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TITLE 3—THE PRESIDENT

PROCLAMATION 2898

FIRST UNITED STATES INTERNATIONAL TRADE FAIR

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA
A PROCLAMATION

WHEREAS a joint resolution of the Congress approved on August 12, 1950, provides as follows:

That the President of the United States is authorized to invite by proclamation or otherwise, or in such manner as he may deem proper, the States of the Union and foreign nations to participate in the First United States International Trade Fair, to be held at Chicago, Illinois, from August 7 to 20, 1950, inclusive, for the purpose of exhibiting industrial products; machinery, equipment, supplies, and engineering; and the exhibiting of the newest developments in metals, plastics, chemicals, oils, textiles, and other manufactured products; and bringing together buyers and sellers for promotion of foreign and domestic trade and commerce in such products.

AND WHEREAS invitations from the Governor of Illinois to foreign nations to participate in the First United States International Trade Fair to be held at Chicago, Illinois, from August 7 to 20, 1950, inclusive, have been extended through the Department of State and the United States Missions abroad;

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, do hereby invite and urge the States of the Union and foreign nations to participate to the fullest practicable extent in the said First United States International Trade Fair.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this 14th day of August in the year of our Lord nineteen hundred and fifty, [SEAL] and of the Independence of the United States of America the one hundred and seventy-fifth.

HARRY S. TRUMAN

By the President:

DEAN ACHESON,
Secretary of State.

[F. R. Doc. 50-7269; Filed, Aug. 17, 1950; 9:18 a. m.]

EXECUTIVE ORDER 10152

REGULATIONS RELATING TO THE RIGHT OF MEMBERS OF THE UNIFORMED SERVICES TO INCENTIVE PAY FOR THE PERFORMANCE OF HAZARDOUS DUTY REQUIRED BY COMPETENT ORDERS

By virtue of and pursuant to the authority vested in me by sections 204 and 501 (d) of the Career Compensation Act of 1949, approved October 12, 1949 (Public Law 351, 81st Congress), and as President of the United States and Commander in Chief of the armed forces of the United States, I hereby prescribe the following regulations relating to the right of members of the uniformed services to receive incentive pay for the performance of hazardous duty required by competent orders:

SECTION 1. For the purposes of these regulations:

(a) The terms defined in section 102 of the said Career Compensation Act of 1949 shall have the meanings prescribed therein.

(b) The term "aerial flight" shall be construed to mean flight in an aircraft or glider; and a flight shall be deemed to begin when the aircraft or glider takes off from rest at any point of support and to terminate when it next comes to a complete stop at a point of support.

(c) The term "aviation accident" shall be construed to mean an accident in which a member who is required to participate frequently and regularly in aerial flight is injured or otherwise incapacitated as the result, as attested by the appropriate medical authority of the uniformed service concerned, of (1) jumping from, being thrown from, or being struck by, an aircraft or any part or auxiliary thereof, or (2) participation in any duly authorized aerial flight or other aircraft or glider operations.

Sec. 2. Under such regulations as the Secretary concerned may prescribe, any member of the uniformed services, including members assigned to special, administrative, or school duties, may be required by competent orders to perform hazardous duty.

Sec. 3. (a) Each member who is required by competent orders to participate frequently and regularly in aerial flights, other than glider flights, shall make the flights required as a crew

(Continued on next page)

CONTENTS

THE PRESIDENT

Proclamation	Page
First United States International Trade Fair.....	5489
Executive Orders	
Members of uniformed services called to active duty; regulations relating to certain travel time in excess of thirty days....	5492
Uniformed services; regulations relating to right of members to incentive pay for performance of hazardous duty required by competent orders.....	5489

EXECUTIVE AGENCIES

Agriculture Department	
See Production and Marketing Administration.	
Alien Property, Office of	
Notices:	
Vesting orders, etc.:	
Casali, Mrs. Josephine.....	5523
Ferrantino, Anna.....	5523
Frisch, Emilie.....	5523
Germany.....	5524
Haase, Emma.....	5523
Holland, Herta, and Anna Stein.....	5523
Limpert, Werner.....	5521
Numoto, Yoshie.....	5521
Springer, Julius.....	5522
Stender, Auguste P., et al.....	5522
Watanabe, Yoshiko, et al.....	5522
Civil Aeronautics Administration	
Rules and regulations:	
Air traffic rules; danger area alterations.....	5497
Civil Aeronautics Board	
See Civil Aeronautics Administration.	
Civil Service Commission	
Rules and regulations:	
Appointment through competitive service; competition restricted to veterans.....	5492
Federal employees' pay regulations; overtime, night, and holiday pay.....	5492
Commerce Department	
See Civil Aeronautics Administration; Industry and Commerce, Office of.	



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CONTENTS—Continued

Federal Power Commission	Page
Notices:	
Hearings, etc.:	
Arkansas Louisiana Gas Co.	5518
California Oregon Power Co.	5519
Hope Natural Gas Co.	5518
Mississippi River Fuel Corp.	5518
South Carolina Public Service Authority	5519
Fish and Wildlife Service	
Rules and regulations:	
Wildlife conservation areas, management; Alaska region; hunting in Aleutian Islands National Wildlife Refuge	5512
Foreign and Domestic Commerce Bureau	
See Industry and Commerce, Office of.	

CONTENTS—Continued

Industry and Commerce, Office of	Page
Rules and regulations:	
Export regulations; changes in Positive List of Commodities	5510
Interdepartmental Committee on Trade Agreements	
Notices:	
Trade-agreement negotiations with Cuba	5515
Interior Department	
See Fish and Wildlife Service.	
Internal Revenue Bureau	
Rules and regulations:	
Alcohol, industrial	5497
Interstate Commerce Commission	
Notices:	
Applications for relief:	
Chlorine gas, liquefied, from Baton Rouge and North Baton Rouge, La.	5519
Iron and steel articles in the South	5519
Superphosphate from Florida to Western Trunk Line Territory	5519
Justice Department	
See Alien Property, Office of.	
Labor Department	
See Wage and Hour Division.	
Production and Marketing Administration	
Proposed rule making:	
Broccoli, Italian sprouting; U. S. consumer standards	5512
Milk in Philadelphia, Pa., marketing area	5513
Rules and regulations:	
Applesauce, canned; revision of U. S. standards for grades	5495
Walnuts grown in California, Oregon, and Washington; pack specifications and minimum standards	5497
Reciprocity Information, Committee for	
Notices:	
Trade-agreement negotiations with Cuba	5517
Securities and Exchange Commission	
Notices:	
Hearings, etc.:	
Appalachian Electric Power Co. and Central Appalachian Coal Co.	5520
Columbia Gas System, Inc., and Columbia Engineering Corp.	5520
Long Island Lighting Co.	5520
Ohio Power Co. and Central Ohio Coal Co.	5521
Treasury Department	
See Internal Revenue Bureau.	
Veterans' Administration	
Rules and regulations:	
Dependents and beneficiaries claims; filing of claim for unauthorized burial, funeral, and transportation expenses	5511
Vocational rehabilitation and education; training facilities	5512

CONTENTS—Continued

Wage and Hour Division	Page
Notices:	
Learner employment certificates; issuance to various industries	5513

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.

Title 3	Page
Chapter I (Proclamations):	
2898	5489
Chapter II (Executive orders):	
10152	5489
10153	5492
Title 5	
Chapter I:	
Part 2	5492
Part 25	5492
Title 7	
Chapter I:	
Part 51 (proposed)	5512
Part 52	5495
Chapter IX:	
Part 961 (proposed)	5513
Part 984	5497
Title 14	
Chapter I:	
Part 60	5497
Title 15	
Chapter III:	
Part 399	5510
Title 26	
Chapter I:	
Part 182	5497
Title 38	
Chapter I:	
Part 4	5511
Part 21	5512
Title 50	
Chapter I:	
Part 36	5512

member or as a non-crew member as directed by competent authority.

(b) Determinations as to what constitutes duty as a crew member and duty as a non-crew member shall be made in accordance with regulations prescribed by the Secretary concerned; *Provided*, that such determinations shall be uniform for all the services to the fullest extent practicable.

Sec. 4. Under such regulations as the Secretary concerned may prescribe, members who are required by competent orders to participate frequently and regularly in aerial flights, other than glider flights, shall be required to meet the following minimum flight requirements, except as otherwise provided in section 10 hereof, in order to be entitled to receive incentive pay for the performance of hazardous duty.

(a) Minimum flight requirements for members on active duty who may qualify for incentive pay under the provisions of section 204 of the Career Compensation Act of 1949:

(1) During one calendar month: 4 hours of aerial flight.

(2) During any two consecutive calendar months when the requirements of subdivision (1) above have not been met: 8 hours of aerial flight.

(3) During any three consecutive calendar months when the requirements of subdivision (2) above have not been met: 12 hours of aerial flight.

(4) For fractions of a calendar month, the time of aerial flight required shall bear the same ratio to the time required for a full calendar month as the period in question bears to a full calendar month.

(5) For fractions of two consecutive calendar months, the period in question shall be considered as a unit and the time of aerial flight required shall bear the same ratio to the time required for a full calendar month as the period in question bears to a full calendar month.

(6) Whenever, under authority conferred by the Secretary concerned, the commanding officer of any member who has been required by competent orders to participate frequently and regularly in aerial flights, other than glider flights, certifies that on account of military operations of the particular command or on account of the unavailability of aircraft such member was unable to perform the aerial flights required by this section, such member may comply with the minimum flight requirements by performing at least 24 hours of aerial flight over a period of six consecutive calendar months, and such requirements may be met at any time during such period.

(b) Minimum flight requirements for members of reserve components of the uniformed services on inactive-duty training who may qualify for incentive pay under the provisions of section 501 (d) of the Career Compensation Act of 1949:

(1) During one calendar month: 2 hours of aerial flight.

(2) During any two consecutive calendar months, when the requirements of subdivision (1) above have not been met: 4 hours of aerial flight.

(3) During any three consecutive calendar months when the requirements of subdivision (2) above have not been met: 6 hours of aerial flight.

(4) For fractions of a calendar month, the time of aerial flight required shall bear the same ratio to the time required for a full calendar month as the period in question bears to a full calendar month.

(5) For fractions of two consecutive calendar months, the period in question shall be considered as a unit and the time of aerial flight required shall bear the same ratio to the time required for a full calendar month as the period in question bears to a full calendar month.

Sec. 5. Members shall not be entitled to receive incentive pay for participation in aerial flights for any period while suspended from such participation, unless such suspension is subsequently removed and the minimum flight requirements prescribed in section 4 hereof have been complied with, except as otherwise provided in section 10 hereof.

Sec. 6. Members who, pursuant to competent orders, are attached to a submarine which is in an active status, including a submarine under construction from the time builders' trials commence, shall be entitled to receive incentive pay for the performance of submarine duty. The term "builders' trials" shall be construed to mean trials conducted underway or in free route.

Sec. 7. (a) Members who are qualified as glider personnel under such regulations as the Secretary concerned may prescribe, or who are undergoing training for such qualification, and who are required by competent orders to participate frequently and regularly in glider flights shall be required to perform one or more glider flights, without regard to duration thereof, during any three consecutive calendar months in order to be entitled to receive incentive pay for such period.

(b) Whenever, under authority conferred by the Secretary concerned, the commanding officer of any member who has been required by competent orders to participate frequently and regularly in glider flights certifies that on account of the absence or inadequacy of glider equipment or towing aircraft or other means of propulsion, or on account of military operations of the particular command, such member was unable to perform the glider flights required by this section, such member may comply with the minimum flight requirements by performing four or more glider flights, without regard to duration thereof, during a period of twelve consecutive calendar months, and such requirements may be met at any time during such period.

(c) Members of reserve components of the uniformed services who have complied with the requirement prescribed in this section shall be entitled to receive incentive pay for both active-duty and inactive-duty training performed during such period.

Sec. 8. (a) As used in section 204 (a) of the Career Compensation Act of 1949, the term "duty involving parachute jumping as an essential part of military duty" shall be construed to mean duty performed by members who are not in a flying-pay status and who, under such regulations as the Secretary concerned may prescribe, have received a rating as a parachutist or parachute rigger, or are undergoing training for such a rating, and who are required by competent orders to engage in parachute jumping from an aircraft in aerial flight.

(b) Members required by competent orders to engage in parachute jumping shall be required to perform one or more parachute jumps from an airplane in flight during any three consecutive calendar months in order to be entitled to receive incentive pay for such period.

(c) Whenever, under authority conferred by the Secretary concerned, the commanding officer of any member who has been required by competent orders to participate in parachute jumping certifies that on account of the absence of jump equipment or aircraft or on account of military operations of the particular command such member was

unable to make the jumps required by this paragraph, such member may comply with the minimum requirements by performing four jumps during a period of twelve consecutive calendar months, and such requirements may be met at any time during such period.

(d) Members of reserve components of the uniformed services who have complied with the requirements prescribed in this section shall be entitled to receive incentive pay for both active-duty and inactive-duty training performed during such period.

Sec. 9. As used in section 204 (a) of the Career Compensation Act of 1949—

(a) The term "duty involving intimate contact with persons afflicted with leprosy" shall be construed to mean duty performed by any member who is assigned by competent orders to a leprosarium for the performance of duty for a period of thirty days or more or for a period of instruction, whether or not such leprosarium is under the jurisdiction of one of the uniformed services.

(b) The term "duty involving the demolition of explosives" shall be construed to mean duty performed by members, including members in training for such duties, who, pursuant to competent orders and as a primary duty, demolish by the use of explosives under-water objects, obstacles, or explosives, or recover and render harmless, by disarming or demolition, explosives which, having been projected, launched, dropped, or laid in a normal manner, have failed to explode as intended.

(c) The term "duty at a submarine escape training tank, when such duty involves participation in the training" shall be construed to mean duty performed by members who are regularly assigned to duty involving diving at a submarine escape training tank when such duty is primarily for the purpose of training personnel in the methods of escape from a submerged submarine.

(d) The term "duty at the Navy Deep Sea Diving School or the Navy Experimental Diving Unit, when such duty involves participation in training" shall be construed to mean duty performed by members who are regularly assigned to duty involving diving at the Navy Deep Sea Diving School or the Navy Experimental Diving Unit when such diving is primarily for the purpose of training divers.

Sec. 10. Any member who is required by competent orders to perform hazardous duty and who becomes injured or otherwise incapacitated as a result of the performance of such duty, by aviation accident or otherwise, shall be deemed to have fulfilled all of the requirements for the performance of hazardous duty during such incapacity for a period not to exceed three months following the date as of which such incapacity is determined by the appropriate medical authority.

Sec. 11. Members required by competent orders to perform hazardous duty shall, upon compliance with the requirements of these regulations, be entitled to receive incentive pay during authorized leaves of absence.

SEC. 12. The Secretaries concerned are hereby authorized to prescribe such supplementary regulations not inconsistent herewith as they may deem necessary or desirable for carrying out these regulations, and such supplementary regulations shall be uniform for all the services to the fullest extent practicable.

SEC. 13. This order shall become effective on September 1, 1950, except that so much thereof as may be necessary to authorize the payment of incentive pay for hazardous duty under sections 9 and 10 of the order shall be effective as of October 1, 1949.

HARRY S. TRUMAN

THE WHITE HOUSE,

August 17, 1950.

[F. R. Doc. 50-7301; Filed, Aug. 17, 1950; 12:19 p. m.]

EXECUTIVE ORDER 10153

REGULATIONS RELATING TO CERTAIN TRAVEL TIME OF MEMBERS OF THE UNIFORMED SERVICES CALLED TO ACTIVE DUTY IN EXCESS OF THIRTY DAYS

By virtue of and pursuant to the authority vested in me by section 201 (e) of the Career Compensation Act of 1949,

approved October 12, 1949 (Public Law 351, 81st Congress), and as President of the United States and Commander in Chief of the armed forces of the United States, I hereby prescribe the following regulations relating to the inclusion as active duty of time required for travel from home to first duty station and from last duty station to home by members of the uniformed services called or ordered to active duty in excess of thirty days:

SECTION 1. In case travel by public transportation is authorized, the travel time included as active duty shall be based upon actual and necessary schedules which most nearly coincide with the possible time of departure and arrival by the mode of transportation actually used, or by public surface transportation if the travel is actually performed by private conveyance without having been specifically authorized.

SEC. 2. In case travel by private conveyance is specifically authorized and the travel is so performed, the travel time included as active duty shall be computed on the basis of one day for each three hundred miles traveled, and one day of travel time shall also be allowed for each fraction of three hundred miles in excess of one hundred and fifty miles.

The distance traveled shall be computed on the basis of distances established by the official mileage tables in use by the uniformed services. Travel by private conveyance shall not be specifically authorized in any case in which the call to active duty is for a period of less than ninety consecutive days.

SEC. 3. The Secretaries concerned (within the meaning of section 102 (f) of the said Career Compensation Act of 1949) may prescribe with respect to personnel of the uniformed services within their respective departments or agency such supplementary regulations not inconsistent herewith as they may deem necessary or desirable for carrying out these regulations, and such supplementary regulations shall be uniform for all the services to the fullest extent practicable.

SEC. 4. This order shall become effective on September 1, 1950.

HARRY S. TRUMAN

THE WHITE HOUSE,

August 17, 1950.

[F. R. Doc. 50-7302; Filed, Aug. 17, 1950; 12:19 p. m.]

RULES AND REGULATIONS

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 2—APPOINTMENT THROUGH THE COMPETITIVE SYSTEM

COMPETITION RESTRICTED TO VETERANS

Subparagraph (2) of § 2.102 (c) is amended as set out below, effective June 19, 1950. As amended, paragraph (c) reads as follows:

§ 2.102 *Competition restricted to veterans*

(c) (1) A position, examination for which has been restricted to veterans under paragraph (a) or (b) of this section, may not be filled by appointment, reappointment, reinstatement, promotion, demotion, transfer, or reassignment of a nonveteran from outside the organizational entity in which the position exists, if there is a veteran in the employ of such entity in the local area who is qualified and available for promotion or reassignment to the position, or if there is a total of three or more veterans elsewhere who are qualified and available for an appointment of equal tenure.

(2) The restriction in subparagraph (1) of this paragraph shall not be applicable to the promotion, demotion, transfer, or reassignment of an employee (i) within the organizational entity or (ii) from one restricted position to another when both positions are covered by the same generic title, nor to the reinstatement (i) under the provisions of § 20.11 of this chapter of former em-

ployees of the agency to the positions from which separated by reduction in force or to positions covered by the same generic title and (ii) of former employees of the agency last separated by disability retirement. An organizational entity for this purpose shall be that part of an agency from which selections for promotion, transfer, or reassignment to the position are normally made.

(R. S. 1753, sec. 2, 22 Stat. 403; 5 U. S. C. 631, 633. E. O. 9830, Feb. 24, 1947, 12 F. R. 1259; 3 CFR, 1947 Supp. Interprets or applies sec. 3, 58 Stat. 388; 5 U. S. C. 832)

UNITED STATES CIVIL SERVICE COMMISSION,
L. A. MOYER,
Executive Director.

[F. R. Doc. 50-7223; Filed, Aug. 17, 1950; 8:48 a. m.]

PART 25—FEDERAL EMPLOYEES' PAY REGULATIONS

SUBPART C—OVERTIME, NIGHT, AND HOLIDAY PAY REGULATIONS

Subparts D and E are revoked. The regulations formerly appearing in these subparts, with minor amendments, have been revised and consolidated with the regulations formerly appearing in Subpart C and are hereby reissued as a new Subpart C, effective upon publication in the FEDERAL REGISTER.

SUBPART C—OVERTIME, NIGHT, AND HOLIDAY PAY REGULATIONS

Sec. 25.201 Employees to whom this subpart applies.

Sec. 25.202 Employees to whom this subpart does not apply.
25.203 Definitions.
25.204 General pay computation method.
25.205 Maximum limitation.

REGULATIONS TO BE PRESCRIBED BY HEADS OF DEPARTMENTS

25.211 Establishment of basic workweek and regularly scheduled administrative workweek.
25.212 Compensatory time off for irregular or occasional overtime duty.

OVERTIME PAY

25.221 Authorization of overtime compensation.
25.222 Computation of overtime employment.
25.223 Computation of overtime compensation.

NIGHT PAY

25.231 Authorization of night pay differential.
25.232 Computation of night pay differential.

HOLIDAY PAY

25.241 Identification of holidays.
25.242 Rate of holiday pay.
25.243 Overtime.

AUTHORITY: §§ 25.201 to 25.243 issued under sec. 605, 59 Stat. 304, 5 U. S. C. 945. Interpret or apply secs. 201, 202, 203, 59 Stat. 228, 297, as amended; 5 U. S. C. 911-913. Other statutory provisions interpreted or applied are cited to text in parentheses.

§ 25.201 *Employees to whom this subpart applies.* This subpart applies to all civilian officers and employees in or under the executive branch of the United States Government, including Govern-

ment-owned or controlled corporations, except those specified in § 25.202.

(Sec. 101, 59 Stat. 295; 5 U. S. C. 901)

§ 25.202 *Employees to whom this subpart does not apply.* (a) This subpart does not apply to:

- (1) Elected officials;
- (2) Heads of departments or independent establishments or agencies, including Government-owned or controlled corporations; i. e., heads of governmental establishments in the executive branch which are not component parts of any other such establishment;
- (3) Officers and employees in the field service of the Post Office Department;
- (4) Employees whose basis compensation is fixed and adjusted from time to time in accordance with prevailing rates by wage boards or similar administrative authority serving the same purpose, except that § 25.223 (f) shall be applicable to such employees whose rate of basic compensation is fixed on an annual or monthly basis;
- (5) Employees outside the continental limits of the United States, including those in Alaska, who are paid in accordance with local prevailing native wage rates for the area in which employed;
- (6) Officers and employees of the Inland Waterways Corporation;
- (7) Officers and employees of the Tennessee Valley Authority;
- (8) Officers and employees of the Central Intelligence Agency;
- (9) Individuals to whom the provisions of section 1 (a) of the act entitled "An act to amend and clarify certain provisions of law relating to functions of the War Shipping Administration, and for other purposes," approved March 24, 1943 (57 Stat. 45, 50 U. S. C. App. 1291) are applicable;
- (10) Officers and members of the United States Park Police and the White House Police;
- (11) Officers and members of crews of vessels, whose compensation shall be fixed and adjusted from time to time as nearly as is consistent with the public interest in accordance with prevailing rates and practices in the maritime industry;
- (12) Civilian keepers of lighthouses and civilian employees on lightships and other vessels of the Coast Guard;
- (13) Physicians, dentists, nurses, and other employees in the Department of Medicine and Surgery in the Veterans' Administration, whose compensation is fixed under Public Law 293, Seventy-ninth Congress, approved January 3, 1946, as amended;
- (14) Student nurses, medical or dental interns, residents-in-training, student dietitians, student physical therapists, and student occupational therapists, assigned or attached to a hospital, clinic, or medical or dental laboratory operated by any department, agency, or instrumentality of the Federal Government and any other student-employees, assigned or attached to any such hospital, clinic or laboratory primarily for training purposes, who may be designated by the head of such department, agency, or instrumentality with the approval of the Civil Service Commission;

(15) Employees of the Weather Bureau, Department of Commerce, engaged in the conduct of meteorological investigations in the Arctic region.

NOTE: The list above does not contain positions which are excluded on a year-to-year basis by appropriation acts.

(b) In addition to the exclusions listed in § 25.202 (a), the extra pay provisions of this subpart shall not apply to overtime, night, and holiday services for which additional compensation is provided by the following statutes: Act of February 13, 1911, as amended (19 U. S. C. 261, 267) involving inspectors, storekeepers, weighers, and other customs officers and employees; act of July 24, 1919 (41 Stat. 241; 7 U. S. C. 394) involving employees engaged in enforcement of Meat Inspection Act; act of June 17, 1930, as amended (19 U. S. C. 1450, 1451, 1452) involving customs officers and employees; act of March 2, 1931 (46 Stat. 1467; 8 U. S. C. 109a and 109b) involving inspectors and employees, Immigration and Naturalization Service; act of May 27, 1936, as amended (52 Stat. 345; 46 U. S. C. 382b) involving local inspectors of steam vessels and assistants, U. S. shipping commissioners, deputies and assistants, and customs officers and employees; act of March 23, 1941 (55 Stat. 46; 47 U. S. C. 154 (f) (2)) involving certain inspectors of the Federal Communications Commission; act of June 3, 1944 (58 Stat. 269; 19 U. S. C. 1451) involving customs officers and employees; act of August 4, 1949 (63 Stat. 495; 7 U. S. C. Supp. III, 394a) involving employees of the Bureau of Animal Industry who work at establishments which prepare virus, serum, toxin and analogous products for use in the treatment of domestic animals.

