 80th Congress, the Commissioner is authorized to delegate any of his functions and powers to such officers, agents, or employees of the PHA as he may designate. The Commissioner has designated the First Assistant Commissioner to assist him in the general administration and coordination of all phases of Public Housing Administration's activities, to formulate and develop basic policies and procedures, to resolve basic problems in connection therewith, and to act as Commissioner in his absence. The following are the major organizational units of the Public Housing Administration Central Office with their respective functions:

2. Section IIg, *Acting Commissioner*, which appeared at 14 F. R. 1625, is amended to read as follows:

g. *Designation of Acting Commissioner.* The Commissioner hereby designates the First Assistant Commissioner, Warren Jay Vinton, to serve as Acting Commissioner in his absence. The First Assistant Commissioner is authorized to exercise all the powers, duties, and functions, while so acting, that are vested in the Commissioner. In the absence of the First Assistant Commissioner such person as the Commissioner shall designate shall serve as Acting Commissioner and shall exercise all the powers, duties, and functions, while so acting, that are vested in the Commissioner.

Approved: November 3, 1949.

[SEAL] JOHN TAYLOR EGAN,
Commissioner.

[F. R. Doc. 49-9080; Filed, Nov. 9, 1949; 8:48 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 7-1127]

KANSAS POWER & LIGHT CO.

NOTICE OF APPLICATION FOR UNLISTED TRADING PRIVILEGES, AND OF OPPORTUNITY FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 4th day of November A. D. 1949.

The Boston Stock Exchange, pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934 and Rule X-12F-1 thereunder, has made application for unlisted trading privileges in the Common Stock, $8.75 Par Value, of Kansas Power & Light Company, a security listed and registered on the New York Stock Exchange.

Rule X-12F-1 provides that the applicant shall furnish a copy of the application to the issuer and to every exchange on which the security is listed or already admitted to unlisted trading privileges. The application is available for public inspection at the Commission's principal office in Washington, D. C.

Notice is hereby given that, upon request of any interested person received prior to November 18, 1949, the Commission will set this matter down for hearing. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington, D. C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application, and other information contained in the official file of the Commission pertaining to this matter.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 49-9088; Filed, Nov. 9, 1949; 8:48 a. m.]

[File No 70-2244]

NEW ENGLAND ELECTRIC SYSTEM

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 3d day of November A. D. 1949.

New England Electric System ("NEES"), a registered holding company, having filed a declaration and amendments thereto pursuant to sections 7, 10 and 12 of the Public Utility Holding Company Act of 1935 and Rules U-42 and U-50 promulgated thereunder with respect to the following proposed transactions:

NEES proposes to issue and sell, for cash, 669,508 additional common shares, having a par value of $1.00 per share. The proposed issue and sale of said shares will be made pursuant to the competitive bidding requirements of Rule U-50 promulgated under the act. NEES proposes to issue warrants to its common shareholders under which such shareholders may subscribe for said new common shares on the basis of one share for each ten shares held on the record date which will be the effective date of the registration statement filed with this Commission in connection with such issue and sale. Such shareholders may subscribe for the new shares at a price to be fixed by the successful underwriter as the price to be paid to NEES for the unsubscribed shares.

The underwriting agreement will provide, among other things, for the payment by the prospective underwriters of a fixed amount of $0.20 per share to dealers who are members of the National Association of Security Dealers in cases where the dealer, whose name appears on a warrant exercised by the holder of record of outstanding common shares, is a member of the group of securities dealers managed by the underwriters and subject to the agreements between the underwriters and the dealers. The maximum amount payable with respect to rights exercised by any single holder of warrants will be limited to $200. The underwriting agreement further provides that NEES shall reimburse the prospective underwriters for the payment of this compensation to the dealers.

NEES requests in its declaration authority to stabilize the price of its common shares on the New York Stock Exchange, the Boston Stock Exchange and in the over-the-counter market by the purchase, during the two business days preceding and up to the time a bid is accepted or all bids are rejected on the day on which bids are opened, of its presently outstanding common shares in such amount as is deemed desirable at the time but in no case in excess of 5% of the total amount of common shares proposed to be issued. Any common shares acquired by NEES in such stabilization activities will be included in the amount to be offered to the prospective underwriter at competitive bidding.

The cash proceeds to be derived from the proposed issue and sale of said common shares, after deducting expenses of the issuance, will be added to the general

funds of NEES and utilized by that company in furtherance of the construction program of its subsidiary companies.

It is stated that the subsidiary companies will use the proceeds received by them to reduce or to pay off in its entirety debt incurred for construction purposes.