(Sec. 102, 59 Stat. 298; 5 U. S. C. 902)

§ 25.203 *Definitions.* For the purposes of this subpart, definitions are given for words, terms, and phrases as follows:

- (a) (1) "Administrative workweek" means a period of seven consecutive calendar days.
- (2) "Regularly scheduled administrative workweek" for full-time officers and employees means the period within an administrative workweek, established pursuant to § 25.211, when such officers and employees are required to be on duty regularly. For part-time employees, it means the officially prescribed days and hours within an administrative workweek during which such employees are required to be on duty regularly.
- (b) "Basic workweek" for full-time officers and employees means the forty-hour workweek established pursuant to § 25.211.
- (c) "Department" means any department, independent establishment or agency in the executive branch of the Federal Government, including Government-owned or controlled corporations.
- (d) "Irregular or occasional overtime duty" means hours of employment not scheduled in the regularly scheduled administrative workweek.
- (e) "Night pay differential" means the ten percent increase over the officer's or employee's rate of basic compensation,

authorized by section 301 of the Federal Employees Pay Act of 1945, as amended.

(f) "Night work" means that part of a regularly scheduled tour of duty which falls between 6 o'clock p. m. and 6 o'clock a. m.

(g) "Rate of basic compensation" means the rate of compensation fixed by law or administrative action for the position held by an officer or employee before any deductions and exclusive of additional compensation of any kind. It is exclusive of such additional compensation as overtime pay, extra pay for night or holiday work, or allowances or post differentials payable to officers or employees stationed outside the States, but inclusive of the value of quarters, subsistence, and other maintenance allowances under section 3 of the act of March 5, 1928 (45 Stat. 193; 5 U. S. C. 75a).

(Sec. 604 (a, b, d, e), 59 Stat. 303; 5 U. S. C. 944)

§ 25.204 *General pay computation method.* (a) Hereafter for all pay computation purposes per annum rates of basic compensation established by or pursuant to law shall be regarded as payment for employment during fifty-two basic workweeks of forty hours.

(b) Whenever, for the purposes of computing overtime, holiday, or night pay under this subpart, it is necessary to convert a monthly or annual basic rate to a biweekly, weekly, daily, or hourly basic rate, the following rules shall govern:

- (1) A monthly rate shall be multiplied by twelve to derive an annual rate;
- (2) An annual rate shall be divided by fifty-two or twenty-six, as the case may be, to derive a weekly or biweekly rate;
- (3) A weekly or biweekly rate shall be divided by forty or eighty, as the case may be, to derive an hourly rate; and
- (4) A daily rate shall be derived by multiplying an hourly rate by the number of daily hours of service required.
- (5) All rates shall be computed to the nearest cent, counting one-half cent and over as a whole cent.

(Sec. 604 (a, b, d, e), 59 Stat. 303, as amended by sec. 1203, 63 Stat. 971; 5 U. S. C. 944)

§ 25.205 *Maximum limitation.* Notwithstanding any other provision of this subpart, the overtime, night, and holiday compensation payable to any officer or employee to whom this subpart applies shall, with respect to any pay period, be limited to such rate as will not cause his aggregate compensation for such pay period to exceed a rate of \$10,330 per annum: *Provided, however,* That any such officer or employee who was receiving overtime compensation on June 30, 1945, and whose aggregate rate of compensation on such date was in excess of \$10,000 per annum may receive overtime compensation at such rate as will not cause his aggregate rate of compensation for any pay period to exceed the aggregate rate of compensation he was receiving on June 30, 1945, until he ceases to occupy the office or position he occupied on such date or until the overtime hours of works in his administrative workweek are reduced by action of the head of his department. When such overtime hours are reduced such rate of

overtime compensation shall be reduced proportionately.

(Sec. 603, 59 Stat. 302, as amended by sec. 7, 60 Stat. 218 and sec. 303, 62 Stat. 1268; 5 U. S. C. 943)

REGULATIONS TO BE PRESCRIBED BY HEADS OF DEPARTMENTS

§ 25.211 *Establishment of basic workweek and regularly scheduled administrative workweek.* (a) Heads of departments shall, with respect to each group of full-time employees to whom this subpart applies, establish by regulation:

(1) A basic workweek of forty hours in length which shall not extend over more than six of any seven consecutive days. Except as provided in paragraph (b) of this section, such regulation shall specify the calendar days constituting the basic workweek and the number of hours of employment for each of such calendar days included within the basic workweek.

(2) A regularly scheduled administrative workweek which shall consist of the forty-hour basic workweek established in accordance with subparagraph (1) of this paragraph, plus such period of overtime work as will be regularly required of each group of employees. Except as provided in paragraph (b) of this section, the periods of time included in such regularly scheduled administrative workweek which do not constitute a part of the basic workweek shall be identified by calendar days and by number of hours per day for purposes of leave and overtime pay administration.

(b) Whenever it is impracticable to prescribe a regular schedule of definite hours of duty for each workday of a regularly scheduled administrative workweek, the first forty hours of duty performed within a period of not more than six days of the administrative workweek may be established as the basic workweek and all additional hours of officially ordered or approved duty within the administrative workweek shall be treated as overtime.

(c) In the case of employees whose work includes periods during which they are required to remain on duty and render "stand-by service" at or within the confines of their stations, the length of the regularly scheduled administrative workweek, for the purpose of this subpart, shall be the total number of regularly scheduled hours of duty per week, including all such "stand-by" time except that allowed for sleep and meals by regulations of the department.

(Sec. 604 (a, b, d, e), 59 Stat. 303, as amended by sec. 1263, 63 Stat. 971; 5 U. S. C. 944)

§ 25.212 *Compensatory time off for irregular or occasional overtime duty.* Heads of departments may, with respect to officers and employees to whom this subpart applies, prescribe regulations for the granting of compensatory time off from duty, in lieu of overtime compensation, for irregular or occasional duty in excess of forty hours in any administrative workweek, to those per annum employees requesting such compensatory time off from duty.

OVERTIME PAY

§ 25.221 *Authorization of overtime compensation.* (a) Officers and em-

ployees to whom this subpart applies shall be paid overtime compensation computed as provided in § 25.223, for all hours of employment officially ordered or approved in excess of forty hours in any administrative workweek, including irregular or occasional overtime duty.

(b) In accordance with administrative regulations which may be issued pursuant to § 25.212, any per annum employee may request compensatory time off, in lieu of overtime pay, for irregular or occasional duty in excess of forty hours in any administrative workweek. In case no such regulations are issued, or if under such regulations compensatory time off for such irregular or occasional overtime duty is not specifically requested by the employee, it shall be paid for in money when due.

(c) Heads of departments may delegate to any officer or employee authority to order or approve overtime in excess of any that may be included in the regularly scheduled administrative workweek. No such excess overtime shall be ordered or approved except in writing by an officer or employee to whom such authority has been specifically delegated by the head of the department.

§ 25.222 *Computation of overtime employment.* The computation of the amount of overtime employment of an officer or employee shall be subject to the following conditions:

(a) *Leave with pay.* Absence from duty on authorized leave with pay under the annual and sick leave acts of March 14, 1936, as amended, during the time when an employee would otherwise have been required to be on duty during the basic workweek (including authorized absence on legal holidays, non-work days established by Executive or administrative order, and days of compensatory time off provided for in §§ 25.212 and 25.221 (b)) shall be considered to be employment and shall not have the effect of reducing the amount of overtime compensation to which the employee may be entitled during an administrative workweek. Leave of absence with pay under the acts cited shall not be charged for any absence which does not occur during the forty hours prescribed as the basic workweek.

(b) *Leave without pay.* For any period of leave-without-pay within an employee's basic forty-hour workweek, an equal period of service performed outside the basic workweek, but during the same administrative workweek, must be substituted and paid for at the rate applicable to his basic workweek, before any remaining periods of service can be paid for at the overtime rate.

(c) *Absence during overtime periods.* Except as expressly authorized by law, as in the case of jury duty under the act of June 29, 1940 (54 Stat. 689), and except to the extent authorized while the employee is in official travel status, no overtime period shall be counted in computing overtime compensation unless the employee performs actual duty during such period or is taking compensatory time off as provided for in §§ 25.212 and 25.221 (b). For employees in official travel status but not performing actual duty, no overtime period shall

be paid for at overtime rates unless it falls within the regularly scheduled administrative workweek.

(d) *Night or holiday duty.* Hours of night or holiday duty shall be included in determining for overtime pay purposes the total number of hours of employment within the same administrative workweek.

§ 25.223 *Computation of overtime compensation.* (a) For employees whose basic compensation is at a rate less than \$2,980 per annum, the overtime hourly rate shall be one and one-half times the hourly rate of basic compensation: *Provided*, That in computing such overtime compensation for per annum employees, the hourly rate of basic compensation shall be determined by dividing the basic per annum rate by two thousand and eighty (2080), and adjusting the quotient to the nearest whole cent, counting one-half cent and over as a whole cent.

(b) For employees whose rate of basic compensation is \$2,980 per annum, the overtime rate of compensation per 416 overtime hours shall be \$894.

(c) For employees whose rate of basic compensation is in excess of \$2,980 per annum and less than \$6,440 per annum, the overtime rate of compensation per 416 overtime hours is computed by subtracting from \$894, 7.6782 percent of the amount by which such basic rate is in excess of \$2,980 per annum.

(d) For employees whose rate of basic compensation is \$6,440 and over per annum, the overtime rate for 416 overtime hours shall be \$628.334.

(e) Hourly overtime rates for employees under paragraphs (b), (c), and (d) of this section shall be computed by dividing the overtime rate for 416 overtime hours by 416 and adjusting the quotient to the nearest whole cent, counting one-half cent and over as a whole cent.

(f) Employees whose rate of basic compensation is fixed on an annual or monthly basis and adjusted from time to time in accordance with prevailing rates by wage boards or similar administrative authority serving the same purpose shall be entitled to overtime pay in accordance with the provisions of section 23 of the act of March 28, 1934 (48 Stat. 522; 5 U. S. C. 673c). The rate of compensation for each hour of overtime employment of any such employee shall be computed as follows:

(1) If the rate of basic compensation of the employee is fixed on an annual basis, divide such rate of basic compensation by two thousand and eighty (2080) and multiply the quotient by one and one-half; and

(2) If the rate of basic compensation of the employee is fixed on a monthly basis, multiply such rate of basic compensation by twelve to derive an annual rate of basic compensation, divide such annual rate of basic compensation by two thousand and eighty (2080) and multiply the quotient by one and one-half.

(3) All rates shall be computed to the nearest cent, counting one-half cent and over as a whole cent.

NIGHT PAY

§ 25.231 *Authorization of night pay differential.* Any officer or employee to whom this subpart applies shall be en-

titled to a night pay differential amounting to ten percent of his rate of basic compensation as additional compensation for all hours of night work, computed in accordance with § 25.232.

§ 25.232 *Computation of night pay differential*—(a) *Absence on leave or holidays, or in travel status.* Payment of a night pay differential is not authorized during any period when the officer or employee is in a leave status or is excused from duty on a holiday or other non-workday; but it is authorized in cases where compensatory time off "earned" by night overtime work is taken during the hours of the employee's regularly scheduled tour of duty, and for all night hours of the employee's regularly scheduled tour of duty while he is in official travel status, whether performing actual duty or not.

(b) *Relation to overtime and holiday pay.* Payment of a night pay differential shall be in addition to any extra overtime or holiday compensation paid in accordance with this subpart. The night pay differential shall not be included in the rate of basic compensation in computing any overtime or holiday compensation to which the officer or employee may be entitled.

(c) *Temporary assignment to different tour of duty.* The payment of the night pay differential is authorized for night work performed when an employee is assigned temporarily to a regularly scheduled tour of duty other than his own regular tour of duty.

HOLIDAY PAY

§ 25.241 *Identification of holidays.* The following days shall be holidays:

(a) Subject to the provisions of paragraph (b) of this section, the 1st day of January; the 22d day of February; the 30th day of May; the 4th day of July; the first Monday in September; the 11th day of November; the fourth Thursday in November; and the 25th day of December.

(b) When any such day falls on a Sunday, Executive Order No. 9636 of October 3, 1945, requires that the following Monday shall be observed as a holiday in lieu thereof subject to the following exceptions:

(1) In the case of employees whose regularly scheduled basic workweek includes both the Sunday and the Monday involved, either day, as determined by the head of the department, but not both days, shall be treated as a holiday.

(2) In the case of employees whose regularly scheduled basic workweek includes the Sunday but not the Monday involved, only the Sunday shall be treated as a holiday.

(c) Any day designated as a holiday by Federal statute or Executive order.

§ 25.242 *Rate of holiday pay.* (a) Any officer or employee who is assigned to duty on a holiday shall be compensated for such duty at the rate of twice his regular rate of basic compensation: *Provided,*

(1) That such hours of holiday duty fall within his basic workweek of forty hours.

(2) That such doubled rate of compensation shall be paid for not to exceed eight hours of duty on a holiday.

(3) That such doubled rate of compensation shall be in lieu of his regular rate of basic compensation.

(4) That such doubled rate of compensation shall be in addition to any extra compensation for night duty payable under this subpart but the night pay differential shall not be included in the rate of basic compensation in computing pay for holiday duty.

(b) Any officer or employee who is excused from duty because of a holiday falling within his basic forty-hour workweek shall be entitled to only his rate of basic compensation for that day.

(c) Any officer or employee who is assigned to duty on a holiday falling outside his forty-hour basic workweek (an overtime day) shall be entitled only to the overtime compensation payable in accordance with this subpart for such duty, plus any extra compensation for night duty payable under this subpart or other authority.

(d) Any officer or employee who is excused from duty because of a holiday falling outside his forty-hour basic workweek shall not be entitled to any compensation for that day.

§ 25.243 *Overtime.* (a) The extra pay for holidays authorized by § 25.242 shall not be included in the rate of basic compensation in computing any overtime compensation to which the officer or employee may be entitled.

(b) Such extra pay shall not serve to reduce the amount of overtime compensation to which the officer or employee may be entitled during the administrative workweek in which the holiday occurs, and notwithstanding such extra pay, the number of hours of duty on a holiday shall be included in determining for overtime pay purposes the total number of hours of employment performed in the same administrative workweek.

(c) The number of regularly scheduled hours of duty on a holiday falling within the employee's forty-hour basic workweek on which the employee is excused from duty shall be included as a part of the forty-hour basic workweek for overtime pay computation purposes.

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] L. A. MOYER,
Executive Director.

[F. R. Doc. 50-7168; Filed, Aug. 17, 1950; 8:48 a. m.]

TITLE 7—AGRICULTURE

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

PART 52—PROCESSED FRUITS AND VEGETABLES, PROCESSED PRODUCTS THEREOF, AND CERTAIN OTHER PROCESSED FOOD PRODUCTS

UNITED STATES STANDARDS¹ FOR GRADES OF CANNED APPLESAUCE; REVISION

On May 27, 1950, a notice of proposed rule making was published in the Fed-

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

ERAL REGISTER (15 F. R. 3284) regarding a proposed revision of the United States Standards for Grades of Canned Applesauce. After consideration of all relevant matters including the proposals set forth in the aforesaid notice, the following revised United States Standards for Grades of Canned Applesauce are hereby promulgated under the authority contained in the Agricultural Marketing Act of 1946 (60 Stat. 1087; 7 U. S. C. 1621 et seq.), and Pub. Law 585, 81st Cong., approved June 29, 1950, and Pub. Law 627, 81st Cong., 2d sess., approved July 31, 1950.

§ 52.116 *Canned applesauce.* "Canned applesauce" is prepared from sound, fresh, apples (*Pyrus malus*) of proper ripeness, which fruit has been washed, peeled, cored, trimmed, sorted, chopped, and pulped; is packed with or without the addition of sweetening ingredients, water, salt, and spices; and is sufficiently processed by heat to assure preservation of the product in hermetically sealed containers.

(a) *Grades of canned applesauce.*

(1) "U. S. Grade-A" or "U. S. Fancy" is the quality of canned applesauce that possesses a good color and a good flavor; and that is of such quality with respect to consistency, finish, and absence of defects, as to score not less than 85 points when scored in accordance with the scoring system outlined in this section.

(2) "U. S. Grade C" or "U. S. Standard" is the quality of canned applesauce that possesses a fairly good color, a fairly good flavor, a fairly good consistency, and a fairly good finish; that is fairly free from defects; and that scores not less than 70 points when scored in accordance with the scoring system outlined in this section.

(3) "U. S. Grade D" or "Substandard" is the quality of canned applesauce that fails to meet the requirements of U. S. Grade C or U. S. Standard.

(b) *Recommended fill of container.* The recommended fill of container is not incorporated in the grades of the finished product since fill of container, as such, is not a factor of quality for the purposes of these grades. It is recommended that each container of canned applesauce be filled as full as practicable without impairment of quality and that the product occupy not less than 90 percent of the volume of the container.

(c) *Ascertaining the grade.* The grade of canned applesauce is ascertained by considering, in conjunction with the other requirements of the respective grade, the respective ratings for the factors of color, consistency, finish, absence of defects, and flavor. The relative importance of each factor which is scored is expressed numerically on the scale of 100. The maximum number of points that may be given such factors is:

Factors:	Points
(i) Color.....	20
(ii) Consistency.....	20
(iii) Finish.....	20
(iv) Absence of defects.....	20
(v) Flavor.....	20
Total score.....	100

(d) *Ascertaining the rating for the factors which are scored.* The essential variations within each factor which is scored are so described that the value may be ascertained for such factors and expressed numerically. The numerical range within each factor which is scored is inclusive (for example, "17 to 20 points" means 17, 18, 19, or 20 points).

(1) *Color.* (i) Canned applesauce that possesses a good color may be given a score of 17 to 20 points. "Good color" means that the canned applesauce possesses a practically uniform, bright, typical color; is free from tinges of pink color, and is free from discoloration due to scorching, oxidation, or other causes.

(ii) Canned applesauce that possesses a fairly good color may be given a score of 14 to 16 points. Canned applesauce that falls into this classification shall not be graded above U. S. Grade C or U. S. Standard regardless of the total score for the product (this is a limiting rule). "Fairly good color" means that the canned applesauce possesses a fairly uniform, typical color that may be dull, slightly brown, slightly gray, or slightly pink, but is not off color.

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

(2) *Consistency.* The factor of consistency refers to the viscosity of the product and to the degree of separation of free liquor.

(i) Canned applesauce that possesses a good consistency may be given a score of 17 to 20 points. "Good consistency" means that the canned applesauce, after stirring and emptying from the container to a dry flat surface, forms a moderately mounded mass, and that at the end of two minutes there is not more than a slight separation of free liquor.

(ii) Canned applesauce that possesses a fairly good consistency may be given a score of 14 to 16 points. Canned applesauce that scores 15 points or less in this classification shall not be graded above U. S. Grade C or U. S. Standard regardless of the total score for the product (this is a partial limiting rule). "Fairly good consistency" means that the canned applesauce, after stirring and emptying from the container to a dry flat surface, may be more than moderately mounded, may be moderately stiff but not excessively stiff, or may be slightly thin so that it levels itself and that at the end of two minutes there may be moderate but not excessive separation of free liquor.

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

(3) *Finish.* The factor of finish refers to the texture of the product and evenness of the apple particles.

(i) Canned applesauce that possesses a good finish may be given a score of 17 to 20 points. "Good finish" means that the apple particles are evenly divided; that the product is granular but

not lumpy; is not pasty or "salvy"; and the apple particles are not hard.

(ii) Canned applesauce that possesses a fairly good finish may be given a score of 14 to 16 points. Canned applesauce that scores 15 points or less in this classification shall not be graded above U. S. Grade C or U. S. Standard regardless of the total score for the product (this is a partial limiting rule). "Fairly good finish" means that the apple particles are evenly divided; the product may lack granular characteristics; may be slightly pasty or slightly "salvy" but not decidedly pasty or decidedly "salvy"; and the apple particles are not hard.

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

(4) *Absence of defects.* The factor of absence of defects refers to the degree of freedom from particles of seeds, flecks of bruised apple particles, peel, carpel tissue, dark particles from the blossom end of apples, and from other objectionable particles.

(i) Canned applesauce that is practically free from defects may be given a score of 17 to 20 points. "Practically free from defects" means that the number, size, and color of the aforesaid defects present do not materially affect the appearance or eating quality of the product.

(ii) Canned applesauce that is fairly free from defects may be given a score of 14 to 16 points. Canned applesauce that scores 14 points in this classification shall not be graded above U. S. Grade C or U. S. Standard regardless of the total score for the product (this is a partial limiting rule). "Fairly free from defects" means that the number, size and color of the aforesaid defects present do not seriously affect the appearance or eating quality of the product.

(iii) Canned applesauce which fails to meet the requirements of subdivision (ii) of this subparagraph may be given a score of 0 to 13 points and shall not be graded above U. S. Grade D or Substandard regardless of the total score for the product (this is a limiting rule).

(5) *Flavor.* (i) Consideration is given under the factor of flavor to the natural flavor and aroma of the apple ingredient and the apparent relationship of acidity to sweetness.

(ii) Canned applesauce that possesses a good flavor may be given a score of 17 to 20 points. "Good flavor" means that the product has a distinct, desirable, characteristic, normal flavor and odor, and is free from objectionable flavors and objectionable odors of any kind (including but not being limited to those caused by oxidation, fermentation, and caramelization). The canned applesauce shall test not less than 16.5 degrees Brix.

(iii) Canned applesauce that possesses a fairly good flavor may be given a score of 14 to 16 points. Canned applesauce that falls into this classification shall not be graded above U. S. Grade C or U. S. Standard regardless of the total

score for the product (this is a limiting rule). "Fairly good flavor" means that the product may be lacking in good flavor and odor; is practically free from the flavor of overripe fruit; and is free from objectionable flavors and objectionable odors (including but not being limited to those caused by oxidation, fermentation and serious caramelization).

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

(e) *Definition of term used in these standards.* (1) "Degrees Brix" in canned applesauce is the refractometric sucrose value of the filtrate determined in accordance with the International Scale of Refractive Indices of Sucrose Solutions without correction for insoluble solids or acids.

(f) *Tolerances for certification of officially drawn samples.* (1) When certifying samples that have been officially drawn and which represent a specific lot of canned applesauce, the grade for such lot will be determined by averaging the total scores of the containers comprising the sample, if:

(i) Not more than one-sixth of such containers fails to meet all the requirements of the grade indicated by the average of such total scores, and, with respect to such containers which fail to meet the requirements of the indicated grade by reason of a limiting rule, the average score of all containers in the sample for the factor, subject to such limiting rule, is within the range for the grade indicated;

(ii) None of the containers comprising the sample falls more than 4 points below the minimum score for the grade indicated by the average of the total scores; and

(iii) All containers comprising the sample meet all applicable standards of quality promulgated under the Federal Food, Drug, and Cosmetic Act and in effect at the time of the aforesaid certification.

(g) *Score sheet for canned applesauce.*

File and kind of container.....	
Container mark or identification.....	
Label.....	
Net weight (ounces).....	
Degrees Brix (by refractometer).....	
Vacuum.....	
<hr/>		
Factors	Score points	
I. Color.....	20	(A) 17-20 (C) 14-16 (D) 0-13
II. Consistency.....	20	(A) 17-20 (C) 14-16 (D) 0-13
III. Finish.....	20	(A) 17-20 (C) 14-16 (D) 0-13
IV. Absence of defects.....	20	(A) 17-20 (C) 14-16 (D) 0-13
V. Flavor.....	20	(A) 17-20 (C) 14-16 (D) 0-13
Total score.....	100	
<hr/>		
Grade.....		

* Indicates limiting rule.

* Indicates partial limiting rule.

(h) *Effective time and supersedure.* The foregoing revised United States Standards for Grades of Canned Applesauce (which are the third issue) will become effective thirty days after the date of publication of these Standards in the FEDERAL REGISTER and shall thereupon supersede the standards for grades of canned applesauce which have been in effect since January 25, 1934.

(Sec. 205, 60 Stat. 1090; 7 U. S. C. 1624. Interprets or applies sec. 203, 60 Stat. 1087; 7 U. S. C. 1622)

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

AUGUST 14, 1950.

[F. R. Doc. 50-7237; Filed, Aug. 17, 1950; 8:49 a. m.]

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

PART 984—HANDLING OF WALNUTS GROWN IN CALIFORNIA, OREGON, AND WASHINGTON

AMENDMENT OF PACK SPECIFICATIONS AND MINIMUM STANDARDS

On July 22, 1950, notice of proposed rule making was published in the FEDERAL REGISTER (15 F. R. 4719) regarding amendment of the pack specifications and minimum standards heretofore prescribed by the Walnut Control Board, in accordance with § 984.3 of the marketing agreement and order regulating the handling of walnuts grown in California, Oregon, and Washington (7 CFR 984.1 et seq.), which marketing agreement and order are effective under the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.).

In said notice, opportunity was afforded interested persons to submit to the Director, Fruit and Vegetable Branch, Production and Marketing Administration, United States Department of Agriculture, Washington, D. C., written data, views, or arguments for consideration prior to the final approval by the Secretary of the proposed amendment of the pack specifications and minimum standards. No such written data, views, or arguments were submitted, and the time for filing same has now expired.

After further consideration of all relevant data it is concluded that the proposed rule as set forth in the aforesaid notice should be approved. Therefore, it is hereby ordered, that subparagraph (3) of paragraph (a) of § 984.101 be changed to read as follows:

(3) *Large size.* Walnuts of which not over 12 percent by count pass through a round opening $7\frac{3}{4}$ inches in diameter, except that, for walnuts of the Eureka variety and type, such limiting dimension as to diameter shall be $7\frac{1}{4}$ inches.

It is hereby found that it is necessary to make this order effective not later than the 15th day after the date of pub-

lication of this document in the FEDERAL REGISTER. The beginning of walnut harvest will be about the first of September, which is less than 30 days distant, and all handlers desiring to take advantage of the less rigid requirement will have a reasonable time for adjustment of their machinery. Information regarding the Board's recommendation has been made available to handlers in the production area.

Approved at Washington, D. C., this 15th day of August 1950, to be effective on and after 12:01 a. m., P. s. t., on the 15th day after the date of publication of this document in the FEDERAL REGISTER.

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

[SEAL] S. R. SMITH,
Director,
Fruit and Vegetable Branch.

[F. R. Doc. 50-7239; Filed, Aug. 17, 1950; 8:50 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

Subchapter A—Civil Air Regulations

[Supp. 7, Amdt. 47]

PART 60—AIR TRAFFIC RULES

DANGER AREA ALTERATIONS

The danger area alterations appearing hereinafter have been coordinated with the civil operators involved, the Army, the Navy, and the Air Force, through the Air Coordinating Committee, Air-

Name and location (chart)	Description by geographical coordinates	Designated altitudes	Time of designation	Using agency
MUSKOGEE (Camp Gruber) (Little Rock Chart).	A circular area having a radius of 2½ miles, centered at lat. 35°42'00" N, long. 90°08'00"	Surface to 10,000 feet.	Sunrise to sunset, 7 days a week.	125th Fighter Squadron, Oklahoma Air National Guard, Tulsa, Oklahoma.

9. The Haven, Wisconsin, area, published on March 30, 1950, in 15 F. R. 1783, is amended by changing the "Time of Designation" column to read: "0600 to 2000, daily".

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interprets or applies sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551)

This amendment shall become effective on August 18, 1950.

[SEAL] DONALD W. NYROP,
Acting Administrator
of Civil Aeronautics.

[F. R. Doc. 50-7241; Filed, Aug. 17, 1950; 8:50 a. m.]

TITLE 26—INTERNAL REVENUE

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

Subchapter C—Miscellaneous Excise Taxes

[Regulations 3, Admt.]

PART 182—INDUSTRIAL ALCOHOL

MISCELLANEOUS AMENDMENTS

1. Regulations 3, approved March 6, 1942 (26 CFR, Part 182) as amended, are hereby amended as follows:

space Subcommittee, and are adopted when indicated in order to promote safety of the flying public. Compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to the public interest, and therefore is not required. Title 14, § 60.13-1 is amended as follows:

1. The Peason Ridge, Louisiana, area, published on February 9, 1950, in 15 F. R. 705, is deleted.

2. The Albany, New York, area, published on June 23, 1949, in 14 F. R. 3393, and on July 16, 1949, in 14 F. R. 4287, is deleted.

3. The Oswego County, New York, area, published on April 11, 1950, in 15 F. R. 2036, is amended by changing the "Time of Designation" column to read: "Continuous, April 11, 1950 through March 15, 1951".

4. The Albemarle Sound, North Carolina, area, published on April 21, 1949, in 14 F. R. 1913, and on July 16, 1949, in 14 F. R. 4287, is amended by deleting areas (4) and (5).

5. The Kitty Hawk, North Carolina, area, published on April 21, 1949, in 14 F. R. 1913, and on July 16, 1949, in 14 F. R. 4287, is deleted.

6. The North Carolina Coastal, North Carolina, area, published on April 21, 1949, in 14 F. R. 1913, and on July 16, 1949, in 14 F. R. 4287, is deleted.

7. The Wanchese, North Carolina, area, published on April 21, 1949, in 14 F. R. 1913, and on July 16, 1949, in 14 F. R. 4287, is deleted.

8. A Muskogee (Camp Gruber), Oklahoma, area is added to read:

a. Sections 182.1, 182.6 (a-1), 182.8, 182.10 (d), 182.15 (a), 182.21 (c), 182.44, 182.49 (b), 182.63, 182.64, 182.65, 182.71, 182.72, 182.74, 182.82, 182.82a, 182.83, 182.85, 182.119, 182.126, 182.195, 182.199, 182.203, 182.271, 182.272, 182.274, 182.282, 182.290, 182.291, 182.292, 182.293, 182.295, 182.296, 182.297, 182.302, 182.304, 182.305, 182.308, 182.312, 182.313, 182.314, 182.317, 182.318, 182.319, 182.320, 182.321, 182.327, 182.328, 182.400 (c), 182.404, 182.405, 182.407, 182.408, 182.408i, 182.408m, 182.423, 182.447, 182.483, 182.495, 182.498, 182.500, 182.511a, 182.513, 182.515, 182.524, 182.565 - 182.572, 182.574a, 182.574e, 182.611, 182.625, 182.648a, 182.719, 182.749, 182.759, 182.785, 182.813, 182.847, 182.877, 182.879, and 182.997 are amended;

b. Sections 182.6 (a-4) - (a-9), 182.74a, 182.82b, 182.82c, 182.119a, 182.119b, 182.119c, 182.271a, 182.281a, 182.282a, 182.303a, and 182.407a are added; and

c. Sections 182.201, 182.288, 182.289, 182.294, 182.307, 182.309, 182.326, 182.499, 182.574f, 182.643 (c) and 182.718 are revoked.

REGULATIONS SUPERSEDED

§ 182.1 *Premises and equipment heretofore approved.* All establishments covered by the regulations in this part and the equipment therein, heretofore estab-

lished and approved, may continue to operate if constructed and equipped so as to afford adequate security and protection to the revenue. The district supervisor may, at any time, require the proprietor to make changes therein conforming to the provisions of the regulations in this part, if deemed necessary to safeguard the revenue or to permit more economical and efficient supervision by Government officers. All establishments hereafter constructed and all changes in existing establishments or equipment heretofore approved must be in conformance with the regulations in this part.

(Interprets or applies 53 Stat. 316, 318, 358, 364, 373, as amended; 26 U. S. C. 2823, 2829, 3105, 3124, 3170)

DEFINITIONS

§ 182.6 *Definitions.* As used in this part, the following words and phrases shall have the meanings as herein defined:

(a-1) "Tank car" shall mean a railroad tank car conforming to the requirements of this part. "Tank truck" shall mean a motor driven tank truck, including tank truck trailer, conforming to the requirements of this part: *Provided*, That any tank truck used for the conveyance of untax-paid alcohol, specially denatured alcohol, or completely denatured alcohol shall be of a capacity of not less than 1,000 gallons.

(a-4) "Gallon" or "Wine gallon" shall mean a United States gallon of liquid measure equivalent to the volume of 231 cubic inches.

(a-5) "I. R. C." shall mean the Internal Revenue Code.

(a-6) "Proof" shall mean the ethyl alcohol content of a liquid at 60 degrees Fahrenheit, stated as twice the percent of ethyl alcohol by volume.

(a-7) "Proof gallon" shall mean the alcoholic equivalent of a United States gallon at 60 degrees Fahrenheit, containing 50 per cent of ethyl alcohol by volume.

(a-8) "Proof spirits" shall mean that alcoholic liquor which contains 50 per cent of ethyl alcohol by volume at 60 degrees Fahrenheit and which has a specific gravity of 0.93418 in air at 60 degrees Fahrenheit referred to water at 60 degrees Fahrenheit as unity.

(a-9) "U. S. C." shall mean the United States Code.

ESTABLISHMENT, LOCATION, AND USE

§ 182.8 *Experimental industrial alcohol plants.* Experimental industrial alcohol plants may, in the discretion of the Commissioner, be established for a specific and limited period of time for the purpose of experimentation in, or development of processes and sources of materials from which alcohol may be produced, or in manufacturing processes in which alcohol is produced. The Commissioner may exempt the proprietor, in so far as consistent with the law, from any of the provisions of the regulations in this part, and the Commissioner may authorize the district supervisor to issue permit to operate under such conditions and restrictions as the Commissioner may deem proper: *Provided*, That application

Form 1431, and bond, Form 1432-A, shall be filed.

(Interprets or applies 53 Stat. 358, 364; 26 U. S. C. 3105, 3124)

§ 182.10 *Industrial alcohol bonded warehouses.*

(d) *Discretion of district supervisor.* The district supervisor may disapprove any application for the establishment of a bonded warehouse not to be located on the premises of an industrial alcohol plant, or in any locality where the safety of the alcohol and the revenue would be endangered, or where satisfactory evidence as to the need for the warehouse is not submitted, or where the prospective volume of business is insufficient to warrant the expense of supervision of the warehouse by Government officers.

(Interprets or applies 53 Stat. 357, 358, 364; 26 U. S. C. 3101, 3105, 3124)

CONSTRUCTION

INDUSTRIAL ALCOHOL PLANTS

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

(Interprets or applies 53 Stat. 358, 364; 26 U. S. C. 3105, 3124)

§ 182.21 *Windows in receiving and wine rooms.*

(c) *Extension of requirements.* The district supervisor may require any other windows in the receiving and wine rooms to be protected by iron bars or shutters, or both, when deemed necessary to safeguard the alcohol.

(Interprets or applies 53 Stat. 358, 364; 26 U. S. C. 3105, 3124)

BONDED WAREHOUSES

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

(f) *Additional requirements.* The district supervisor may require, in any case in which he deems it necessary, either the installation of electric floodlights for lighting the tank enclosure or the maintenance of watchman services or both or other protective measures or devices.

(Interprets or applies 53 Stat. 316, 357, 358, 364, 373, as amended; 26 U. S. C. 2823, 3101, 3105, 3124, 3170)

DENATURING PLANTS

§ 182.49 *Construction.*

(b) *If not located on industrial alcohol plant or bonded warehouse premises.* If the denaturing plant is not to be located on the premises of an industrial alcohol plant or bonded warehouse, pursuant to authority granted by the district supervisor, it may consist of a building or a room or floor of a building, in which case it must be completely separated from all other buildings, rooms and floors, which are not a part of the denaturing plant, by solid unbroken floors and walls of substantial construction, extending from the ground or floor to the roof or ceiling. The doors and other openings must open into a public street or into the yard connected with the denaturing plant, or into an elevator shaft or common passageway partitioned off from all other businesses, and leading either directly or through another elevator shaft or similar passageway to the street or yard in accordance with the provisions of § 182.41.

(Interprets or applies 53 Stat. 358, 364, 373, as amended; 26 U. S. C. 3105, 3124, 3170)

EQUIPMENT

INDUSTRIAL ALCOHOL PLANTS

§ 182.63 *Scales for weighing packages.* Where packages are to be filled in the receiving room, suitable and accurate scales for weighing such packages of alcohol must be provided by the proprietor. The beams or dials of such scales must indicate weight in one-half pound graduations: *Provided*, That if packages are to be filled with exactly 1, 2, 5 and 10 wine gallons, which would require weighing in terms of pounds and ounces, scales indicating weight in one-ounce graduations must be provided.

(Interprets or applies 53 Stat. 358, 364; 26 U. S. C. 3105, 3124)

§ 182.64 *Weighing tanks for alcohol.* Where alcohol is to be removed from the receiving room by pipeline the proprietor must provide in the receiving room one or more suitable weighing tanks, unless such removals are limited to transfer of alcohol to a weighing tank in a bonded warehouse or denaturing plant operated by the proprietor on the same or contiguous premises as provided by § 182.407. Weighing tanks for alcohol shall be constructed of metal and shall be stationary and each such tank shall be calibrated and equipped with a suitable measuring device whereby the contents will be correctly indicated. The district supervisor will have the calibration of each weighing tank verified by a Government officer. The inlet and outlet pipe connections of each weighing tank must be fitted with valves so constructed that they can be secured with Government locks, and any other openings in such tanks must be so constructed that they can be closed and similarly locked. Each weighing tank shall be mounted on accurate scales and shall have plainly and legibly painted thereon the words "Weighing Tank," followed by its serial number and capacity in gallons. Beams or dials of tank scales must be graduated to enable readings to be made as follows: To the nearest ½ pound for scales hav-

ing a capacity not to exceed 2,000 pounds; to the nearest 1 pound for scales having a capacity of over 2,000 pounds, but not exceeding 6,000 pounds; to the nearest 2 pounds for scales having a capacity over 6,000 pounds, but not exceeding 20,000 pounds; to the nearest 5 pounds for scales having a capacity over 20,000 pounds, but not exceeding 50,000 pounds; and to the nearest 10 pounds for scales having a capacity over 50,000 pounds. Except in the case of scales having a capacity of 2,000 pounds or less, where alcohol is to be gauged for taxpayment not less than twenty per centum of the total capacity of the weighing tank scale may be entered into the tank for gauging for determination of tax: *Provided*, That lots of spirits weighing 1,000 pounds or less must be weighed on scales having $\frac{1}{2}$ pound graduations.

(Interprets or applies 53 Stat. 307, 358, 359, 360, 364; 26 U. S. C. 2808, 3105, 3107, 3112, 3124)

§ 182.65 *Scales or measuring tanks for distilling materials.* The proprietor must provide on the industrial alcohol plant premises suitable and accurate scales for the weighing of grain and other nonliquid distilling materials received and used: *Provided*, That where the proprietor receives shipments of materials by rail or motor carrier, the shipper's weights appearing on the bill of lading or invoice may be recorded as the amount received; and, in such cases, track or truck scales for weighing the materials received need not be furnished. If the industrial alcohol plant is equipped with meal hoppers mounted on scales the meal may be weighed therein. If molasses or other liquids are used as distilling materials, a suitable weighing or measuring tank must be provided for determining the quantity thereof.

(Interprets or applies 53 Stat. 307, 358, 359, 364; 26 U. S. C. 2808, 3105, 3107, 3124)

§ 182.71 *Fermenters.* Each fermenter must be constructed of wood, metal, concrete, or other suitable material, and so arranged as to permit proper examination thereof. Each fermenter must have plainly and legibly painted thereon the word "Fermenter," followed by its serial number and capacity in gallons, depth in inches, and, if of uniform dimensions and standing on end, the capacity per inch of depth. Where such tanks are of irregular dimensions the proprietor shall furnish the district supervisor a table, in duplicate, showing the capacity of the tank for each inch of depth. The district supervisor will retain one copy of the table and forward the other to the storekeeper-gauger, who will retain the same in the Government office. The proprietor shall provide an accurate measuring rod marked in inches, or a steel tape, suitable for use in determining the contents of such tanks. When deemed necessary, the accuracy of the proprietor's calibration of fermenters will be verified by Government officers.

(Interprets or applies 53 Stat. 357, 358, 364; 26 U. S. C. 3103, 3105, 3124)

§ 182.72 *Washwater receiving tanks.* If carbon dioxide is recovered and the washwater is to be utilized in the manufacture of alcohol, there must be provided a sufficient number of washwater

receiving tanks, which shall be constructed of metal. Each such tank shall be equipped with a suitable measuring device whereby the actual contents will be correctly indicated. There must be painted on each tank the words "Washwater Receiving Tank," followed by its serial number and capacity in gallons. The outlet valve must be equipped for locking with a Government lock. Such tanks, if connected with low-wine tanks, stills, or other distilling apparatus, shall be connected by means of fixed metal pipelines for the purpose of transferring the washwater. If the washwater is not used in the manufacture of alcohol as provided by § 182.391, washwater receiving tanks need not be provided.

(Interprets or applies 53 Stat. 316, 318, 358, 364; 26 U. S. C. 2823, 2829, 3105, 3124)

§ 182.74 *General requirements for tanks.* All tanks used as receptacles for spirits between the outlet of the first condenser or worm and the receiving tanks shall be constructed of metal, and shall be equipped with a suitable measuring device whereby the actual contents will be correctly indicated. Where such tanks are of irregular dimensions the proprietor shall furnish to the district supervisor a table, in duplicate, showing the capacity of the tank for each inch of depth. The district supervisor will retain one copy of the table and forward the other to the storekeeper-gauger who will retain the same in the Government office. All tanks must be so constructed as to permit proper examination thereof, and so arranged as to leave an open space of not less than three feet between the top and the roof or floor above. Where tanks are equipped with manholes or valves in the top, which are required to be locked with Government locks, suitable walks or landings with steps or stairways leading thereto, must be provided near the top of such tanks in order that ready access may be had by Government officers to the manholes. District supervisors may require such walks or landings, with steps or stairways leading thereto to be installed at plants now operating, where the tanks have manholes or valves in the top, which are required to be locked with Government locks, and the present method of gaining access to the top of the tanks is hazardous or unsafe to Government officers who are required to open and close the locks on such manholes or valves or to inspect the contents of the tanks from time to time. All tanks, such as low-wine tanks, high-wine tanks, heads and tails tanks, fusel oil tanks, distilled water tanks, and similar equipment, shall each have plainly and legibly painted thereon its designated use, serial number, and capacity in gallons. Manheads, inlets, and outlets of the tanks and all openings in the distilling apparatus and equipment, except column stills, whereby access may be had to the alcohol must be provided with facilities for locking with Government locks or otherwise securely fastened or sealed: *Provided*, That distilled water storage tanks need not be so equipped unless a pipeline is connected therewith for the conveyance of distilled water to contiguous establishments, as provided in

§ 182.76. Tanks used as receptacles for alcohol may be permanently connected with pipelines for the conveyance thereto of air and distilled water, but the distilled water pipeline must be affixed to the top of the tanks, and may not extend into the tank. Such pipelines must be equipped with a control valve which may be locked with a Government lock. Pipelines used for the conveyance of air must also be equipped with a check valve located near the point of entry to the tank in order to effectively prevent abstraction of alcohol from the tank. Other pipelines, except those used for the conveyance of alcohol, may not be permanently connected with such tanks.

(Interprets or applies 53 Stat. 316, 318, 358, 364; 26 U. S. C. 2823, 2829, 3105, 3124)

§ 182.74a *Measuring devices for alcohol tanks.* All tanks used as receptacles for alcohol shall be equipped with floats and counterweights and a proper scale whereby the actual contents will be correctly indicated, except that tanks located in a locked room may be equipped with suitable and accurate glass gauges: *Provided*, That the use of other suitable and accurate measuring devices may be authorized by the Commissioner upon application of the proprietor. The openings in the tanks for cords or wires for floats and counterweights must be no larger than are absolutely necessary to accommodate the cords or wires. Where tanks equipped with floats and counterweights are in a locked room, the scale should be extended to the outside of the room to permit ascertainment of the contents of the tank and thus guard against overflow without the necessity of opening the door of the room. Where tanks in a locked room are equipped with glass gauges, a properly barred and secured window must be provided in the wall or door to permit reading the gauge.

(Interprets or applies 53 Stat. 316, 318, 358, 364; 26 U. S. C. 2823, 2829, 3105, 3124)

§ 182.82 *Pipelines.* The distilling apparatus and equipment must be closed and continuous, commencing with the first still in which the vapors rise and continuing with securely closed vessels and pipes to the receiving tanks in which the finished product is deposited. All such pipelines must be of a fixed and permanent character, constructed of metal, or other material affording necessary protection, and so arranged as to be exposed to view in their entirety. All valves, unions, flanges, and other detachable connections in the pipelines of the distilling equipment from the point where the vapors rise in the first still to the receiving tanks must be so secured by brazing, welding, fastening and sealing, or locking with Government locks as to effectually prevent disconnection and access to the alcohol. Pipelines used for conveying alcohol from the receiving room to establishments on the same or contiguous premises shall be constructed, secured and exposed in like manner and shall be so arranged that each such pipeline can be completely drained or emptied after each transfer of alcohol: *Provided*, That such pipelines may be connected with weighing tanks by means of flexible metal hose with ends brazed

or welded to the outlet of the tank and to the pipeline, or by means of short, detachable hose connections, if the end of the pipeline is fitted with a valve so constructed that it may be secured with a Government lock. Pipelines likewise may be connected with tank cars and tank trucks by short, detachable hose connections. A separate pipeline must be installed to each plant to which transfer of alcohol by pipeline is authorized, or for the loading or unloading of tank cars, except as provided in § 182.513. Such pipelines may be connected only to the tanks to or from which transfer of alcohol is authorized, except, where two or more tanks are used for the same purpose, manifold connections may be used. Manifold connections must be equipped with valves which may be secured with Government locks and so arranged as to permit complete control of alcohol into or out of each tank. There shall be painted on each pipeline extending to and from a manifold a legend showing the kind and serial number of the tank or the type and registry number of the contiguous establishment with which the pipeline is connected. Where there are separate pipelines leading directly from a tank to a tank car loading zone or an establishment on the same or contiguous premises, a legend indicating the use of such pipeline or the type and registry number of the contiguous establishment shall be painted thereon. Pipelines shall be kept painted in the colors required by § 182.83.

(Interprets or applies 53 Stat. 314, 315, 318, 358, 364; 26 U. S. C. 2820, 2823, 2829, 2883, 3105, 3124)

§ 182.82a *Preparation for sealing flanges.* Where flanges and other detachable connections in the pipelines (other than unions or valves) are not secured by welding or brazing, and are not to be secured by Government locks, they must be prepared by the proprietor for sealing with "cap" seals by one of the following methods:

(a) By applying a "castle" nut with a hole drilled through the bolt, so the sealing wire may be passed through like a cotter pin, two such nuts being applied to each flange, opposite each other, unless the flange is secured with an uneven number of bolts, in which case three such nuts will be applied at approximately equal distances apart;

(b) By drilling a small hole through both nut and bolt, two such bolts and nuts being drilled for each flange, opposite each other, unless the flange is secured with an uneven number of bolts, in which case three such nuts will be applied at approximately equal distances apart; or

(c) By drilling a hole through the corner of the head of the bolt and one through the corner of the nut so the two will be sealed together, two such bolts and nuts being drilled for each flange, opposite each other, unless the flange is secured with an uneven number of bolts, in which case three such nuts will be applied at approximately equal distances apart.