Said declaration having been filed on October 7, 1949, and the last amendment thereto having been filed on October 31, 1949, and notice of filing of said declaration, as amended, having been given in the form and manner prescribed by Rule U-23 promulgated under the act, and the Commission not having received a request for a hearing with respect to said declaration, as amended, within the time specified in said notice, or otherwise, and not having ordered a hearing thereon; and

NEES having requested that the Commission's order become effective upon issuance; and

NEES having retained the services of the First Boston Corporation as financial adviser in connection with the proposed issuance and sale of said common shares and the fee for such services being estimated not to exceed $15,000 and the out-of-pocket expenses not to exceed $750, the total expenses in connection with the proposed issuance and sale of common shares being estimated not to exceed $183,500 and such total expenses including the services performed by New England Power Service Company, an affiliated service company, at the actual cost thereof; and the record being incomplete with respect to the fees of counsel, including counsel for the prospective purchasers of the new common shares and the Commission deeming it appropriate to reserve jurisdiction with respect to all fees and expenses, except said fee of $0.20 per share payable to dealers; and

The Commission finding with respect to the proposed transactions that all applicable provisions of the act and the rules promulgated thereunder are satisfied, that no adverse findings are required thereunder, and deeming it appropriate in the public interest and in the interest of investors and consumers to permit said declaration, as amended, to become effective forthwith, subject to the reservations of jurisdiction hereinafter specified:

It is ordered, Pursuant to Rule U-23, that said declaration, as amended, be, and the same hereby is, permitted to become effective forthwith, subject, however, to the condition that the proposed issuance and sale of warrants and common shares shall not be consummated until the results of competitive bidding pursuant to Rule U-50 shall have been made a part of this proceeding and a further order of the Commission shall have been issued in the light of the record, as so completed, for which purpose jurisdiction is hereby reserved, and subject to a reservation of jurisdiction with respect to all fees and expenses in connection with the proposed transactions, excluding said fee of $0.20 per share payable to dealers but including the fee of counsel for the prospective purchasers of said common shares.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 49-9089; Filed, Nov. 9, 1949; 8:49 a. m.]

[File No. 70-2252]

MISSOURI POWER & LIGHT CO.

ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 3d day of November 1949.

Missouri Power & Light Company ("Missouri Power"), a subsidiary of North American Light & Power Company, a registered holding company, has filed with the Commission an application and amendment thereto, pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935 ("act") and Rule U-50 of the general rules and regulations promulgated thereunder regarding the following proposed transactions:

Missouri Power proposes to issue and sell, at competitive bidding pursuant to the provisions of Rule U-50, 20,000 additional shares of --% Cumulative Preferred Stock ("new preferred stock"), par value $100 per share, and $2,000,000 principal amount of First Mortgage Bonds, --% Series due 1979 ("new bonds").

The invitation for bids provides that (1) each stock bid shall specify the dividend rate for the new preferred stock, which rate shall be in a multiple of 10 cents, and the price to be paid the company, exclusive of accrued dividends, which price shall be not less than $100 nor more than $102.75 per share, plus accrued dividends from October 1, 1949, and (2) each bond bid shall specify the coupon rate for the new bonds which shall be a multiple of ⅛ of 1% and the price to be paid the company, exclusive of accrued interest, which price shall be not less than 100% nor more than 102.75% of the principal amount of said bonds, plus accrued interest from November 1, 1949.

The new bonds will be issued under a Mortgage and Deed of Trust between the applicant and Harris Trust and Savings Bank and Clark Cox, as trustees, dated July 1, 1946, and a Second Supplemental Indenture to be dated November 1, 1949.

Applicant proposes to apply the net proceeds from the proposed issuances and sales in part to the payment of its unsecured promissory notes aggregating $2,000,000, to reimburse its treasury for capital expenditures previously made and, in part, to the payment of the cost of property additions during 1949-50, estimated in the amount of $7,755,000.

Said application having been filed on October 14, 1949, and notice of filing having been duly given in the form and manner prescribed by Rule U-23, promulgated pursuant to the act, and the Commission not having received a request for hearing with respect to said application within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

It appearing to the Commission that the proposed issuances and sales of the new preferred stock and the new bonds have been expressly authorized by the Missouri Public Service Commission, the State Commission of the State in which the company is organized and doing business; and

The Commission finding that said application, as amended, satisfies the requirements of the applicable provisions of the act and the rules and regulations promulgated thereunder and that it is not necessary to impose any terms or conditions other than those set forth below, and the Commission deeming it appropriate in the public interest and in the interest of investors and consumers that said application, as amended, be granted, effective forthwith:

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

(a) That the issuance and sale of the new preferred stock and new bonds, respectively, shall not be consummated until the results of competitive bidding pursuant to Rule U-50 with respect thereto shall have been made a matter of record herein and a further order shall have been entered, which order may contain such further terms and conditions as may then be deemed appropriate, jurisdiction being hereby reserved for such purpose.

(b) That jurisdiction be, and the same hereby is, reserved with respect to fees and expenses for accounting and legal services incurred in connection with the proposed transactions, including fees and expenses of counsel for the successful bidders.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 49-9087; Filed, Nov. 9, 1949; 8:48 a. m.]