(Interprets or applies 53 Stat. 316, 318, 357, 358, 364; 26 U. S. C. 2823, 2829, 3101, 3105, 3124)

§ 182.82b *Preparation for sealing unions.* Where unions in the pipelines are not secured by welding or brazing, and are not to be secured by Government locks, they will be prepared for sealing by enclosing the same in a metal box with holes for the sealing wire.

(Interprets or applies 53 Stat. 316, 318, 357, 358, 364; 26 U. S. C. 2823, 2829, 3101, 3105, 3124)

§ 182.82c *Preparation for sealing valves.* Where small gate and globe valves in the pipelines are secured by welding or brazing, and are not to be secured by Government locks, they may be prepared for sealing by inclosing the packing nut and hood with a metal band

or strap drawn tightly around the flange and fitted for reception of the sealing wire, or by drilling a hole in the packing nut so that sealing wire may be passed through and drawn around the pipe and sealed. Where valves have large flanges, such flanges may be sealed in the same manner as other flanges.

(Interprets or applies 53 Stat. 316, 318, 357, 358, 364; 26 U. S. C. 2823, 2829, 3101, 3105, 3124)

§ 182.83 *Colors for pipelines.* The pipelines in the industrial alcohol plant used for conveying the following substances shall be kept painted in the colors indicated:

Black.....	Alcohol.
Blue.....	Vapor, low wines, high wines or other unfinished spirits.
Red.....	Fermented mash or beer, or other distilling material.
Gray.....	Molasses or other unfermented material.
Brown.....	Spent beer or slop.
Yellow.....	Fusel oil.
Yellow with red stripe.....	Ether.
Yellow with green stripe.....	Butyl alcohol.
Yellow with purple stripe.....	Acetone.
White.....	Water.
Aluminum.....	Steam.
Orange.....	Air.
Olive green.....	Carbon dioxide.
Purple.....	Refrigerants.

These colors are intended for such pipelines only, and are prescribed for the purpose of distinguishing such pipelines from each other and from all other pipelines on the premises which are painted but for which colors are not prescribed. The painting in one of the prescribed colors, or a color similar thereto, of a pipeline for which a color is not prescribed is prohibited. Pipelines for ether, butyl alcohol, and acetone shall be "striped" conspicuously in the prescribed colors. Pipelines for which colors are not prescribed may be painted in sections of not more than 3 feet in contrasting colors.

(Interprets or applies 53 Stat. 357, 358, 264; 26 U. S. C. 3101, 3105, 3124)

BONDED WAREHOUSES

§ 182.85 *Weighing tanks.* Where alcohol is to be removed by pipeline to tank cars for shipment or to a denaturing plant on the same premises, or to a rectifying plant or tax-paid bottling house on contiguous premises, or to a tank truck for transfer in bond to another bonded warehouse (as authorized by § 182.550) or to a denaturing plant (as authorized by § 182.560), or where alcohol is to be received in tank cars, or received in tank trucks from an industrial alcohol plant (as authorized by § 182.400) or from another bonded warehouse (as authorized by § 182.550), the proprietor of the warehouse must provide for use in weighing such alcohol one or more suitable weighing tanks, constructed and secured in accordance with the provisions of § 182.65.

(Interprets or applies 53 Stat. 307, 358, 359, 864; 26 U. S. C. 2808, 3105, 3107, 3124)

QUALIFYING DOCUMENTS

INDUSTRIAL ALCOHOL PLANTS, BONDED WAREHOUSES, AND DENATURING PLANTS

§ 182.119 *Consent, Form 1602.* Where the proprietor is not the owner in fee of the lot or tract of land on which the industrial alcohol plant or bonded warehouse is situated, unencumbered by any mortgage, judgment, lien, or other encumbrance, or is not the owner of the distilling apparatus and equipment, unencumbered by any mortgage, judgment, lien, or other encumbrance, he must file the written consent, Form 1602, of the owner and of any mortgagee, judgment-creditor, lienor, or other encumbrancer, conditional sales vendor, or prior lessee, that the premises or property may be used for the purpose of distilling alcohol or the storage of alcohol subject to the provisions of law, and expressly stipulating that the lien of the United States for taxes and penalties shall have priority over any title, right, or interest of the person giving the consent, and that, in the case of the forfeiture of the premises or property, or any part thereof the title to the same shall vest in the United States, discharged from any such right, title, or interest.

(Interprets or applies 53 Stat. 311, 358, 364; 26 U. S. C. 2815, 3105, 3124)

§ 182.119a *Execution of consent.* The consent shall be executed on Form 1602, in triplicate, in accordance with the instructions printed thereon, duly acknowledged before an officer authorized to take acknowledgment of deeds, properly recorded and submitted to the district supervisor with the application, Form 1431, and made a part thereof. The acknowledgment and certificate of

recording shall be executed on all three copies of the Form.

(Interprets or applies 53 Stat. 311, 358, 364; 26 U. S. C. 2815, 3105, 3124)

§ 182.119b *New consent required.* A new consent will be required for each year beginning on the first day of January, unless the consent is given for a definite period of time exceeding 1 year, in which event the consent should be given in terms to expire at the beginning of an annual period, January 1. If, after such consent is filed, the premises are extended and the proprietor is not the owner in fee, unencumbered, of the additional premises, or additional apparatus and equipment are installed, and the proprietor, or the party who executed the consent then in effect is not the owner thereof, unencumbered, consent on Form 1602 must be filed for such additional premises or apparatus and equipment. A new consent will also be required whenever there is a change in proprietorship, including succession for a temporary period by a lessee or fiduciary, unless the consent procured by the predecessor specifically covers operation of the premises by his successor or assigns. In the event of failure of such consent the proprietor will be no longer qualified, unless an indemnity bond on Form 1604 is filed.

(Interprets or applies 53 Stat. 311, 358, 364; 26 U. S. C. 2815, 3105, 3124)

§ 182.119c *Bond in lieu of consent.* Where consent on Form 1602 cannot be obtained or where the industrial alcohol plant or bonded warehouse was sold at a judicial or other sale in favor of the United States, and there exists a right of redemption from such sale, the proprietor may file in lieu of such consent, an indemnity bond, Form 1604, as provided in §§ 182.122 to 182.124.

(Interprets or applies 53 Stat. 311, 358, 364; 26 U. S. C. 2815, 3105, 3124)

§ 182.126 *List of stockholders.* In the case of corporations and similar legal entities, there must be submitted with Form 1431 at the commencement of business and annually thereafter on May 1 a list of the names and addresses of all stockholders and other persons interested in the corporation or other legal entity and the amount and nature of the stockholding or other interests of each, whether such interest appears in the name of the interested party or in the name of another for him: *Provided*, That where more than 100 persons are interested in the corporation or other legal entity as stockholders or otherwise there need be furnished only the names and addresses and the amounts and nature of the stock holding or other interest of the 100 persons having the largest ownership or other interest in each of the respective classes of stock or other interests, except where more complete information shall be specifically required by the Commissioner or district supervisor: *Provided further*, That where there has been no change in the stockholders and other persons interested in the corporation or other legal entity, or in the extent of the stock holding or other interest of such persons, the proprietor may furnish on May 1 of

each year a certified statement, in triplicate, to that effect in lieu of the prescribed list. Where a corporation operates two or more industrial alcohol plants, bonded warehouses or denaturing plants or other plants situated in the same supervisory district, or wholly owns one or more subsidiaries operating plants under the internal revenue laws and regulations so situated, and in connection with qualifying for the operation of one of such plants files a list of stockholders and other persons interested, as prescribed herein, the filing of an additional list for each plant will not be required, provided that in lieu of such additional list there is submitted with the application, Form 1431, a certificate, in triplicate, definitely identifying the corporation and plant with whose application the list of stockholders and other persons interested in filed, and giving the date of the filing thereof.

(Interprets or applies 53 Stat. 357, 358, 364; 26 U. S. C. 3103, 3105, 3124)

BONDS AND CONSENTS OF SURETY

§ 182.195 *Investigation.* The district supervisor will cause an investigation to be made of all the facts stated in the surety's affidavit on Form 33 and supporting documents.

(Interprets or applies 53 Stat. 358, 364; 26 U. S. C. 3105, 3124)

§ 182.199 *Consents of surety.* Consents of surety to a change in the terms of a bond must be executed on Form 1533, in as many copies as are required of the bond which they affect, by the principal and all sureties with the same formality and proof of authority to execute as are required for the execution of bonds. Form 1533 will be used by obligors on collateral bonds as well as those on surety bonds. The Form 1533 must properly identify the bond affected thereby and state specifically and precisely what is covered by the extended terms thereof. If the surety is a corporation, the consent may be executed by an agent or attorney in fact duly authorized so to do by power of attorney filed by the surety with the appropriate district supervisor, or the consent may be executed by the home office officials of such corporate surety; except that, in cases where the saving of time is an element, the consent may be executed by an agent or attorney in fact where the home office officials, by specific direction, order its execution. A copy of such specific direction should be attached to each copy of such consent.

(Interprets or applies 53 Stat. 355, 358, 360, 364; 26 U. S. C. 3070, 3105, 3114, 3124)

§ 182.203 *Additional or strengthening bonds.* In all cases where the penal sum of a bond on file and in effect is not sufficient, computed as prescribed by law and regulations, the principal may give an additional or strengthening bond in a sufficient penal sum, provided the surety thereon is the same as on the bond already on file and in effect; otherwise a new bond covering the entire liability will be required. Such additional or strengthening bonds being filed to increase the bond liability of the principal and the surety, they are in no sense substitute bonds, and the district supervisor

will refuse to approve any additional or strengthening bond where any notation is made thereon, intended, or which may be construed, as a release of any former bond, or as limiting the amount of either bond to less than its full penal sum. Additional or strengthening bonds must show the current date of execution and the effective date in the blank spaces provided therefor. Such bonds must have marked thereon, by the obligors at the time of execution, "Additional Bond" or "Strengthening Bond."

(Interprets or applies 53 Stat. 355, 358, 360, 364; 26 U. S. C. 3070, 3105, 3114, 3124)

REQUIREMENTS GOVERNING CHANGES IN NAME, PROPRIETORSHIP, CONTROL, LOCATION, PREMISES AND EQUIPMENT; AND IN THE TITLE TO INDUSTRIAL ALCOHOL PLANT OR BONDED WAREHOUSE PROPERTY OR THE ENCUMBRANCE THEREOF

CHANGE IN LOCATION, PREMISES, CONSTRUCTION, APPARATUS, ETC.

§ 182.271 *Changes in equipment.* Where changes are to be made in the apparatus and equipment of an industrial alcohol plant, bonded warehouse, or denaturing plant, or in the denatured alcohol recovery system at a denatured alcohol user's premises, the permittee shall first secure approval thereof by the district supervisor pursuant to application, in triplicate, setting forth specifically the proposed changes: *Provided*, That emergency repairs may be made under the supervision of the Government officer, where one is assigned to the premises, without prior approval of the district supervisor. Where such emergency repairs are made, the permittee shall file immediately a report thereof, in triplicate, with the district supervisor. If the apparatus or equipment referred to in § 182.272 is to be removed the application shall include information showing: (a) The date of original purchase; (b) the name and address of the vendor; (c) a description of the article including model and serial numbers, if any; (d) original cost; (e) present book value and method used in determining such value; and (f) proposed disposition of the article. Changes covered by an approved application will be made under the supervision of the Government officer, where one is assigned to the premises. Upon completion of any change made under his supervision, the Government officer will authorize the removal of the dismantled equipment, and the use of the new or repaired equipment, and submit a report, in triplicate, of the changes to the district supervisor.

(Interprets or applies 53 Stat. 357, 358, 360, 364; 26 U. S. C. 3103, 3105, 3112, 3124)

§ 182.271a *Installation of additional equipment.* Where the proprietor of the industrial alcohol plant or bonded warehouse is the owner in fee unencumbered, or has procured the consent of the owner or of any encumbrancer, of the premises, apparatus and equipment thereon, and additional apparatus and equipment are installed, the proprietor, if he is not the owner in fee unencumbered of the additional apparatus and equipment, must procure the consent of the owner or any encumbrancer, in accordance with § 182.119, or in lieu thereof file an indem-

nity bond, Form 1604, equal to the appraised value of the entire premises, including the additional apparatus and equipment, in accordance with § 182.122. If such proprietor has filed an indemnity bond, Form 1604, in lieu of the consent of the owner or any encumbrancer, in accordance with the provisions of § 182.122, and the value of the premises is increased by the installation of additional apparatus or equipment, an additional or new bond on such form to cover the increase in value will be required, in accordance with provisions of § 182.122.

(Interprets or applies 53 Stat. 357, 358, 360, 364; 26 U. S. C. 3103, 3105, 3112, 3124)

§ 182.272 *Indemnity bond covering removal of equipment.* If apparatus or equipment on industrial alcohol plant or bonded warehouse premises on which a lien has attached, under section 3112, I. R. C., for taxes on alcohol produced or stored, which has not been tax-paid or withdrawn for a tax-free purpose, is to be removed from the premises without replacement thereof with apparatus or equipment that will become a real fixture in law of an equal or greater value than the apparatus or equipment to be removed, (a) where the proprietor is the owner of the premises in fee unencumbered, whether the property is realty or personalty; (b) where consents, in accordance with § 182.119, are necessary and have been obtained, whether the property is realty or personalty; and (c) where an indemnity bond, Form 1604, is on file and the property is personalty; the permittee must file with the district supervisor an indemnity bond on Form 1617, in triplicate, in a penal sum equal to the value of the apparatus or equipment to be removed, or equal to the excess in value of the old apparatus or equipment to be removed over the value of the new apparatus or equipment to be substituted therefor: *Provided*, That if such value, or difference in value, as the case may be, is less than \$5,000, no indemnity bond will be required: *Provided further*, That no indemnity bond will be required to cover the removal of equipment from the industrial alcohol plant or bonded warehouse premises to another bonded premises if the two premises are controlled by the same interests. The value of the apparatus or equipment to be removed, or the difference between the value of such apparatus or equipment and the value of the apparatus or equipment to be substituted therefor, will be determined by appraisal in the manner prescribed in § 182.270 (a).

(Interprets or applies 53 Stat. 357, 358, 360, 364; 26 U. S. C. 3103, 3105, 3112, 3124)

CHANGE IN TITLE TO INDUSTRIAL ALCOHOL PLANT OR BONDED WAREHOUSE PROPERTY OR THE ENCUMBRANCE THEREOF

§ 182.274 *Change of title.* Where the title to the lot or tract of land upon which an industrial alcohol plant or bonded warehouse is located is changed by sale, judicial or otherwise, or where there is any change in the ownership of the premises or the apparatus or equipment, subsequent to the approval of bond, Form 1432-A, the permittee is no longer qualified. If the permittee desires to qualify

for further operation when such a change occurs, he must file an amended application, Form 1431, together with the necessary consent, Form 1602, or, in lieu of such consent, an indemnity bond, Form 1604. In addition to such amended application and consent, Form 1602, or indemnity bond, Form 1604, the district supervisor may, in his discretion require the permittee to file a new bond, Form 1432-A.

(Interprets or applies 53 Stat. 357, 358, 360, 364; 26 U. S. C. 3103, 3105, 3112, 3124)

ACTION BY DISTRICT SUPERVISOR

ORIGINAL ESTABLISHMENT

§ 182.281a *Authority to approve.* District supervisors are authorized to approve all applications, bonds, consents of surety, and other qualifying documents required by this part and to issue required permits in connection therewith, except applications for use of specially denatured alcohol or tax-free alcohol by the United States or governmental agency thereof, and applications, bonds, and qualifying documents required in connection with establishment and operation of an experimental industrial alcohol plant.

(Interprets or applies 53 Stat. 358, 360, 364, 373, as amended; 26 U. S. C. 3105, 3114, 3124, 3170)

§ 182.282 *Investigation of applicant.* Before approving any application filed by any individual, firm, partnership, corporation, or association, the district supervisor will cause such inquiry or investigation to be made as may be deemed necessary to ascertain whether such individual, firm, partnership, corporation, or association, or any person owning, controlling, or actively participating in the management of the business, has been convicted of, or has compromised, an offense of the nature specified in § 182.106 (b), or is precluded by the provisions of § 182.106 (a) from receiving a permit, and shall make a thorough investigation to determine the applicant's qualifications to hold a permit and whether he is entitled to the confidence of the Department. The district supervisor's inquiry and investigation in connection with an application on Form 1431 for permit to operate an industrial alcohol plant or bonded warehouse, in conjunction with which an application was filed for permit under the Federal Alcohol Administration Act, shall include the procurement of sufficient information to pass upon the application for such permit.

(Interprets or applies 53 Stat. 357, 358, 360, 364, 373, as amended; 26 U. S. C. 3103, 3105, 3114, 3124, 3170)

§ 182.282a *Disapproval of application.* Where, after hearing or opportunity for hearing, as provided in §§ 182.220 to 182.224, the district supervisor finds that the applicant is not entitled to the confidence of the Department, or is precluded by section 3114 (a), Internal Revenue Code, and § 182.106 (a) from receiving a permit, he shall note his disapproval on all copies of the application with brief statements of his reasons therefor and dispose of the application, bond, and supporting docu-

ments in accordance with the provisions of § 182.293.

(Interprets or applies 53 Stat. 357, 358, 360, 364, 373, as amended; 26 U. S. C. 3103, 3105, 3114, 3124, 3170)

§ 182.290 *Approval of qualifying documents.* If the district supervisor finds, upon examination of the inspection report and the qualifying documents, that the applicant has complied in all respects with requirements of law and this part, and if the bond and consent, if any, or the indemnity bond filed in lieu thereof, properly may be approved, and if the applicant is entitled to a permit, he will note his approval on all copies of the application, plat and plans, bonds and consent or indemnity bond, and shall dispose of the qualifying documents and inspector's report in accordance with § 182.293. In the case of experimental industrial alcohol plants, applications, bonds, and one set of other qualifying documents will be forwarded to the Commissioner, together with a copy of the inspection report, for approval or disapproval in accordance with § 182.8. The district supervisor will refer trade names to the Commissioner for approval before approving applications for basic permits involving use of trade names and will refer to the Commissioner all formulae and labels for denatured alcohol, articles, or other products manufactured therefrom, except rubbing alcohol compound manufactured in accordance with § 182.147 (a). Issuance of basic permits on Form 1433 covering original establishment of industrial alcohol plants, bonded warehouses or denaturing plants will be withheld pending assignment of basic permit and registry number by the Commissioner in accordance with §§ 182.291 and 182.305. The district supervisor will advise the Commissioner in advance of final action on such permits insofar as possible, in order that basic permit and registry numbers may be assigned to prevent undue delay in the proposed operations. Symbols and numbers for other basic permits will be assigned by the district supervisor in accordance with the provisions of § 182.291.

(Interprets or applies 53 Stat. 358, 360, 364, 373, as amended; 26 U. S. C. 3105, 3114, 3124, 3170)

§ 182.291 *Symbols and numbers for basic permits.* All basic permits, except those issued on Forms 1433, 1444, and 1486, shall bear a symbol indicating the class of permit, the recognized abbreviation of the State in which the business is to be conducted, and a serial number; the symbol, State abbreviation, and the serial number being separated by dashes, as "TF-NY-123." The serial number of permits to deal in specially denatured alcohol will be followed by the capital letter "D" in parentheses. All basic permits shall be numbered serially according to the class of permit in the order of issuance. Amended and renewal permits shall be given the same number as the original permit. A separate series of numbers will be used for each State in the case of permits, Form 145, Form 1447, Form 1476, and Form 1481. Serial numbers of basic permits heretofore issued will be retained and new permits will be

assigned numbers in sequence thereto. Basic permit numbers previously assigned to permittees will not be re-assigned to other permittees. In the case of basic permits, Form 1433, the district supervisor shall insert the permit and registry numbers assigned by the Commissioner on the form. The prescribed symbols are as follows:

IAP—Industrial alcohol plant.

BW—Bonded Warehouse.

DP—Denaturing plant.

TF—User of tax-free alcohol (other than the United States or governmental agency thereof).

SDA—Dealer in specially denatured alcohol (The letter "D" being inserted in parentheses after the serial number, as "SDA-NY-3(D)").

SDA—User of specially denatured alcohol (including the recovery of specially denatured alcohol, or recovery of articles in the form of denatured alcohol).

SDR—Dealer in specially denatured rum (the letter "D" being inserted in parentheses after the serial number, as "SDR-NY-4(D)").

SDR—User of specially denatured rum.

CDAR—Recovery of completely denatured alcohol.

C—Carrier transporting tax-free or specially denatured alcohol.

US-TF—Use of tax-free alcohol by the United States or governmental agency thereof.

US-SDA—Use of specially denatured alcohol by the United States or governmental agency thereof.

(Interprets or applies 53 Stat. 358, 360, 364, 373, as amended; 26 U. S. C. 3105, 3114, 3124, 3170)

§ 182.292 *Disapproval of qualifying documents.* If the district supervisor finds, after hearing or opportunity for hearing, as provided in §§ 182.220 to 182.224, that the applicant has not complied in all respects with the requirements of the law and this part, or that the situation of the premises is such as would enable the applicant to defraud the United States, or that the bond should be disapproved, he will note his disapproval on the application, and will dispose of the qualifying documents in accordance with § 182.293. Where an application or bond or consent of surety is disapproved by the district supervisor and an appeal is taken to the Commissioner, the district supervisor will furnish the Commissioner with full information respecting the reasons for disapproval, including (a) in the case of a violation of the nature specified in § 182.106 (b), the nature of the offense, the names of the offenders, the date of conviction or acceptance of an offer in compromise, and (b) in the case of an offense which precludes the issuance of a permit under § 182.106 (a), the nature, date and place of the offense. The Commissioner will grant a hearing in the matter if the parties so request at the time appeal is taken upon the action of the district supervisor.

(Interprets or applies 53 Stat. 358, 360, 364, 373, as amended; 26 U. S. C. 3105, 3114, 3124, 3170)

§ 182.293 *Disposition of qualifying documents.* If the district supervisor approves the qualifying documents, he will forward to the applicant one copy of the documents with the original of the basic permit, and original of the permit issued under the Federal Alcohol Administration Act (if any), forward to the

Commissioner the originals of the qualifying documents and a copy of the basic permit, and permit issued under the Federal Alcohol Administration Act (if any), together with copies of inspection reports, and retain one copy of such qualifying documents and permits for the file of the applicant. If the qualifying documents are disapproved, the district supervisor shall return to the applicant by registered mail one copy of the disapproved application, together with all copies of the qualifying documents and all copies of the bond without action thereon. The district supervisor shall forward one copy of the disapproved application to the Commissioner and will advise him fully respecting the disapproval thereof. He shall retain the remaining papers in his files. If the applicant is not entitled to a basic permit, the district supervisor will, upon disapproval of the application therefor, return all copies of the qualifying documents to the applicant without action thereon.

(Interprets or applies 53 Stat. 358, 364; 26 U. S. C. 3105, 3124)

CHANGES SUBSEQUENT TO ORIGINAL ESTABLISHMENT

§ 182.295 *Procedure applicable.* The provisions of §§ 182.281a to 182.293 respecting the action required of district supervisors in connection with applications for original basic permits will be followed, to the extent applicable, where there is a change in the individual, firm, or corporate name, or in the trade name or style, or where the premises are to be operated initially under a trade name or style or where there is a change in the proprietorship, location, premises, construction, apparatus and equipment, or in the type of premises, or in the title to the property in the case of an industrial alcohol plant or bonded warehouse, or where such property becomes subject to a mortgage, judgment, or other encumbrance, or where operations are permanently discontinued.

(Interprets or applies 53 Stat. 358, 364; 26 U. S. C. 3105, 3124)

§ 182.296 *Indemnity bond, Form 1617.* Where changes to be made in industrial alcohol plant or bonded warehouse premises, buildings, or former industrial alcohol plant or bonded warehouse premises, buildings, or equipment or apparatus, are such as to require the filing of an indemnity bond on Form 1617, as provided in §§ 182.270 and 182.272, the district supervisor will, upon receipt of a satisfactory bond, note his approval thereon, forward the original to the Commissioner, forward one copy to the permittee, and retain one copy.

(Interprets or applies 53 Stat. 358, 364, 373, as amended; 26 U. S. C. 3105, 3124, 3170)

§ 182.297 *Applications and reports covering changes.* Where an application covering changes in apparatus or equipment, or in construction or use of a room or building is approved by the district supervisor, he will retain one copy of the application and forward one copy to the permittee and one copy to the Commissioner; and, when reports covering changes in apparatus, and equipment are received from Government officers in accordance with § 182.271, he will retain one

copy and promptly forward one copy to the Commissioner. Similar disposition will be made of reports received from the permittee covering emergency repairs of apparatus and equipment.

(Interprets or applies 53 Stat. 358, 364; 26 U. S. C. 3105, 3124)

DISCONTINUANCE OF INDUSTRIAL ALCOHOL PLANT, BONDED WAREHOUSE, OR DENATURING PLANT

§ 182.302 *District supervisor's action.* If the district supervisor finds, upon receipt of the report from the storekeeper-gauger or other Government officer, that all alcohol or denatured alcohol produced or deposited has been withdrawn, and properly accounted for, he will note his approval on all copies of Form 1431, forward the original thereof, together with a copy of the Government officer's report, to the Commissioner and return a copy to the proprietor. Where discontinuance of a bonded warehouse or denaturing plant was ordered by the Commissioner, the district supervisor will forward to the Commissioner a complete report of the removal of the alcohol or specially denatured alcohol from the premises, together with a copy of the Government officer's report of the inspection of the proprietor's and storekeeper-gauger's records and the removal of the Government property from the premises.

(Interprets or applies 53 Stat. 358, 364, 373, as amended; 26 U. S. C. 3105, 3124, 3170)

ACTION BY COMMISSIONER

ORIGINAL ESTABLISHMENT

§ 182.303a *Authority to approve.* The Commissioner will approve or disapprove applications for use of trade names as provided in § 182.290, formulas and labels for denatured alcohol, articles, or other products manufactured therefrom as provided in § 182.151, applications, bonds and qualifying documents required in connection with establishment and operation of experimental industrial alcohol plants in accordance with provisions of § 182.8, and applications for the use of tax-free and specially denatured alcohol by the United States or governmental agencies thereof, and will issue necessary permits or certificates in connection with such applications.

(Interprets or applies 53 Stat. 358, 360, 364, 373, as amended; 26 U. S. C. 3105, 3114, 3124, 3170)

§ 182.304 *Review of documents.* The Commissioner will review the action of the district supervisor relating to the establishment of industrial alcohol plants, bonded warehouses and denaturing plants, and will determine whether such action is in conformity with the requirements of law and this part. If not, the Commissioner will advise the district supervisor as to the necessary action to be taken.

(Interprets or applies 53 Stat. 358, 364; 26 U. S. C. 3105, 3124)

§ 182.305 *Registry and permit numbers.* Upon request therefor by district supervisors the Commissioner will assign registry and permit numbers to industrial alcohol plants, bonded warehouses and denaturing plants. Such plants will be numbered serially, irrespective of states or districts. Symbols and num-

bers for basic permits will be assigned as provided in § 182.291. Registry and permit numbers previously assigned to discontinued alcohol plants, bonded warehouses, and denaturing plants will not be reassigned to other such plants. The same registry number will be continued whenever there is an immediate change of proprietorship. A new basic permit number will be assigned when there is a change of proprietorship. The same registry and permit number will be assigned to an industrial alcohol plant, bonded warehouse, and denaturing plant, or any combination of such plants on the same premises.

(Interprets or applies 53 Stat. 358, 360, 364, 373, as amended; 26 U. S. C. 3105, 3114, 3124, 3170)

CHANGES SUBSEQUENT TO ORIGINAL ESTABLISHMENT

§ 182.308 *Procedure applicable.* The provisions of § 182.304 respecting the action of the Commissioner in connection with the applications for original basic permits will be followed, to the extent applicable, where there is a change in the individual, firm, or corporate name, or in the trade name or style, or in the proprietorship, location, premises, construction, apparatus and equipment, or in the type of premises or operations, or in the title to industrial alcohol plant or bonded warehouse property or where such property becomes subject to a mortgage, judgment, or other encumbrance.

(Interprets or applies 53 Stat. 358, 364; 26 U. S. C. 3105, 3124)

TERMINATION OF BONDS

§ 182.312 *Direct export bonds.* Bonds covering a specific lot of alcohol withdrawn for direct export, Form 1497, will be terminated by the district supervisor by marking the bond "Canceled," followed by the date of cancellation, upon receipt of evidence of the landing of the alcohol in a foreign country or satisfactory proof of loss at sea: *Provided*, That where there is a deficiency, the bond will not be canceled by the district supervisor until the liability for the deficiency has been terminated. Continuing bonds covering alcohol withdrawn from time to time for direct export, Form 1495, will be similarly terminated by the district supervisor where no further withdrawals are to be made thereunder: *Provided*, That the account kept with the bond in accordance with § 182.611 shows that there are no outstanding charges.

(Interprets or applies 53 Stat. 336, 358, 364, 373, as amended; 26 U. S. C. 2885, 3105, 3124, 3170)

§ 182.313 *Transportation for export bonds.* Bonds covering a specific lot of alcohol withdrawn for transportation for export, Form 1498, will be terminated by the district supervisor by marking the bond "Canceled," followed by the date of cancellation, upon receipt of Form 691 from the collector of customs showing the clearance of the alcohol: *Provided*, That where there is a loss in transit, the bond will not be canceled until the liability for the loss has been terminated. Continuing bonds for alcohol withdrawn from time to time for transportation for

export, Form 1496, will be similarly terminated by the district supervisor where no further withdrawals are to be made thereunder: *Provided*, That the account kept with the bond in accordance with § 182.611 shows that there are no outstanding charges.

(Interprets or applies 53 Stat. 337, 358, 364, 373, as amended; 26 U. S. C. 2886, 3105, 3124, 3170)

§ 182.314 *Bonds covering transportation to customs manufacturing bonded warehouse.* Bonds covering a specific lot of alcohol withdrawn for transportation to a customs manufacturing warehouse, Form 1459, will be terminated by the district supervisor by marking the bond "Canceled," followed by the date of cancellation, upon receipt from the collector of customs of Form 3923 showing the deposit of the alcohol in the customs manufacturing bonded warehouse: *Provided*, That where there is a loss in transit the bond will not be canceled by the district supervisor until liability for the loss has been terminated. Continuing bonds covering alcohol withdrawn from time to time for transportation to customs manufacturing bonded warehouse, Form 1460, will be similarly terminated by the district supervisor where no further withdrawals are to be made thereunder, provided that the account kept with the bond in accordance with § 182.625 shows that there are no outstanding charges.

(Interprets or applies 53 Stat. 340, 358, 364, 373, as amended; 26 U. S. C. 2891, 3105, 3124, 3170)

§ 182.317 *Action on application for notice of termination of bond supporting a basic permit.* When an application for notice of termination, as to future operations, of a bond supporting a basic permit is filed with the district supervisor in a case where a superseding bond has been approved, or the principal has discontinued business, as provided in § 182.310 the district supervisor will make a complete examination of records to determine whether there is any liability then due and payable outstanding against the bond. He will also ascertain from the collector of internal revenue whether there are any outstanding unpaid assessments or demands for taxes, penalties and interest on alcohol or denatured alcohol under the bond. If it is found that violations of law or regulations occurred during the period covered by the bond, and that penalties incurred or fines imposed have not been paid, or that outstanding assessments, or demands for payment of taxes, chargeable against the bond have not been paid, or otherwise settled, the district supervisor will disapprove the application, unless the liability is settled. If the district supervisor finds that the bond properly may be terminated he will issue notice of termination in accordance with provisions of § 182.320.

(Interprets or applies 53 Stat. 358, 364; 26 U. S. C. 3105, 3124)

§ 182.318 *Action on application for notice of termination of indemnity bonds.* When an application for notice of termination of an indemnity bond, Form 1604, as to future operations of an industrial alcohol plant or bonded warehouse is filed with the district supervisor in a

case where a superseding bond has been approved, or the principal has discontinued business, as provided in § 182.311, the district supervisor will take action in accordance with the procedure prescribed in § 182.317, in the case of an application for termination of the bond supporting a basic permit. When an application for notice of termination of an indemnity bond, Form 1617, covering changes in buildings or equipment is filed with the district supervisor, he will make a complete inquiry to determine whether all alcohol, the tax on which constituted the lien in relation to which the bond was given, has been tax-paid or removed for a lawful tax-free purpose. If the district supervisor finds that the bond properly may be terminated, he will issue notice of termination thereof in accordance with § 182.320.

(Interprets or applies 53 Stat. 358, 364; 26 U. S. C. 3105, 3124)

§ 182.319 *Action on application for notice of termination of other bonds.* When an application for notice of the termination of export bonds (Forms 1495 and 1497), transportation for export bonds (Forms 1496 and 1498), bonds covering transportation of alcohol to the customs manufacturing bonded warehouse (Forms 1459 and 1460), and bonds covering withdrawals for use on vessels and aircraft (Forms 1660 and 1661) is filed with the district supervisor, he will examine his records to determine whether the required evidence of foreign landing or loss at sea, or clearance, or deposit in the customs manufacturing bonded warehouse, or use, as the case may be, of the alcohol withdrawn under the bond has been filed, and if there were deficiencies, whether liability therefor has been terminated. If the district supervisor finds that the bond properly may be terminated, he will issue notice of termination thereof in accordance with § 182.320.

(Interprets or applies 53 Stat. 358, 364; 26 U. S. C. 3105, 3124)

§ 182.320 *Notice of termination.* Upon cancellation as to liability for future transactions, of a bond supporting a basic permit, or an indemnity bond, Form 1604, as to liability for future operations of an industrial alcohol plant or bonded warehouse, the district supervisor will execute notice of bond termination on Form 1490 where a superseding bond has been approved, or notification of release of bond on Form 1491 where the principal has discontinued business, as the case may be, in quadruplicate (in quintuplicate if there are two sureties), and will forward the original together with one copy of the application for notice of termination to the Commissioner, one copy to each obligor on the bond, and retain one copy on file with the bond to which it relates. Similar action will be taken by the district supervisor on approval of an application for notice of termination of an indemnity bond on Form 1617. Where an application for the issuance of notice of the termination of a direct export bond, transportation for export bond, bond covering transportation to a customs manufacturing bonded warehouse, or bond covering withdrawal for use on vessels and aircraft, has been filed with

the district supervisor, and he has found that there has been compliance with the provisions of §§ 182.312, 182.313, 182.314, or 182.314a, as the case may be, he will issue Form 1490 or Form 1491, as provided above.

(Interprets or applies 53 Stat. 358, 364; 26 U. S. C. 3105, 3124)

§ 182.321 *Release of collateral.* The release of collateral pledged and deposited with the United States to support bonds required in this part will be in accordance with the provisions of Department Circular 154, revised (31 CFR, Part 225), subject to the conditions governing the issuance of notices on Forms 1490 and 1491 of the termination of such bonds. Unless a superseding bond has been approved, the release of the security in the case of such bonds will not be authorized until all alcohol or denatured alcohol or articles produced or withdrawn, while such bonds were in force and effect, have been lawfully disposed of. Accordingly, collateral may not be released while any alcohol or denatured alcohol or articles remain an outstanding charge against a bond supporting a basic permit or indemnity bond, Form 1604. When an application for release of collateral deposited in support of a bond supporting a basic permit on Form 1433, or an indemnity bond, Form 1604, is received by the district supervisor, he will determine whether all outstanding liabilities have been settled, and unless a superseding bond has been approved whether all alcohol or denatured alcohol produced, withdrawn, used, etc., while the bond was in effect has been lawfully disposed. Collateral pledged and deposited to support an indemnity bond, Form 1617, covering changes in industrial alcohol plant or bonded warehouse buildings or equipment may be released upon approval of a superseding bond or upon lawful removal of all alcohol the tax on which constituted the lien in relation to which the bond was given. Upon approval of an application for the issuance of notice of termination of a bond supporting basic permit on Form 1433, or indemnity bonds (Form 1604 or 1617) supported by collateral security, the district supervisor will fix the date or dates on which a part or all of the security may be released. In fixing such date, the district supervisor will satisfy himself that the interest of the Government will not be jeopardized. The date of release for collateral supporting a bond on Form 1432-A will ordinarily be fixed at not less than 6 months from the date of determination that there is no outstanding liability against the bond, and collateral pledged for other bonds will ordinarily be released upon issuance of notice on Form 1490 or Form 1491. Collateral pledged and deposited to support a bond supporting a basic permit on Form 1433, or indemnity bond (Form 1604 or 1617), will not be released by the district supervisor unless all liability thereunder has been terminated. At any time prior to the release of collateral security, the district supervisor may, in his discretion and for proper cause, further extend the date of the release of such security for such additional period

of time as, in his judgment, may be appropriate.

(Interprets or applies sec. 1126, 44 Stat. 122; 6 U. S. C. 15; 53 Stat. 358, 364; 26 U. S. C. 3105, 3124)

OPERATION OF INDUSTRIAL ALCOHOL PLANTS

§ 182.327 *Brandy.* Where it is desired to produce brandy under Regulations 5 (26 CFR, Part 184) governing the production of brandy at fruit distilleries under the exemptions from law afforded fruit distillers by virtue of section 2825, I. R. C., the industrial alcohol plant must be discontinued in accordance with §§ 182.276 to 182.279 and reestablished and operated as a fruit distillery in accordance with Regulations 5.

(Interprets or applies 53 Stat. 358, 364; 26 U. S. C. 3105, 3124)

§ 182.328 *Experimental operations.* Persons authorized, pursuant to provisions of § 182.8, to conduct experimental operations for a temporary period of time in connection with the production of alcohol are required to submit such reports and maintain such records as the Commissioner shall, in each case, prescribe. The alcohol produced in an experimental industrial alcohol plant shall be disposed of or denatured with such denaturing materials and quantities thereof as may be authorized by the Commissioner, under such conditions and restrictions as he may impose. Alcohol so denatured shall be used or disposed of in the manner prescribed by the Commissioner in each case.

(Interprets or applies 53 Stat. 357, 358, 364, 26 U. S. C. 3103, 3105, 3124)

TAX-PAYMENT, REMOVAL, AND TRANSFER OF ALCOHOL FROM RECEIVING ROOM

§ 182.400 *Authorized removals.*

(c) Withdrawn in packages, tank cars or tank trucks, upon payment of tax as authorized by § 182.408l to § 182.408l or taxpaid and transferred by pipeline to a rectifying plant or a taxpaid bottling house on contiguous premises as authorized by §§ 182.408m, and 182.574a to 182.574e.

DRAWING OFF, GAUGING, AND REMOVAL OF ALCOHOL

§ 182.404 *Drawing off alcohol.* When alcohol is to be drawn from a receiving tank, the storekeeper-gauger will see that the valve in the pipeline controlling the flow of alcohol into the tank is closed and locked before the alcohol in the tank is reduced and proofed and that such valve remains closed and locked until the alcohol has been removed. Whenever alcohol is to be drawn from receiving tanks or transferred into or out of other tanks secured with Government locks, the storekeeper-gauger will open and close the locks, but it shall be the duty of the proprietor to manipulate the stopcocks or valves controlling the flow of the alcohol. The storekeeper-gauger assigned to the receiving room is required to be present and personally supervise the drawing off of all alcohol in the receiving tanks, the marking and branding of all packages of alcohol filled

therefrom, and the stamping of all packages tax-paid or exported directly from the receiving room. All mechanical duties connected with such operation shall be performed by the proprietor.

(Interprets or applies 53 Stat. 358, 364; 26 U. S. C. 3105, 3124)

§ 182.405 *Gauging of alcohol.* All alcohol drawn from receiving tanks will be carefully gauged by the proprietor by weighing and proofing the spirits in accordance with this part and the Gauging Manual (26 CFR, Part 186), and the details thereof shall be entered by the proprietor on Form 1440. Entries shall be made as indicated by the headings of the various columns and lines and in accordance with the instructions printed on the form or issued in respect thereto and as required by this part. Packages shall be marked in accordance with this part. The storekeeper-gauger will verify the proof, weight, and gallonage of all alcohol withdrawn and will see that the instructions in the Gauging Manual (26 CFR, Part 186) respecting the proofing of alcohol are strictly followed in order that the proof may be accurately determined. The proof of the alcohol shall be adjusted to a whole or complete degree of proof before being removed from the receiving tanks: *Provided*, That the proof of alcohol transferred by pipeline, tank truck, tank car, tank ship or tank barge, to industrial alcohol bonded warehouses or denaturing plants need not be so adjusted. The alcohol in the receiving tank must be thoroughly agitated before taking the proof. The proof so ascertained will be regarded as the proof of alcohol run into all packages filled from the receiving tank and all alcohol removed from such tank by pipeline or in tank cars or tank trucks. However, the proof of the alcohol in the receiving tank will be checked several times while the alcohol is being drawn off. The proprietor shall provide, at his own expense, accurate hydrometers, hydrometer cups and thermometers for the purpose of gauging alcohol. Alcohol to be transferred by pipeline or in railroad tank cars or tank trucks for shipment shall be gauged in a weighing tank as provided in § 182.407.

(Interprets or applies 53 Stat. 307, 357, 358, 364; 26 U. S. C. 2803, 3103, 3105, 3124)

§ 182.407 *Weighing alcohol removed by pipeline.* Where alcohol is to be removed by pipeline, it will be weighed in a weighing tank before removal from the receiving room, except that where alcohol is transferred by pipeline from the receiving tanks to a bonded warehouse or denaturing plant on industrial alcohol plant premises, and no weighing tank is provided in the receiving room, the alcohol may be run into weighing tanks at the bonded warehouse or denaturing plant, respectively, and weighed therein. The alcohol must, in any event, be weighed once in connection with its transfer to the bonded warehouse or the denaturing plant. Where alcohol is transferred from receiving tanks to tank cars or tank trucks one or more weighing tanks must be provided in the receiving room and all alcohol removed by pipeline must be weighed in such weighing tanks,

and the correct weight will be recorded by the proprietor on the appropriate form. The storekeeper-gauger will balance the scales upon which the weighing tank is mounted before the alcohol is run into such tank.

(Interprets or applies 53 Stat. 307, 358, 359, 364; 26 U. S. C. 2808, 3105, 3107, 3124)

§ 182.407a *Testing tank scales.* Scales used for weighing alcohol in lots of not over 500 gallons will be tested from time to time under the supervision of the storekeeper-gauger by means of test weights provided in accordance with § 182.66. Such scales will be tested by placing the prescribed test weights on the scales and checking the weight registered on the beam of the scales. The test weights will then be removed without disturbing the beam and the tank filled with alcohol or water to the same weight, whereupon the test weights will again be placed upon the scales, the alcohol or water being retained in the tank and the weight registered on the beam checked. This operation will then be continued until the scales have been checked in 500-pound notches at all weights for which the scales are used. Proprietors will have scales used for weighing alcohol in larger lots tested and their accuracy certified by State, county, or city departments of weights and measures or by a responsible scale company at intervals of not more than 6 months. Government officers will see that tank scales are so tested. Government officers will also check, at least once a month, the gallonage represented to be on the scale against the gallonage indicated by a volumetric determination of the contents of the tank. Such volumetric determination will be made by (a) accurately ascertaining the proof and the temperature of the alcohol and the depth of the liquid in the tank by means of a steel tape, (b) multiplying the depth in inches by the capacity of the tank for 1 inch of depth, and (c) correcting the volume to 60 degrees Fahrenheit in accordance with table 7 of the Gauging Manual. The corrected gallons thus determined will be compared with the gallons represented by the reading of the beam of the scale. Unless the volumetric check is within 0.5 percent of the quantity shown to be in the tank, the Government officer will take appropriate steps to have the accuracy of the scale verified. In addition to the volumetric check described, Government officers will, as frequently as conditions indicate the necessity therefor, test tank scales of large capacity in the manner prescribed for smaller capacity tank scales, except that such tests on large capacity tank scales may be made when they contain considerable quantities of liquid. In this case the beam will be carefully balanced, and test weights will be added to the load, one at a time, until the range of 500 pounds is checked. At any time an officer finds a scale to be inaccurate, he will require the proprietor to have such scale adjusted and its accuracy certified.

(Interprets or applies 53 Stat. 358, 364; 26 U. S. C. 3105, 3124)

§ 182.408 *Pipeline removals.* Pipelines used for the transfer of alcohol from the receiving room must conform

to the requirements of § 182.82, except that alcohol may be transferred into a tank car or tank truck by means of a hose connection where the connecting hose is in full view of the Government officer throughout its entire length. The valves on such pipelines shall be kept closed and locked at all times, except when necessary to be opened for the transfer of alcohol. The keys to all locks on the valves of pipelines shall remain at all times in the custody of the storekeeper-gauger. Alcohol may be transferred by pipeline only under the immediate supervision of the storekeeper-gauger.

(Interprets or applies 53 Stat. 358, 359, 364; 26 U. S. C. 3105, 3107, 3124)

TAX-PAID WITHDRAWALS IN TANK CARS OR TANK TRUCKS

§ 182.408l *Procedure.* Whenever the proprietor desires to withdraw alcohol from receiving tanks for taxpayment and removal in tank cars or tank trucks, the procedure prescribed by §§ 182.566 to 182.574 will be followed.

(Interprets or applies 53 Stat. 357, 358, 358, 360, 364, 447, as amended; 26 U. S. C. 3103, 3105, 3106, 3112, 3124, 3656)

TAX-PAID WITHDRAWALS BY PIPELINE TO RECTIFYING PLANT OR TAX-PAID BOTTLING HOUSE

§ 182.408m *Procedure.* Where a pipeline has been installed and approved for the transfer of alcohol, after tax payment, direct from the weighing tank in the industrial alcohol plant to a contiguous rectifying plant or tax-paid bottling house and the proprietor desires to so transfer alcohol the procedure prescribed by §§ 182.574a to 182.574e and 182.574g will be followed.

(Interprets or applies 53 Stat. 357, 358, 358, 364; 26 U. S. C. 3103, 3105, 3106, 3124)

SUSPENSION OF OPERATIONS

§ 182.423 *Notice, Form 124.* Any proprietor desiring to suspend operations for an indefinite period or for a definite period of seven days or more at his industrial alcohol plant shall give notice on Form 124, in duplicate, stating when he will suspend operations. The notice will be delivered to the storekeeper-gauger in charge at the plant.

(Interprets or applies 53 Stat. 357, 358, 364; 26 U. S. C. 3103, 3105, 3124)

CHANGE IN PROPRIETORSHIP

§ 182.447 *Completion of operations required.* When a succession, or actual change, in the person or persons operating the industrial alcohol plant shall take place, other than a change brought about by operation of law, as by the appointment of an administrator, executor, receiver, trustee, assignee, or other fiduciary, the business of producing alcohol must be completely finished by the person or persons who have been carrying on the business, and the operations suspended before the business shall be undertaken, or begun by the succeeding proprietor, unless by an agreement between the outgoing proprietor and the successor it shall be arranged to transfer from the former to the latter, at midnight of a certain day, all mash and beer,

or other distilling material, on hand, and all unfinished alcohol outside the receiving room at that hour: *And provided,* That, in either case, the application, bond and other qualifying documents of the successor have been approved and a basic permit issued to take effect on the day next succeeding that at the close of which the transfer is made. Such documents should, therefore, be submitted to the district supervisor in sufficient time to permit such approval and issuance of basic permit for the date desired. The successor shall not commence operations until all documents required for his qualification as proprietor of an industrial alcohol plant have been approved and a basic permit has been issued. All finished alcohol on hand in the receiving room at the time of the change must be drawn off, gauged, marked, and removed by the outgoing proprietor in the name under which it was produced before any alcohol is deposited in the receiving room or withdrawn from the industrial alcohol plant by the successor.

(Interprets or applies 53 Stat. 358, 364; 26 U. S. C. 3105, 3124)

OPERATION OF INDUSTRIAL ALCOHOL BONDED WAREHOUSES

LIEN FOR TAX ON ALCOHOL

§ 182.483 *Certificate of discharge of lien.* Any person claiming any interest in any such land or building may apply to the district supervisor for a duly acknowledged certificate to the effect that such lien is discharged, and, if the district supervisor determines that any such lien is extinguished, he shall issue such certificate, and any such certificate may be recorded.

(Interprets or applies 53 Stat. 357, 358, 364; 26 U. S. C. 3103, 3105, 3124)

RECEIPT OF ALCOHOL FROM INDUSTRIAL ALCOHOL PLANT NOT ON WAREHOUSE PREMISES AND FROM ANOTHER BONDED WAREHOUSE IN SAME SUPERVISORY DISTRICT

§ 182.495 *Method of deposit—(a) Alcohol received in packages.* Alcohol received in packages may be deposited in the warehouse in the packages in which it is received, or the contents of the packages may be dumped into storage tanks if report is made thereof on Forms 1440, 1443-A, and 1443-B, as provided in §§ 182.643, 182.645, and 182.646. If packages of alcohol containing exactly 1, 2, 5, and 10 wine gallons are received, the warehouse must be equipped with scales capable of weighing in terms of ounces, from which the weight, to hundredths of a pound, can be calculated in accordance with § 182.509 (a).

(b) *Alcohol received in tank cars.* Alcohol received in tank cars must be deposited, after gauging, in warehouse storage tanks. If it is desired to receive alcohol in bond in railroad tank cars, proper railroad siding facilities must be provided at the bonded warehouse. When alcohol is received in tank cars, the seals must not be broken, or any alcohol removed, except in the presence of the storekeeper-gauger assigned to the bonded warehouse.

(c) *Alcohol received in tank trucks.* Undenatured ethyl alcohol received in tank trucks shall be gauged and transferred immediately to storage tanks. The

seals must be broken by the storekeeper-gauger assigned to the bonded warehouse and no undenatured ethyl alcohol may be removed from the tank truck, except in the presence of such officer.

(Interprets or applies 53 Stat. 357, 358, 359, 360, 364; 26 U. S. C. 3101, 3105, 3107, 3113, 3124)

REMOVAL OF ALCOHOL FROM STORAGE OR WEIGHING TANKS

§ 182.498 *Gauge on withdrawal.* Alcohol withdrawn from storage or weighing tanks in the warehouse will be gauged in accordance with the provisions of § 182.405.

(Interprets or applies 53 Stat. 307, 357, 357, 358, 364; 26 U. S. C. 2808, 3101, 3103, 3105, 3124)

§ 182.500 *Testing of scales.* The storekeeper-gauger shall balance the scales before either empty or filled packages are weighed, and will frequently test by means of test weights provided in accordance with § 182.65, the accuracy of such scales. Weighing tank scales will be tested in accordance with provisions of § 182.407a. In case the scale is found inaccurate for any reason the storekeeper-gauger will not permit it to be used while it is in such condition.

(Interprets or applies 53 Stat. 307, 358, 364; 26 U. S. C. 2808, 3105, 3124)

APPROVED CONTAINERS

§ 182.511a *Tank trucks.* Undenatured ethyl alcohol may be transported in bond by tank trucks only where suitable storage tanks are provided on the receiving bonded warehouse premises. The manhole covers, outlet valves, and all other openings on tank trucks used for shipping undenatured alcohol in bond shall be equipped with facilities for sealing so that the contents cannot be removed without showing evidence of tampering. Serially numbered cap seals for use on such tank trucks shall be furnished by the Government and affixed by the storekeeper-gauger. Immediately after filling, such tank trucks shall be sealed in such a manner as will secure all openings affording access to the contents of the tank. Tax-paid alcohol may be transported by tank trucks equipped with a route board similar to that prescribed for railroad tank cars in § 182.511.

(Interprets or applies 53 Stat. 357, 358, 359, 359, 360, 364; 26 U. S. C. 3101, 3105, 3107, 3108, 3112, 3124)

§ 182.513 *Pipeline removals.* Pipelines used for removal of alcohol from the bonded warehouse, in accordance with the provisions of this part must conform to the requirements of § 182.82, except that alcohol may be transferred into a tank car or tank truck by means of a hose connection where the connecting hose is in full view of the Government officer throughout its entire length. The locking of valves and the supervision of removals shall be in accordance with § 182.489.

(Interprets or applies 53 Stat. 357, 358, 359, 359, 364; 26 U. S. C. 3101, 3105, 3107, 3108, 3124)

MARKS, BRANDS, AND STAMPS

§ 182.515 *General.* Before weighing empty casks or packages, officers will examine them and will not permit the use of any cask or package which contains or has on its interior or exterior,

any substance that will prevent the correct ascertainment of tare. The tare of the empty package will be determined immediately preceding the filling of the same in all cases: *Provided*, That, the tare of a number of packages may be ascertained and marked thereon before any are filled but not exceeding the number which are to be filled the same day or the following day. If the packages are not to be filled until the following day, they must be locked in the receiving room or bonded warehouse after being weighed and marked. The tare or weight of the empty package will be marked on the package as soon as ascertained and recorded on the entry form. All packages of spirits, when filled, shall be further marked and branded as provided by this part, and where such packages are taxpaid, the taxpaid stamps will be affixed thereto and canceled in the manner prescribed in § 182.527.

(Interprets or applies 53 Stat. 357, 358, 364; 26 U. S. C. 3101, 3105, 3124)

§ 182.524 *Other marks.* The marks required by this part to be on packages must be placed on the Government head of a package or side of a case, and no other marks may be shown, with the exception of those required or authorized to be affixed by Federal law and regulations. All marks required by this part on Government heads of packages or sides of cases must be in color distinctly in contrast with the color of the background on which they are placed. The proprietor may show on the Government head, or end of packages, the brand or trade name, provided the brand or trade name will not interfere with or detract from the required Government markings. Caution notices, etc., required by Federal law and regulations, may be placed on the Government head of packages, or side of cases, but such notices must be so placed as to not obscure the markings prescribed by this part.

(Interprets or applies 53 Stat. 358, 364; 26 U. S. C. 3105, 3124)

TAX-PAYMENT OF ALCOHOL IN PACKAGES

§ 182.565 *Removal of alcohol.* The proprietor shall deliver all copies of Form 1440 with the tax-paid stamps to the storekeeper-gauger, who will verify the data thereon, and, if no discrepancies are found, he will note the serial numbers of the stamps on the retained copy of Form 1440, and affix his signature to each stamp. Facsimiles of signatures of storekeeper-gaugers may be affixed by the use of hand stamps, care being taken to use only such ink as will neither fade nor blur. The storekeeper-gauger will then return the stamps to the proprietor, who will stamp and mark the packages or cases, as provided in §§ 182.525, 182.527 and 182.528 after which the proprietor will immediately remove the alcohol from the premises or to his tax-paid storeroom, if one has been provided. When the alcohol has been removed, the storekeeper-gauger will forward one copy of Form 1440 to the district supervisor, and return two copies to the proprietor, who will retain one copy as a permanent record, as provided in § 182.643(h) and if he so desires, furnish the remaining copy to the vendee.

(Interprets or applies 53 Stat. 357, 358, 364; 26 U. S. C. 3103, 3105, 3124)

TAX-PAID WITHDRAWALS IN TANK CARS OR TANK TRUCKS

§ 182.566 *Gauging of alcohol.* Whenever the proprietor desires to withdraw alcohol from receiving or storage tanks for taxpayment and removal in tank cars or tank trucks, the alcohol will be run into a weighing tank, where it will be gauged and then run into such conveyances. The proprietor shall prepare Form 1440, in quadruplicate, giving the details of the gauge and submit all copies to the storekeeper-gauger for examination. If the forms are in proper order, the storekeeper-gauger will retain one copy and return three copies to the proprietor.

(Interprets or applies 53 Stat. 357, 358, 360, 364; 26 U. S. C. 3101, 3103, 3105, 3112, 3124)

§ 182.567 *Application for certificate of taxpayment, Form 1594.* The proprietor will execute Form 1594 (appropriately modified, if shipment is to be made in a tank truck), in duplicate, if the vendee is located in the same supervisory district, and in triplicate if the vendee is located in a different supervisory district. He will then forward all copies of Form 1594 with all copies of Form 1440 accompanied by proper remittance for the tax to the collector of internal revenue. The collector may, in his discretion, accept uncertified checks in payment of the tax on alcohol contained in tank cars or tank trucks where certificates are issued in lieu of stamps.

(Interprets or applies 53 Stat. 357, 358, 360, 364, 447, as amended; 26 U. S. C. 3101, 3105, 3112, 3124, 3656)

§ 182.568 *Certificate of taxpayment, Form 1595.* The collector will issue Form 1595 (appropriately modified, if shipment is in tank trucks), execute his certificate of taxpayment and enter the serial number of the certificate (in the column provided for entering the serial numbers of tax-paid stamps) on all copies of Form 1440. The collector will fill in all the required data in the blank spaces on the certificate except those provided in the lower left corner for the verification of the storekeeper-gauger, and date and sign the certificate in the same manner as a tax-paid stamp is required by § 182.564 to be filled in, dated, and signed. This certificate is not negotiable and shall not be used on any tank car or tank truck other than the one specified therein. The collector will enter on the original and the copy, or copies, of Form 1594, in the space provided, the serial number, date, and amount of the certificate issued. The collector will retain one copy of Form 1440 and the original copy of Form 1594. He will mail or deliver the certificate (Form 1595) and the original and remaining copies of Form 1440 to the vendor or his designated agent, in accordance with the vendor's request in Form 1594. The collector will send one copy of the application (Form 1594) to the district supervisor. Where the vendee is located in a different supervisory district, the collector will send the remaining copy of Form 1594 to the supervisor of the district in which the vendee is located.

(Interprets or applies 53 Stat. 357, 358, 360, 364; 26 U. S. C. 3101, 3105, 3112, 3124)

§ 182.569 *Bill of lading.* The proprietor shall incorporate in the bill of lading a description of Form 1595 as follows:

Form 1595, Serial No. _____
 Owner and No. of car (or truck) _____
 Vendor _____
 Address _____
 Vendee _____
 Address _____

(Interprets or applies 53 Stat. 357, 358, 364; 26 U. S. C. 3101, 3105, 3124)

§ 182.570 *Verification and affixing of certificate.* The proprietor shall give the certificate of tax-payment (Form 1595), the bill of lading, and all copies of Form 1440 to the storekeeper-gauger. The storekeeper-gauger will verify the contents of the tank car or tank truck and the description of Form 1595 in the bill of lading, determine the security of the route board, and, if no discrepancies are found, he will note the serial number of the certificate on Form 1440, and date and sign the certificate in the space provided therefor. The proprietor shall then affix the certificate to the route board in the presence of the storekeeper-gauger. The certificate must be securely affixed to the route board with good adhesive and with a tack in each corner, whereupon it will be canceled in the same manner as a tax-paid stamp after attachment to a package. The certificate will then be covered with a coating of transparent shellac, varnish, or lacquer to prevent its easy removal or alteration.

(Interprets or applies 53 Stat. 357, 358, 364; 26 U. S. C. 3101, 3105, 3124)

§ 182.571 *Release of tank car or tank truck.* When the certificate of tax-payment has been affixed to the route board and canceled, and the conveyance sealed by the proprietor (who shall furnish the necessary locks or seals), the storekeeper-gauger will return the bill of lading to the proprietor and release the tank car or tank truck for shipment. The storekeeper-gauger will forward one copy of Form 1440 to the district supervisor and deliver two copies to the proprietor, who will forward one copy to the vendee, and retain the remaining copy as a permanent record in accordance with § 182.643.

(Interprets or applies 53 Stat. 357, 358, 360, 364; 26 U. S. C. 3101, 3105, 3112, 3124)

§ 182.572 *Procedure when tank car or tank truck is empty; scalping certificate.* When alcohol is received in a tank car or tank truck by the proprietor of a rectifying plant, tax-paid bottling house, or other vendee authorized to receive tax-paid alcohol, the vendee shall, at the time the car is emptied, scalp the certificate of tax-payment on Form 1595 by cutting out all of that portion of the certificate within the border. The vendee shall then send the scalped portion of the certificate to the supervisor of the district in which the vendee is located and shall obliterate the remainder of the certificate. If the tank car or tank truck is received without the certificate attached thereto, the vendee shall note such fact on the bill of lading and immediately notify the district supervisor who will cause such inquiry to be made respecting the shipment and receipt of the conveyance as he may

deem appropriate. Where a conveyance with the certificate missing is received by a plant where a storekeeper-gauger is assigned, such storekeeper-gauger will furnish a complete report to the district supervisor.

(Interprets or applies 53 Stat. 358, 364; 26 U. S. C. 3105, 3124)

TAXPAID WITHDRAWALS BY PIPELINE TO RECTIFYING PLANT OR TAXPAID BOTTLING HOUSE

§ 182.574a *Gauging of alcohol.* Where a pipeline has been installed and approved for the transfer of alcohol, after tax payment, direct from the weighing tank in the industrial alcohol plant or bonded warehouse to a contiguous rectifying plant or taxpaid bottling house as provided in § 182.82 and the proprietor desires to so transfer alcohol, the alcohol will be run into a weighing tank where it will be gauged in accordance with § 182.405. The proprietor shall prepare Form 1440, in quadruplicate, giving the details of the gauge and submit all copies to the storekeeper-gauger for examination. If the forms are in proper order, the storekeeper-gauger will retain one copy and return three copies to the proprietor. The outlet of the weighing tank will be closed and locked before the alcohol to be tax-paid is transferred to the tank, and the inlet of the tank will be closed and locked after the alcohol has been run into the tank. Both the outlet and inlet will be kept locked, pending payment of tax and receipt of the collector's certificate of tax payment, Form 1595, as hereinafter provided.

(Interprets or applies 53 Stat. 357, 358, 364; 26 U. S. C. 3101, 3103, 3105, 3124)

§ 182.574e *Transfer of alcohol.* When a certificate of tax payment has been affixed to the weighing tank and cancelled, the storekeeper-gauger will unlock the outlet valve and permit the proprietor to transfer the alcohol by pipeline to the rectifying plant or taxpaid bottling house specified in the certificate. The alcohol shall be transferred only under the immediate supervision of the storekeeper-gauger at the industrial alcohol plant or bonded warehouse and the storekeeper-gauger at the rectifying plant or tax-paid bottling house who shall verify by weight or measure the quantity received. After the alcohol has been transferred, the storekeeper-gauger will forward one copy of Form 1440 and the cancelled Form 1595 to the district supervisor and deliver two copies of Form 1440 to the proprietor who will deliver one copy of such form to the rectifier or bottler.

(Interprets or applies 53 Stat. 357, 358, 364; 26 U. S. C. 3101, 3105, 3124)

EXPORTATION OF ALCOHOL FREE OF TAX

§ 182.611 *Account with continuing export bonds.* The district supervisor will keep an account with each continuing direct export bond, Form 1495, and each continuing transportation for export bond, Form 1496. In the account with each continuing direct export bond, the principal will be charged with the internal revenue tax on each lot of alcohol withdrawn thereunder for exportation and will receive credit for each lot concerning which satisfactory evidence of

landing in a foreign country has been received. In the account of each continuing bond for transportation for export, the principal will be charged with the internal revenue tax on each lot of alcohol withdrawn under the bond for transportation for export and will receive credit for each lot concerning which evidence of clearance from the port of export is received from the collector of customs. In case a shortage in any shipment is reported, credit will be entered for the actual quantity exported or cleared for exportation, as the case may be, but no credit will be entered for the loss until liability therefor has been terminated.

(Interprets or applies 53 Stat. 336, 337, 358, 364; 26 U. S. C. 2885, 2886, 3105, 3124)

TRANSFER OF ALCOHOL TO CUSTOMS MANUFACTURING BONDED WAREHOUSES

§ 182.625 *Account with continuing bond, Form 1460.* The district supervisor will keep an account with each bond on Form 1460, in which account the principal will be charged with the tax on each lot of alcohol removed for transportation to a customs manufacturing bonded warehouse and will receive credit for the tax on each lot concerning which satisfactory proof of the deposit in such warehouse is received. If there has been a loss of alcohol in transit, the account may be credited with the quantity of alcohol deposited in the manufacturing warehouse upon receipt from the collector of customs on Form 3923 (Bureau of Customs) covering the deposit. However, the loss shall not be credited until liability for tax due thereon has been terminated. When no further withdrawals are to be made under the bond, the district supervisor will, if there are no outstanding charges, cancel the bond in accordance with the provisions of § 182.314.

(Interprets or applies 53 Stat. 340, 358, 360, 364; 26 U. S. C. 2891, 3105, 3113, 3124)

RECORDS AND REPORTS OF PROPRIETOR

§ 182.648a *Record of warehouse receipts to be kept by proprietor.* Every proprietor of an industrial alcohol plant or bonded warehouse who sells, or offers for sale, alcohol or other distilled spirits by warehouse receipts shall keep a separate record, and render a monthly transcript, of all purchases and sales of warehouse receipts on Form 52-F. There need not be reported on Form 52-F transactions in warehouse receipts not involving the purchase or sale of alcohol or other distilled spirits, such as the receipt from a warehouseman of warehouse receipts covering the deposit of alcohol or other distilled spirits in his warehouse or the surrender of warehouse receipts for the transfer, in bond, of alcohol or other distilled spirits, to another warehouse. Entries on Form 52-F shall be made as indicated by the headings of the columns and lines of the form and in accordance with the instructions printed thereon or issued in respect thereto, and as required by this part. The provisions of § 182.648 (a) with respect to the time of making entries, and of § 182.648 (e) with respect to forms to be provided by users, are hereby made applicable to Form 52-F. The provi-

sions of § 182.648 (b) with respect to a separate record of serial numbers of cases are hereby made applicable to Form 52-F with respect to serial numbers of packages and cases purchased or sold by warehouse receipts. The monthly transcript on Form 52-F shall be forwarded to the district supervisor on or before the tenth day of the succeeding month. The physical removal of alcohol from an industrial alcohol plant shall be reported as prescribed in § 182.456. The physical removal of alcohol from an industrial alcohol bonded warehouse shall be reported on Forms 1443-A and 1443-B in accordance with the provisions of §§ 182.645 and 182.646, respectively. The physical receipt and disposition of alcohol at tax-paid premises shall be reported on Form 52-E or Record 52, as the case may be, in accordance with the provisions of § 182.648.

(Interprets or applies 53 Stat. 327, as amended, 328, 358, 364, 391; 26 U. S. C. 2857, 2859, 3105, 3124, 3254)

OPERATION OF INDUSTRIAL ALCOHOL DENATURING PLANTS

DENATURING OF ALCOHOL

§ 182.719 *Adding denaturants.* All alcohol shall be denatured in approved mixing tanks, except that, (a) by special permission of the district supervisor, denaturing in packages will be permitted to the extent of preparing special formulas that are occasionally produced at the plant and in no case exceeding 10 packages (not exceeding 600 gallons in the aggregate) of any one formula on the same day; *Provided,* That specially denatured alcohol formulas 18, 24, 25, and 25 alternative, may, upon notice to the district supervisor, be mixed in packages in any quantity; (b) a limited quantity of completely denatured alcohol may be prepared in packages, provided special permission of the district supervisor has first been obtained; (c) in cases of emergency only denaturing may be done in tank cars if permission is first obtained from the district supervisor; and (d) the Commissioner may approve other methods of adding denaturants.

(Interprets or applies 53 Stat. 355, 357, 358, 364; 26 U. S. C. 3070, 3102, 3105, 3124)

TRANSFER IN PACKAGES AND TANK CARS OF DENATURED ALCOHOL BETWEEN DENATURING PLANTS

§ 182.749 *Intradistrict transfers.* When denatured alcohol is shipped to another denaturing plant in the same supervisory district, in packages and tank cars, the proprietor will prepare two copies of Form 1467 (in addition to the copies prepared at the time the packages were filled pursuant to § 182.783) and four copies of Form 1473 reporting the shipment. When completely denatured alcohol is so shipped, the Forms 1473 will be modified to read "Completely," instead of "Specially," denatured alcohol. The proprietor will deliver all copies of the forms to the storekeeper-gauger in charge who shall at the time of shipment forward one copy each of Forms 1467 and 1473 to the supervisor of the district and two copies of Form 1473 and one copy of Form

1467 to the storekeeper-gauger in charge of the receiving denaturing plant, and return the remaining copy of Form 1473 to the proprietor for filing in accordance with § 182.788. After receipt of the denatured alcohol at the denaturing plant, forms will be disposed of in accordance with § 182.749a.

(Interprets or applies 53 Stat. 358, 364; 26 U. S. C. 3105, 3124)

EXPORTATION OF SPECIALLY DENATURED ALCOHOL

§ 182.759 *Approval of consent of surety and issuance of permit.* The district supervisor will examine the consent of surety and if it is properly executed as provided in §§ 182.184 to 182.190 and § 182.758, he will approve the consent, forward the original thereof to the Commissioner, retain a copy and return a copy to the permittee together with the permit. If there is nothing indicating that the specially denatured alcohol will not be exported in the manner stated in the application, and proper certificates of clearance and landing have been filed in accordance with § 182.767, for previous shipments for export, the district supervisor will issue the permit on Part II of Form 1545, and will return all copies thereof to the applicant.

(Interprets or applies 53 Stat. 358, 359, 364; 26 U. S. C. 3105, 3109, 3124)

RECORDS AND REPORTS OF PROPRIETOR

§ 182.785 *Form 1453-A.* When specially denatured alcohol is shipped to the United States or a governmental agency thereof, the proprietor of the denaturing plant will prepare Form 1453-A in triplicate. Where shipment is made in a tank truck the data required by § 182.754b or § 182.754c, as the case may be, to be entered on Form 1473 will be entered on Form 1453-A for such transaction. The proprietor will give all copies of Form 1453-A to the storekeeper-gauger who will check them with the records and permit and if found to agree therewith he will initial all copies. He will mail one copy of Form 1453-A to the consignee. In the case of tank truck shipments, he will enclose one copy in a sealed envelope addressed to the government officer to whom the specially denatured alcohol is consigned and give the same to the driver of the tank truck for delivery to such officer. He will forward a copy of Form 1453-A to the supervisor of the district in which the consignor's premises are located. He will return the remaining copy to the proprietor for filing in accordance with § 182.788. Upon receipt of the specially denatured alcohol, the receiving government officer will execute the certificate of receipt on Form 1453-A, after noting thereon any loss or deficiency in the shipment, and will forward it to the district supervisor specified at the bottom of the form. When specially denatured alcohol is not received within a reasonable time after shipment, or where any material or unexplained difference exists between the kind and quantity shipped and that received, the district supervisor shall investigate each case and take appropriate action in respect thereto. In addition, the district

supervisor will check daily, on receipt, the Form 1453-A covering tank truck shipments, and make any inquiry which he deems necessary with respect to any discrepancy. In the event of failure to receive a form from the consignee within the time normally required for the truck to make the shipment and the form to be received by mail, the district supervisor will make appropriate investigation.

(Interprets or applies 53 Stat. 355, 358, 364; 26 U. S. C. 3070, 3105, 3124)

OPERATIONS BY DEALERS IN SPECIALLY DENATURED ALCOHOL

DISPOSITION OF SPECIALLY DENATURED ALCOHOL

§ 182.813 *Sale.* Specially denatured alcohol may be sold by bonded dealers holding basic permit, Form 1476, to manufacturers using specially denatured alcohol, and to other bonded dealers in specially denatured alcohol, pursuant to withdrawal permit, Form 1485, or Form 1477, as the case may be. Bonded dealers may also furnish samples of specially denatured alcohol to manufacturers, other bonded dealers, and to prospective permittees pursuant to sample permit, Form 1512; *Provided,* That in the case of samples, where the quantity involved in any case does not exceed 8 fluid ounces, permit, Form 1512, will not be required. Sales of specially denatured alcohol may also be made to the United States or governmental agencies thereof pursuant to permit, Form 1486. The provisions of §§ 182.754 to 182.754e, respecting sales of specially denatured alcohol by denaturers, are hereby made applicable to sales of specially denatured alcohol by bonded dealers. Specially denatured alcohol sold by bonded dealers must be transported in accordance with § 182.677. Record and report of such transactions shall be reported on Form 1478, as provided in § 182.822. Tank trucks used for the transportation of specially denatured alcohol by bonded dealers, after filling, shall be sealed by appropriate seals, serially numbered, furnished and affixed by the shipper. The seal shall be dissimilar in marking from the cap seals used by the Bureau of Internal Revenue. The serial numbers of seals used and the data with respect to the carrier set forth in § 182.754b or § 182.754c will be recorded by the dealer on Form 1473 or Form 1453-A, as the case may be.

(Interprets or applies 53 Stat. 355, 358, 359, 360, 364; 26 U. S. C. 3070, 3105, 3109, 3114, 3124)

OPERATIONS BY USERS OF SPECIALLY DENATURED ALCOHOL

PROPRIETARY SOLVENTS AND LACQUER THINNERS

§ 182.847 *Containers.* * * *

(b) *Labels.* Where proprietary solvents and lacquer thinners are packaged by producers for their agents in containers of ½ gallon or more and not more than 5 wine gallons, such containers must be labeled to show the producer's name, address, and permit number; *Provided,* That where the product is packaged for the dealer, the name and address of the dealer may be shown in

lieu of the name and address of the producer, but the basic permit number of the producer must be placed on the labels. Where dealers repackage proprietary solvents in containers of 1/2 gallon or more but not more than 5 wine gallons, as authorized in paragraph (d) of this section, the name, address, and basic permit number of the producer or the name and address of the dealer and the basic permit number of the producer, shall likewise be placed on the labels of such containers. When proprietary solvents and lacquer thinners are shipped in tank cars, or tank trucks, a label will be affixed to the route board of each such vehicle, giving the name of the product, the quantity, and the producer's name, address, and permit number. Where such shipments are made by the producer's bona fide agent, the name and address of the agent may be shown in lieu of the name and address of the producer, but the basic permit number of the producer must be placed on the label.

CHANGE IN PROPRIETORSHIP, NAME, ETC.;
DISCONTINUANCE OF USE

§ 182.877 *Procedure*—(a) *Change in proprietorship, name, etc.* Where there is a change in proprietorship, or in the persons interested in the business, or in the individual, firm, or corporate name, trade name or style, or in the location of the premises, etc., procedure similar to that prescribed in §§ 182.650 to 182.652 will be followed insofar as applicable.

(b) *Discontinuance of use.* When the use of specially denatured alcohol is discontinued, the permittee shall give notice thereof in writing, in triplicate, to the district supervisor, and shall surrender to the district supervisor his basic and withdrawal permits. Any specially denatured alcohol remaining on hand at the time of such discontinuance may be disposed of in accordance with §§ 182.867 and 182.868, or when authorized by the district supervisor, the specially denatured alcohol may be disposed of to another person holding permit to use specially denatured alcohol of the same formula, upon the filing of a consent of surety, Form 1533, on the bond (if any), of the purchaser extending the terms of his bond to cover the transportation to, and use by, him of the specially denatured alcohol. Recovered denatured alcohol and articles remaining on hand shall be disposed of only as authorized by the district supervisor, after full advice respecting their condition and the disposition which it is desired to make of the recovered products has been submitted. When all specially denatured alcohol, recovered denatured alcohol, and articles, remaining on hand at the time of discontinuance of the use of specially denatured alcohol, have been properly disposed of, as herein provided, the district supervisor will approve the notice of discontinuance, noting thereon the disposition made of such specially denatured alcohol, recovered denatured alcohol, and articles, retain one copy of the notice for his files, and forward one

copy to the Commissioner and one copy to the permittee.

(Interprets or applies 53 Stat. 358, 364; 26 U. S. C. 3105, 3124)

DENATURED RUM

SALE AND USE OF DENATURED RUM

§ 182.879 *Dealers in and users of specially denatured rum.* The provisions of this part relating to specially denatured alcohol will apply, insofar as applicable, to the procurement and sale by bonded dealers, and the procurement and use by manufacturers, of specially denatured rum, except that dealers shall make deliveries in accordance with Regulations 16 (26 CFR Part 187).

(Interprets or applies 53 Stat. 355, 358, 364; 26 U. S. C. 3070, 3105, 3124)

IMPORTATION OF ALCOHOL FOR INDUSTRIAL PURPOSES

§ 182.997 *Gauging.* Upon receipt of the alcohol at the industrial alcohol plant, bonded warehouse, or denaturing plant from customs custody, it will be gauged in accordance with the provisions of this part and the Gauging Manual (26 CFR, Part 186): *Provided*, That where the bonded premises consist of storage tanks only, the spirits may be gauged upon receipt at such premises by any of the following three methods, preference to be given in the order named:

- Weighted in scale tanks.
- Gauged by volume in accurately calibrated storage tanks.
- Weighted on railroad car scales located on bonded premises by weighing tank cars before and after filling or emptying, as the case may be.

(Interprets or applies 53 Stat. 358, 364; 26 U. S. C. 3105, 3124)

2. The purposes of these amendments are as follows:

(a) To authorize the transfer of alcohol, by pipeline, after tax payment, to tax-paid bottling houses.

(b) To delegate to district supervisors the authority to approve the establishment of industrial alcohol plants, bonded warehouses, and denaturing plants.

(c) To incorporate, in this part, regulations applicable to the gauging of alcohol at industrial alcohol plants, bonded warehouses, and denaturing plants, now contained in the Gauging Manual (26 CFR, Part 186), but which are being deleted from the current revision of such manual.

(d) To modify requirements for construction of alcohol tanks.

(e) To modify the specifications concerning colors for pipelines in industrial alcohol plants, bonded warehouses and denaturing plants.

(f) To require testing and certification by State, county, or city departments of weights and measures, or by responsible scale companies, of scales used for weighing alcohol in large quantities, and to amend specifications for graduations of beams or dials of tank scales used for weighing alcohol.

(g) To provide for the removal, in tank trucks, of tax-paid alcohol from an industrial alcohol plant or bonded warehouse.

(h) To liberalize the requirements with respect to filing an indemnity bond to cover the removal of equipment from an industrial alcohol plant or bonded warehouse premises to another bonded premises where the two premises are controlled by the same interests.

(i) To provide for the approval of alternate methods of adding denaturants to ethyl alcohol under unusual circumstances.

(53 Stat. 375; 26 U. S. C. 3176)

Effective date. This Treasury Decision shall be effective as of September 1, 1950.

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

Approved: August 11, 1950.

THOMAS J. LYNCH,
Acting Secretary of the Treasury.

[F. R. Doc. 50-7177; Filed, Aug. 17, 1950;
8:48 a. m.]

TITLE 15—COMMERCE AND
FOREIGN TRADE

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

Subchapter C—Office of Industry and Commerce
[5th Gen. Rev. of Export Regs., Amdt.
P. L. 11¹]

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 added to the Positive List:

Dept of Comm. Sched. B No.	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Validated license required
82990	Chemical specialties: Chemical specialty compounds, n. e. s.; Polytrifluoroethylene (Kel-F) grease, oil or wax. Industrial chemicals (exclusive of medicinal chemicals (U. S. P. and N. F.): Organic chemicals not of coal-tar origin, n. e. s.:		COTA	1	RO
83290	Paraformaldehyde, solid	Lb.	ORGN	100	R
83790	Sodium compounds: Sodium bismuthate	Lb.	SALT	500	RO
83990	Other industrial chemicals: Cobalt compounds, all		SALT	100	RO
84290	Pigments, paints, and varnishes: Chemical pigments, n. e. s.:	Lb.	PLAT	100	RO
84390	Cobalt-containing pigments Chemical-containing paint and varnish driers	Lb.	PLAT	100	RO

¹ This amendment was published in Current Export Bulletin No. 581, dated August 10, 1950.

2. The following commodities are changed from R to RO commodities. Accordingly, the entries therefor on the Positive List are amended to read as follows:

Dept. of Comm. Sched. B No.	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Validated license required
622087	Ferro-alloys: Ferrovanadium	Lb.	NONF	500	RO
663700	Other nonferrous ores, metals, and alloys, except precious: Vanadium ore and concentrates, vanadic oxide (pentoxide V ₂ O ₅) content. Metals and alloys in primary forms, n. e. s. (except ferro-alloys): Vanadium metal, alloys and scrap	C. lb.	NONF	100	RO
664990	Metal and metal composition manufactures: Flue dust, vanadium ¹	Lb.	NONF	100	RO
660198			NONF	100	RO

¹ Formerly included in the entry "other metal and metal composition manufactures, n. e. s., validated license required R."

3. The entries on the Positive List for coal-tar coke, Schedule B No. 500400; petroleum coke, Schedule B No. 504800; and certain carbon and graphite products, Schedule B Nos. 547300 and 547400 are changed as set forth below. In addition, the two entries under Schedule B No. 548098 "carbon products, n. e. s." and

"artificial graphite products, n. e. s." are deleted from the Positive List and certain of the commodities formerly covered by these two entries are included in amended entries for Schedule B No. 548098 as set forth below. Accordingly, the entries therefor on the Positive List are amended to read as follows:

Dept. of Comm. Sched. B No.	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Validated license required
500400	Coal and related fuels: Coal-tar coke, including coal-tar coke flour (report petroleum coke, including petroleum coke flour, in 504800). ¹	S. ton	COAL	100	RO
504800	Petroleum and products: Petroleum coke, including petroleum coke flour ¹	L. ton	PETR	100	RO
547300	Other nonmetallic minerals (precious included): Carbon or graphite products (natural and artificial): Carbon or artificial graphite electrodes for furnace or electrolytic work, 2 inches in cross-sectional dimension and over. ²	Lb.	NONF	None	RO
547300	Carbon or artificial graphite electrodes for furnace or electrolytic work, 3/4 inch up to, but not including, 2 inches in cross-sectional dimension. ²	Lb.	NONF 35	25	R
547400	Brushes and brush stock in the form of blocks, plates, and rods, carbon and artificial graphite. ³		ELME 2	None	RO
548098	Artificial graphite powder ⁴		NONF	None	RO
548098	Carbon or artificial graphite blocks, bricks, or plates—all sizes (report brush stock in 547400). ⁵		NONF	25	RO
548098	Carbon or artificial graphite electrodes other than for furnace, or electrolytic work, and rods, 2 inches cross-sectional dimension and over. ⁶		NONF	None	RO
548098	Carbon or artificial graphite electrodes other than for furnace or electrolytic work, and rods, 3/4 inch up to, but not including, 2 inches in cross-sectional dimension. ⁷		NONF 35	25	R
548098	Carbon or artificial graphite scrap. ⁸		NONF	None	RO

¹ This amendment clarifies the commodity description without making substantive change.
² By this amended entry carbon electrodes for furnace or electrolytic work, 2 inches in cross-sectional dimension and over, formerly included in the entry "Other electrodes for furnace or electrolytic work," are changed from R to RO commodities.

³ The effect of this amended entry is to delete all electrodes for furnace or electrolytic work, under 3/4 inch in cross-sectional dimension, from the Positive List.

⁴ The effect of this amended entry is to add to the Positive List carbon brushes and brush stock in the form of blocks, plates and rods.

⁵ This amendment does not change the license requirements. The commodity was formerly included in the entry "Artificial graphite products, n. e. s.," Schedule B No. 548098.

⁶ The commodities in this amended entry were formerly included in the two entries under Schedule B No. 548098.

⁷ Carbon products, n. e. s., validated license required R; and "Artificial graphite products, n. e. s.," validated license required RO. The effect of this amended entry is to change the carbon blocks, bricks or plates—all sizes, from R to RO commodities.

⁸ The commodities in this amended entry were formerly included in the two entries under Schedule B No. 548098.

⁹ Carbon products, n. e. s., validated license required R, and "Artificial graphite products, n. e. s.," validated license required RO. The effect of this amended entry is to change the carbon electrodes other than for furnace or electrolytic work, and rods, 2 inches cross-sectional dimension and over, from R to RO commodities.

¹⁰ The commodities in this amended entry were formerly included in the two entries under Schedule B No. 548098.

¹¹ Carbon products, n. e. s., validated license required R, and "Artificial graphite products, n. e. s.," validated license required RO. The effect of this amended entry is to delete all electrodes other than for furnace or electrolytic work and rods under 3/4 inch in cross-sectional dimension from the Positive List. Also, all artificial graphite electrodes 3/4 inch up to, but not including, 2 inches cross-sectional dimension are changed from RO to R commodities.

¹² By this amended entry carbon scrap, formerly included in the entry "Carbon products, n. e. s.," is changed from an R to an RO commodity.

Except for polytrifluorochloroethylene (Kel-F) grease, oil or wax, Schedule B No. 829990, shipments of the commodities removed from general license to Country Group R or Country Group O destinations as a result of changes set forth in Parts 1 and 2 of this amendment, which were on dock, on lighter,

laden aboard an exporting carrier, or in transit to a port of export pursuant to actual orders for export prior to the effective date of this amendment, may be exported under the previous general license provisions.

This amendment shall become effective as of August 10, 1950.

(63 Stat. 7; E. O. 9630, Sept. 27, 1945, 10 P. R. 12245, 3 CFR, 1945 Supp.; E. O. 9919, Jan. 3, 1948, 13 P. R. 59, 3 CFR, 1948 Supp.)

Issued this 14th day of August 1950.

[SEAL] RAYMOND S. HOOVER,
Issuance Officer.

[F. R. Doc. 50-7224; Filed, Aug. 17, 1950; 8:48 a. m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration PART 4—DEPENDENTS AND BENEFICIARIES CLAIMS

FILING OF CLAIMS FOR UNAUTHORIZED BURIAL, FUNERAL AND TRANSPORTATION EXPENSES

In § 4.200, paragraph (a) is amended to read as follows:

§ 4.200 *Filing of claim for unauthorized burial, funeral, and transportation expenses—(a) Execution of claim.* Claims for burial, funeral, and transportation expenses must be submitted on VA Form 8-530, Application for Burial Allowance, and should be executed by:

(1) The undertaker where bill is unpaid.

(2) The individual who used personal funds to pay burial, funeral, and transportation expenses.

(3) The executor or administrator of the estate of the veteran or of the estate of the person who paid the expense of the veteran's burial. If no administrator or executor is appointed, then by some person acting for such estate who will make distribution of the burial allowance to the person or persons entitled under the laws governing the distribution of intestate estates in the State of the decedent's personal domicile.

In addition to the VA Form 8-530, claims for burial, funeral, and transportation expenses should be supported by a statement of account (preferably on the billhead of the undertaker), showing the cost of the service rendered and the name of the deceased veteran. Where charges for items not ordinarily carried in an undertaker's stock or for services performed by persons other than the undertaker or his regular employees are listed on an unpaid bill supporting a claim for burial allowance, receipts therefor will not be required in any claim adjudicated on or after August 18, 1950. All statements of account, where paid, must show by whom payment was made and be received in the name of the undertaking firm or individual owner who received payment.

(Sec. 5, 43 Stat. 608, as amended, sec. 2, 46 Stat. 1016, sec. 7, 48 Stat. 9; 38 U. S. C. and Sup. 11a, 426, 707. Interpret or apply sec. 17, 48 Stat. 11, E. O. 6158, as amended; June 6, 1933, 33 U. S. C. 717, ch. 12 note)

This regulation effective August 18, 1950.

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

[F. R. Doc. 50-7213; Filed, Aug. 17, 1950; 8:49 a. m.]

PART 21—VOCATIONAL REHABILITATION AND EDUCATION

SUBPART C—TRAINING FACILITIES

1. Section 21.415 is hereby canceled:
 § 21.415 *Review*. [Canceled.]

2. In § 21.530 (c), a new subparagraph (4) is added as follows:

§ 21.530 *Determination of fair and reasonable compensation*. * * *
 (c) *VA Form 7-1969 and VA Form 7-1968*. * * *

(4) *Number of copies and distribution*. VA Form 7-1969 or VA Form 7-1968 will be prepared in triplicate by the educational institution. Upon completion of negotiations and the establishment of an agreed contract rate, distribution will be made as follows: The original to the regional office concerned, duplicate to the educational institution, and triplicate to the special assistant to the director, training facilities service, for the area concerned.

3. In § 21.532 (d) (3), subdivision (vi) is amended as follows:

§ 21.532 *Basis of payment for consumable instructional supplies under Parts VII and VIII, Veterans Regulation 1 (a) as amended (38 U. S. C. ch. 12)*. * * *
 (d) *Basis of payment*. * * *
 (3) *When payment will not be made*.

(vi) When a third party provides the articles or equipment for repair or improvement and for which he would otherwise pay a commercial price. For example, repairs made to an automobile belonging to a third party (or a student) in which the instructional supplies are not expended and are not salvaged for re-use.

4. Section 21.637 is amended to read as follows:

§ 21.637 *Termination of contracts under Part VII, Veterans Regulation 1 (a), as amended (38 U. S. C. ch. 12)*. Under Part VII the Veterans' Administration has complete responsibility for

the veteran-trainee. When the regional office considers that fraud has been committed against the Government or that the contractor is not furnishing the courses of instruction as required by the terms of the contract and the contractor has refused to correct the condition or that the best interests of the Government or trainees will be served by termination to be effected by the withdrawal of trainees from the establishment or institution, the full particulars pertaining to the desired termination, together with the recommendations of the regional office, will be forwarded to central office for the authority to terminate the contract.

(Sec. 2, 46 Stat. 1016, sec. 7, 48 Stat. 9, sec. 2, 57 Stat. 43, as amended, sec. 400, 58 Stat. 287, as amended; 38 U. S. C. and Sup. 11a, 701, 707, ch. 12 note. Interpret or apply secs. 3, 4, 57 Stat. 43, as amended, secs. 300, 1500-1504, 1506, 1507, 58 Stat. 286, 300, as amended; 38 U. S. C. and Sup. 693g, 697-697d, 697f, g, ch. 12 note.)

This regulation effective August 18, 1950.

[SEAL]

O. W. CLARK,
 Deputy Administrator.

[F. R. Doc. 50-7214; Filed, Aug. 17, 1950;
 8:49 a. m.]

TITLE 50—WILDLIFE

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

Subchapter C—Management of Wildlife Conservation Areas

PART 36—ALASKA REGION

HUNTING IN ALEUTIAN ISLANDS NATIONAL WILDLIFE REFUGE

Basis and purpose: On the basis of observations and reports of field representatives of the Fish and Wildlife Service, it has been determined that waterfowl and ptarmigan hunting can be permitted on a part of Adak Island in the Aleutian Islands National Wildlife Refuge, without interfering with the primary purpose of the Refuge.

Inasmuch as the following regulations are relaxations of the existing prohibition against hunting on the Refuge, the notice and public rule-making procedure required by the Administrative Procedure Act (60 Stat. 237, 5 U. S. C. 1001 et seq.) are hereby found to be impracticable and the effective date requirement of the Administrative Procedure Act does not apply.

Effective immediately upon publication in the FEDERAL REGISTER, §§ 36.11 to 36.13 are added.

HUNTING

§ 36.11 *Waterfowl and ptarmigan hunting permitted*. Waterfowl and ptarmigan may be taken in the daylight hours during the period from September 1, 1950, to February 28, 1951, inclusive, on all of Adak Island of the Aleutian Islands National Wildlife Refuge, except that part south and west of a line extending from the head of the South Arm of Three Arm Bay to the head of the Bay of Waterfalls, as designated by posting by the officer in charge of the Refuge, subject to the provisions, restrictions, and requirements of §§ 36.12 to 36.13, inclusive.

§ 36.12 *Entry*. Entry on and use of the Refuge for any purpose are governed by the regulations in Parts 18 and 21 of this chapter and by §§ 36.2 to 36.5, inclusive, of this subpart, and strict compliance therewith is required.

§ 36.13 *Territory hunting laws*. All hunters must comply with the provisions of the Alaska Game Law and regulations issued pursuant thereto, and must have on their person and exhibit at the request of any authorized Federal officer, whatever license may be required by such law and regulations, which license shall serve as a Federal permit for hunting on the Refuge.

(Sec. 10, 45 Stat. 1224; 16 U. S. C. 7151)

CLARENCE COTTAM,
 Acting Director.

[F. R. Doc. 50-7225; Filed, Aug. 17, 1950;
 8:48 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR, Part 51]

ITALIAN SPROUTING BROCCOLI

U. S. CONSUMER STANDARDS

Notice is hereby given that the United States Department of Agriculture is considering the issuance of United States Consumer Standards for Italian Sprouting Broccoli under the authority contained in the Agricultural Marketing Act of 1946 (60 Stat. 1087; 7 U. S. C. 1621, et seq.).

All persons who desire to submit written data, views or arguments for consideration in connection with the pro-

posed standards should file the same with M. W. Baker, Assistant Director, Fruit and Vegetable Branch, Production and Marketing Administration, United States Department of Agriculture, South Building, Washington 25, D. C., not later than 5:30 p. m., e. s. t., on the 30th day after the publication of this notice in the FEDERAL REGISTER.

The proposed standards are as follows:

§ 51.146 *Consumer standards for Italian sprouting broccoli*—(a) *Grades*—(1) *U. S. Grade A*. U. S. Grade A consists of stalks, or parts of stalks of Italian sprouting broccoli which are well trimmed, and have good characteristic color, and fairly compact bud clusters; and which are fresh, tender, and clean, and are free from decay and from damage caused by discoloration, freezing,

hollow stem or pithiness, scars, disease, insects, or mechanical or other means. Broccoli stalks on the shown face shall be reasonably representative in size and quality of the contents of the container.

(1) The length of the stalks or parts thereof shall be not more than 6 inches nor less than 3 inches, and the diameter of the stem shall be not less than ¼ inch.

(ii) Incident to proper grading and handling, not more than 5 percent, by weight, of the broccoli stalks or parts thereof in any lot may fail to meet the size requirements and, in addition, not more than 5 percent, by weight, may fail to meet the remaining requirements of the grade, including not more than 1 percent for decay.

(2) *U. S. Grade B*. U. S. Grade B consists of stalks or parts of stalks of Italian

sprouting broccoli which meet the requirements of U. S. Grade A except as to compactness of bud clusters and except for the increased tolerances specified below.

(i) Stalks or parts of stalks of broccoli of this grade shall have reasonably compact bud clusters.

(ii) Incident to proper grading and handling, not more than 10 percent, by weight, of the broccoli stalks or parts thereof in any lot may fail to meet the size requirements and in addition, not more than 10 percent, by weight, may fail to meet the remaining requirements of the grade, including not more than 1 percent for decay.

(b) *Off-Grade Italian sprouting broccoli.* Italian sprouting broccoli which fails to meet the requirements of either of the foregoing grades shall be *Off-Grade Italian sprouting broccoli.*

(c) *Definitions.* (1) "Stalk" means a portion of the broccoli plant including the stem, bud clusters and leaves.

(2) "Well trimmed" means that all coarse, damaged, and discolored leaves and leaves extending more than 1½ inches above the top of the head have been removed, and that cross cuts on butts and lengthwise cuts on split stalks are smooth.

(3) "Good characteristic color" means that the stem and external portion of the head or part thereof has a light green or darker shade of green color except that purplish color shall be allowed on the external portion of the head or part thereof.

(4) "Fairly compact bud clusters" means that the individual florets of bud clusters are relatively small and fairly tightly crowded together and that the bud clusters on the stalk or part of a stalk are generally close together.

(5) "Fresh" means that the broccoli is not flabby or more than slightly wilted.

(6) "Tender" means that the broccoli is succulent, and that the stems are not fibrous, tough or stringy.

(7) "Clean" means that the broccoli is practically free from sand, dirt, silt, muck, and other water-insoluble inorganic material.

(8) "Damage" means any defect which more than slightly affects the appear-

ance, or the edible, shipping, or keeping quality of the individual stalks or parts thereof, or the lot as a whole. The following defects or any combination of defects, the seriousness of which exceeds the maximum allowed for any one defect shall be considered as damage:

(i) Discoloration, when more than very slight.

(ii) Freezing, when causing more than slight discoloration of the individual unit.

(iii) Hollow stem or pithiness, when discolored, or when more than slightly affecting the appearance of the individual unit.

(iv) Scars, when discolored, or when more than slight or superficial.

(v) Disease, when showing discoloration, or when more than slightly affecting the appearance of the individual unit.

(vi) Insects, when worms or worm frass are present or when there is more than slight infestation by other insects.

(9) "Diameter" means the greatest thickness of the stem measured at the base.

(10) "Reasonably compact bud clusters" means that the individual florets of bud clusters are not on the verge of opening, but that pedicels on florets may be moderately elongated and bud clusters may be moderately open and spreading.

Done at Washington, D. C. this 14th day of August 1950.

[SEAL] JOHN I. THOMPSON,
Assistant Administrator, Pro-
duction and Marketing Ad-
ministration,

[F. R. Doc. 50-7238; Filed, Aug. 17, 1950;
8:50 a. m.]

[7 CFR, Part 961]

[Docket No. AO 160-A 12]

HANDLING OF MILK IN PHILADELPHIA, PA., MARKETING AREA

NOTICE OF HEARING ON PROPOSED AMEND-
MENTS TO THE TENTATIVE MARKETING
AGREEMENT AND TO THE ORDER, AS
AMENDED

Pursuant to the Agricultural Market-
ing Agreement Act of 1937, as amended

(7 U. S. C. 601 et seq.), and in accordance with the applicable rules of practice and procedure, as amended (7 CFR Part 900), notice is hereby given of a hearing to be held at the John Bartram Hotel, Locust and Broad Streets, Philadelphia, Pennsylvania, beginning at 10:00 a. m., e. d. s. t., August 29, 1950, for the purpose of receiving evidence with respect to proposed amendments hereinafter set forth, or appropriate modifications thereof, to the tentative marketing agreement heretofore approved by the Secretary of Agriculture and to the order, as amended, regulating the handling of milk in the Philadelphia, Pennsylvania, milk marketing area. These proposed amendments have not received the approval of the Secretary of Agriculture.

This hearing is called and will be conducted concurrently with a hearing by the Pennsylvania Milk Control Commission.

The following proposals have been submitted for consideration at the hearing:

The Inter-State Milk Producers' Cooperative proposed that:

1. The Class I price for milk shall be \$5.84 per hundredweight for the months of October, November and December, 1950.

The Dairy Branch proposes:

1. That evidence be received concerning the establishment of a Class I price for milk in Philadelphia during the months of January, February and March, 1951, that is 40 cents less than the Class I price that is determined for the previous quarter.

Copies of this notice of hearing, the said order, as amended, and the said tentative marketing agreement may be procured from the Market Administrator, 1612 Market Street, Philadelphia, Pennsylvania, or from the Hearing Clerk, United States Department of Agriculture, Room 1353, South Building, Washington 25, D. C., or may be there inspected.

Dated: August 15, 1950.

[SEAL] F. R. BURKE,
Acting Assistant Administrator.

[F. R. Doc. 50-7240; Filed, Aug. 17, 1950;
8:50 a. m.]

NOTICES

DEPARTMENT OF LABOR

Wage and Hour Division

EMPLOYMENT OF LEARNERS

NOTICE OF ISSUANCE OF SPECIAL CERTIFICATES

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938, as amended (52 Stat. 1068, as amended; 29 U. S. C. and Supp. 214), and Part 522 of the regulations issued thereunder (29 CFR, Part 522), special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rate applicable under section 6 of the act

have been issued to the firms listed below. The employment of learners under these certificates is limited to the terms and conditions therein contained and is subject to the provisions of Part 522. The effective and expiration dates, occupations, wage rates, number or proportion of learners, and learning period for certificates issued under the general learner regulations (§§ 522.1 to 522.14) are as indicated below; conditions provided in certificates issued under special industry regulations are as established in those regulations.

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear and Other Odd Outerwear, Rainwear, Robes

and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations (29 CFR 522.160 to 522.165; as amended, January 25, 1950 (15 F. R. 399)).

Alabama Textile Products Corp., Panama City, Fla., effective 7-26-50 to 3-31-51; 10 percent normal labor turn-over (shirts).

Alabama Textile Products Corp., Andalusia, Ala., effective 7-26-50 to 3-31-51; 10 percent normal labor turn-over (shirts and pants).

The Andala Co., Coffee Street, Andalusia, Ala., effective 7-26-50 to 3-31-51; 10 percent normal labor turn-over (shirts).

The Avenue Shop, Inc., 2501 East Eager Street, Baltimore, Md., effective 7-26-50 to 3-31-51; 7 percent of the number of productive factory workers (coats).

Bellak Brothers, 1416 South Mole Street, Philadelphia 46, Pa., effective 8-4-50 to 3-31-51; 10 percent normal labor turn-over (men's sportswear).

Bestform Foundations of Pennsylvania, Inc., Cherry and Baumer Streets, Johnstown, Pa., effective 7-26-50 to 3-31-51; 10 percent normal labor turn-over (girdles, brassieres, etc.).

Cap-Eck Dress Co., 1144 Butler Street, Easton, Pa., effective 8-4-50 to 3-31-51; 10 percent normal labor turn-over (dresses).

Carroll Manufacturing Co., Westminster, Md., effective 7-26-50 to 3-31-51; 7 percent of productive factory force (men's clothing).

Choctaw Manufacturing Co., Inc., Silas, Ala., effective 8-1-50 to 3-31-51; 85 learners for expansion purposes (work clothing).

Dickson-Jenkins Manufacturing Co., 202-208 St. Louis Avenue, Fort Worth, Tex., effective 8-4-50 to 3-31-51; 10 percent normal labor turn-over (pants, shirts, jackets and shorts).

Diehl Sewing Co., Rear 135 South George Street, York, Pa., effective 8-4-50 to 3-31-51; 7 percent of the total number of factory workers (not including office and sales personnel (boys' wash suits)).

Dixie Hat & Uniform Cap Co., Inc., 85 South Second Street, Memphis 3, Tenn., effective 8-4-50 to 3-31-51; two learners (men's and boys' hats and caps).

Elder Manufacturing Co., McLeansboro, Ill., effective 7-26-50 to 3-31-51; 10 percent normal labor turn-over (dress shirts).

Bob Ellen Sportswear Co., Inc., 104-8 East Main Street, Wilkes-Barre, Pa., effective 8-4-50 to 3-31-51; 10 percent normal labor turn-over (dresses).

Enterprise Manufacturing Co., Enterprise, Ala., effective 7-26-50 to 3-31-51; 10 percent normal labor turn-over (dress shirts).

Esther Dress Co., Inc., 177 Cherry Street, Waterbury, Conn., effective 7-26-50 to 3-31-51; 10 percent normal labor turn-over (dresses and suits).

Freedman-Roedelheim Co., Quaker Shirt Division, Apple Street, Quakertown, Pa., effective 7-26-50 to 3-31-51; 10 percent normal labor turn-over (shirts).

H. L. Friedlen & Co., 278 West Thirteenth Street, Holland, Mich., effective 7-26-50 to 3-31-51; 10 percent normal labor turn-over (jackets, mackinaws, etc.).

G. & H. Manufacturing Corp., Fredericksburg, Va., effective 7-26-50 to 3-31-51; 7 percent of total number of productive factory workers, not including office and sales personnel (men's suits, coats, slacks, etc.).

Hickey-Freeman Co., 1155 North Clinton Avenue, Rochester 21, N. Y., effective 7-26-50 to 3-31-51; 7 percent of total number of productive factory workers, not including office and sales personnel (men's clothing).

Hickey-Freeman Co., 13 East Center Street, Medina, N. Y., effective 7-26-50 to 3-31-51; 7 percent of total number of productive factory workers, not including office and sales personnel (men's clothing).

Hickey-Freeman Co., 106 Main Street, Mount Morris, N. Y., effective 7-26-50 to 3-31-51; 7 percent of total number of productive factory workers, not including office and sales personnel (men's clothing).

Hickey-Freeman Co., 11 Lehigh Avenue, Batavia, N. Y., effective 7-26-50 to 3-31-51; 7 percent of total number of productive factory workers, not including office and sales personnel (men's clothing).

Hickey-Freeman Co., 109 East Bank Street, Albion, N. Y., effective 7-26-50 to 3-31-51; 7 percent of total number of productive factory workers, not including office and sales personnel (men's clothing).

Hickey-Freeman Co., 43 Lake Street, LeRoy, N. Y., effective 7-26-50 to 3-31-51; 7 percent of total number of productive factory workers, not including office and sales personnel (men's clothing).

Lineville Manufacturing Co., Lineville, Ala., effective 7-26-50 to 3-31-51; 10 percent normal labor turn-over (men's and boys' pants).

Lion Manufacturing Co., Everett, Pa., effective 7-26-50 to 3-31-51; 7 percent of total number of productive factory workers, not including office and sales personnel (men's coats).

M. & S. Co., Inc., 2607 DeSaird Street, Monroe, La., effective 7-26-50 to 3-31-51; 10 percent normal labor turn-over (slacks and dress pants).

MacLaren Sportswear Corp., Buckannon, W. Va., effective 7-26-50 to 3-31-51; 10 percent normal labor turn-over (men's slacks).

Mode Manufacturing Corp., Wind Gap, Pa., effective 8-4-50 to 3-31-51; 10 percent normal labor turn-over (blouses).

The More Manufacturing Co., 162 West Monroe Street, Chicago 3, Ill., effective 8-4-50 to 3-31-51; five learners (housecoats, lounging pajamas, and sportswear).

The More Manufacturing Co., Marissa, Ill., effective 8-4-50 to 3-31-51; five learners (housecoats, sportswear and lounging pajamas).

Mount Union Manufacturing Co., Mount Union, Pa., effective 7-26-50 to 3-31-51; seven percent of total number of productive factory workers, not including office and sales personnel (men's coats).

National Dress Co., Barclay and Stacy Streets, Burlington, N. J., effective 8-4-50 to 3-31-51; five learners (blouses).

New England Pants Co., Inc., 131 Ash Street, Willimantic, Conn., effective 7-26-50 to 3-31-51; 10 percent normal labor turn-over (slacks).

Nu-Maid Manufacturing Co., Inc., 120 Sawyer Street, New Bedford, Mass., effective 8-2-50 to 3-31-51; 10 percent normal labor turn-over (dresses).

Onyx Blouse Co., Inc., Long Avenue, Orwigburg, Pa., effective 8-4-50 to 3-31-51; 10 percent normal labor turn-over (sport shirts).

Onyx Blouse Co., Inc., Valley Street, New Philadelphia, Pa., effective 8-4-50 to 3-31-51; 10 percent normal labor turn-over (sport shirts).

Onyx Blouse Co., Inc., 474 North Center Street, Pottsville, Pa., effective 8-4-50 to 3-31-51; 10 percent normal labor turn-over (sports shirts).

Plastex Protective Products, Inc., 145-151 Cotty Avenue, Clifton, N. J., effective 7-26-50 to 3-31-51; 10 percent normal labor turn-over (plastic raincoats).

Prairie Manufacturing Co., 106 South Washington Avenue, East Prairie, Mo., effective 7-26-50 to 3-31-51; 5 percent of productive factory force (work and dress pants).

Primo Pants Co., Versailles, Mo., effective 7-26-50 to 3-31-51; 10 percent normal labor turn-over (men's and boys' pants).

R-S Underwear Co., Coopersburg, Pa., effective 7-26-50 to 3-31-51; 10 percent normal labor turn-over (briefs, polo shirts and shorts).

Salemi and Son, 45 North Division, Buffalo, N. Y., effective 7-26-50 to 3-31-51; 10 percent normal labor turn-over (pants).

Schaefferstown Garment Co., Schaefferstown, Pa., effective 7-26-50 to 3-31-51; 10 percent normal labor turn-over (cotton nightwear).

Schwob Manufacturing Co., Chipley, Ga., effective 7-26-50 to 3-31-51; 7 percent of total number of productive factory workers, not including office and sales personnel (men's dress pants).

Scranton Belt Co., Inc., 786 East Drinker Street, Dunmore, Pa., effective 7-26-50 to 3-31-51; two learners (women's belts).

Selden Sportswear, Horse Block Road and Greenlawn Place, Farmingdale, Long Island, N. Y., effective 8-2-50 to 3-31-51; 10 percent normal labor turn-over (blouses).

Seven Valley Shirt Co., Seven Valley, Pa., effective 7-26-50 to 3-31-51; 10 percent normal labor turn-over (sport shirts).

Shelburne Shirt Co., Inc., 69 Alden St., Fall River, Mass., effective 7-26-50 to 3-31-51; 10 percent normal labor turn-over (men's dress and sport shirts).

The Shirtecraft Co., Inc., 633 McKinley Street, Hazleton, Pa., effective 7-26-50 to 3-31-51; 10 percent normal labor turn-over (shirts, pajamas, etc.).

Sipkin Corp., 6 West Market Street, Hellam, Pa., effective 7-26-50 to 3-31-51; 10 percent normal labor turn-over (children's cotton dresses).

A. Solomon, 427 Camp Street, New Orleans, La., effective 7-26-50 to 3-31-51; 7 percent of total number of productive factory workers, not including office and sales personnel (suits, coats, and trousers).

The Solomon Co., Inc., Leeds, Ala., effective 7-26-50 to 3-31-51; 10 percent normal labor turn-over (trousers, jackets, and pants).

Stadium Manufacturing Co., Inc., 1501 Guilford Avenue, Baltimore 2, Md., effective 7-26-50 to 3-31-51; 10 percent normal labor turn-over (men's pajamas and nightwear).

The Standard Garment Co., 2283 Fulton Street, Toledo 10, Ohio, effective 8-4-50 to 3-31-51; 10 percent normal labor turn-over (washable service).

States Niteware Manufacturing Co., Inc., 60 Hatch Street, New Bedford, Mass., effective 7-26-50 to 3-31-51; 10 percent normal labor turn-over (ladies' cotton underwear).

Staunton Manufacturing Co., Staunton, Va., effective 7-26-50 to 3-31-51; 7 percent of total number of productive factory workers (not including office and sales personnel) (men's clothing).

Steward Manufacturing Co., Inc., 63 Central Avenue, Ossining, N. Y., effective 7-26-50 to 3-31-51; 10 percent normal labor turn-over (dresses).

Stewartstown Manufacturing Co., Stewartstown, Pa., effective 7-26-50 to 3-31-51; 7 percent of total number of productive factory workers, not including office and sales personnel (sackcoats, topcoats, etc.).

Su-Ann Togs, South Main Street, Box 209, Barnegat, N. J., effective 7-26-50 to 3-31-51; 10 percent normal labor turn-over (dresses).

Superior Coat Shop, 642 North Broad Street, Philadelphia, Pa., effective 7-26-50 to 3-31-51; 7 percent of the number of productive factory workers (men's sack coats).

Trenton Shirt Manufacturing Co., Mercersburg Plant, Mercersburg, Pa., effective 7-26-50 to 3-31-51; 10 percent normal labor turn-over (work shirts).

Troutman Shirt Co., Inc., Troutman, N. C., effective 7-26-50 to 3-31-51; 10 percent normal labor turn-over (work shirts).

United Pants Co., Inc., Swoyerville Branch, Swoyerville, Pa., effective 7-26-50 to 3-31-51; 10 percent normal labor turn-over (sport shirts, pants etc.).

Wilson Brothers, 216 Spring Street East, LaGrange, Ind., effective 7-26-50 to 3-31-51; 4 learners (men's neckties).

Womelsdorf Manufacturing Co., Third and Mulberry Streets, Womelsdorf, Pa., effective 7-26-50 to 3-31-51; 10 percent normal labor turn-over (slips and gowns).

Glove Learner Regulations (29 CFR 522.220 to 522.222; as amended January 25, 1950 (15 F. R. 400).)

Boss Manufacturing Co., Green Island, Nebr., effective 7-26-50 to 10-25-50; 10 percent of productive employees or a minimum of 10 learners (work gloves).

Boss Manufacturing Co., Toledo, Ohio, effective 7-26-50 to 10-25-50; 10 percent of productive employees or a minimum of 10 learners (work gloves).

Livermore Falls Glove Co., Livermore, Maine, effective 7-26-50 to 3-31-51; three learners (work gloves).

The National Glove Co., 924 East Main Street, Columbus, Ohio, effective 7-26-50 to 3-31-51; five learners (work gloves).

Pen Argyl Glove Co., Inc., Mount Bethel, Pa., effective 7-26-50 to 3-31-51; 10 percent of total number of workers (knit fabric gloves).

Reinhart Mitten Co., 451 North Fourth Street, Milwaukee, Wis., effective 7-25-50 to 3-31-51; three learners (leather dress and work gloves).

Knitted Wear Learner Regulations (29 CFR 522.68 to 522.79; as amended January 25, 1950 (15 F. R. 398)).

J. E. Morgan Manufacturing Co., Tamaqua, Pa., effective 7-25-50 to 3-31-51; 5 percent of the number of productive factory workers, not including office and sales personnel (knit underwear).

Norwich Knitting Co., Norwich, N. Y., effective 7-26-50 to 3-31-51; 5 percent of the number of productive factory workers, not including office and sales personnel (T-shirts).

Van Raalte Co., Inc., Middlebury, Vt., effective 7-26-50 to 3-31-51; 5 percent of the number of productive factory workers (not including office and sales personnel) (knit underwear).

Van Raalte Co., Inc., Randolph, Vt., 5 percent of the number of productive factory workers, not including office and sales personnel; effective 7-24-50 to 3-31-51 (panties, alps, and gowns).

Varynit Mills Division, Beaunit Mills, Inc., Franklin, Ind., effective 7-25-50 to 3-31-51; 5 percent of the number of productive factory workers, not including office and sales personnel (knit underwear).

Regulations Applicable to the Employment of Learners (29 CFR, 522.1 to 522.14).

Flower Products Co., Inc., 535 East Thirty-fifth Street, Chicago, Ill., effective 8-9-50 to 2-9-51; five learners; flower maker, including slipping-up, heading, tying, pasting, rose-making, branching, and stemming, 160 hours, 60 cents.

Globe Manufacturing Corp., 2012 East Federal Street, Baltimore, Md., effective 8-1-50 to 1-31-51; 10 learners; venetian blind assemblers, 160 hours, 65 cents (venetian blinds).

Hartlaub Furniture Co., 15 Main Street, McSherrystown, Pa., effective 8-4-50 to 2-3-51; two learners; machine operators, 480 hours, assemblers, 480 hours, 60 cents for the first 320 hours and not less than 65 cents for the remaining 160 hours (furniture manufacturing and cabinet making).

James Heddon's Sons, West Dowagiac, Mich., effective 8-1-50 to 1-31-51; 10 learners; fly tiers, 480 hours, rod winders, 480 hours, 60 cents for the first 320 hours and 65 cents for the remaining 160 hours (fishing rods and fish lines).

Midwest Burlap & Bag Co., Des Moines, Iowa, effective 8-2-50 to 1-1-51; three learners; burlap bag patcher, 160 hours, 60 cents (burlap bags).

Royal River Packing Corp., Yarmouth, Maine, effective 8-4-50 to 12-15-50; 10 percent of total productive factory workers, not including office, maintenance, sales or other personnel; sardine packing, 160 hours, 60 cents (sardine packers).

The following special learner certificates were issued in the Shoe Industry. These certificates authorize the employment of learners in any occupations except custodial, maintenance, supervisory, and office and clerical occupations. The learning period is 480 hours at not less than 65 cents an hour for the first 240 hours and not less than 70 cents an hour for the next 240 hours, except as otherwise indicated in parentheses.

Quaker Shoe Corporation, 913 Greenleaf Street, Allentown, Pa., effective 8-3-50 to 8-25-50; 10 percent learners (shoes).

The following special learner certificates were issued to the school-operated industries listed below:

Spanish-American Seminary, Sandoval, N. Mex.; reissued certificate; effective 1-25-50 to 9-15-50; broom factory, sorting, winding brooms, broom corn stitching, brooms and bushing and leveling brooms; 24 learners; 250 hours at 45 cents, 250 hours at 50 cents, 250 hours at 60 cents.

Each certificate has been issued upon the employer's representation that employment of learners at subminimum rates is necessary in order to prevent curtailment of opportunities for employment, and that experienced workers for the learner occupations are not available except that employers of student-workers employed in school-operated industries were not required to certify to the non-availability of experienced workers. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of Part 522.

Signed at Washington, D. C., this 10th day of August 1950.

ISABEL FERGUSON,
Authorized Representative
of the Administrator.

[F. R. Doc. 50-7206; Filed, Aug. 17, 1950;
8:45 a. m.]

INTERDEPARTMENTAL COMMITTEE ON TRADE AGREEMENTS

TRADE-AGREEMENT NEGOTIATIONS WITH CUBA

I. Trade-agreement negotiations with Cuba, which is a contracting party to the General Agreement on Tariffs and Trade;

II. Supplementary notice as to trade-agreement negotiations with the countries named in the notices of April 11, 1950, published April 14, 1950 and May 15, 1950;

III. Possible adjustment in preferential rates on Cuban products.

Pursuant to section 4 of the Trade Agreements Act, approved June 12, 1934, as amended (48 Stat. 945, ch. 474, Public Law 307, 81st Cong.) and to paragraph 4 of Executive Order 10082 of October 5, 1949 (14 F. R. 6105), notice is hereby given by the Interdepartmental Committee on Trade Agreements of intention to conduct trade-agreement negotiations with the Republic of Cuba. This notice is the second notice supplementary to the notice by the Committee dated April 11, 1950, published April 14, 1950 (15 F. R. 2114).

There is annexed hereto a list of articles imported into the United States to be considered for possible modification of duties and other import restrictions, imposition of additional import restrictions, or specific continuance of existing customs or excise treatment in proposed trade-agreement negotiations with the Republic of Cuba and with any of the countries with which trade-agreement negotiations were proposed in the notice of April 11, 1950, published April 14,

1950, viz, Australia, Austria, Belgium, Brazil, Canada, France, the Federal Republic of Germany, Guatemala, Korea, Luxemburg, New Zealand, the Netherlands, Norway, Peru, Turkey, the Union of South Africa, and the United Kingdom, and in the supplementary notice of May 15, 1950, viz, Denmark, the Dominican Republic, India, Indonesia, Italy, and Sweden. Articles included in the list annexed to the Committee's notice of April 11, 1950, published April 14, 1950, and in the supplementary notice of May 15, 1950, may be considered also in negotiations with Cuba.

In the case of each article in the list annexed to this notice with respect to which the corresponding product of Cuba is subject to preferential treatment, the negotiations with any country other than Cuba will involve the elimination, reduction, or continuation of the preference, perhaps with an adjustment or specification of the rate applicable to the product of Cuba.

No article will be considered in the negotiations for possible modification of duties or other import restrictions, imposition of additional import restrictions, or specific continuance of existing customs or excise treatment unless it is included, specifically or by reference, in the list annexed to the notice by the Committee of April 11, 1950, published April 14, 1950, in the list annexed to the supplementary notice of May 15, 1950, or in the annexed list, or unless it is subsequently included in a supplementary public list. No duty or import tax imposed under a paragraph or section of the Tariff Act or Internal Revenue Code other than the paragraph or section listed with respect to such article will be considered for a possible decrease, although an additional or separate duty on an article included in the annexed list which is imposed under a paragraph or section other than that listed may be bound against increase as an assurance that the concession under the listed paragraph will not be nullified.

Persons interested in export items may present their views regarding any tariff (including preferential tariff) or other concessions that might be requested of the Republic of Cuba.

Pursuant to section 4 of the Trade Agreements Act, as amended, and Paragraph 5 of Executive Order 10082 of October 5, 1949, information and views as to any aspect of the proposals announced in this notice may be submitted to the Committee for Reciprocity Information in accordance with the announcement of this date issued by that Committee.

The United States Tariff Commission has issued a notice (15 F. R. 2114) stating the location and availability of tariff and commodity information pertinent to the pending negotiations.

By direction of the Interdepartmental Committee on Trade Agreements this 17th day of August 1950.

CARL D. CORSE,
Chairman, Interdepartmental
Committee on Trade Agree-
ments.

* See F. R. Doc. 50-7266, *infra*.

LIST OF ARTICLES IMPORTED INTO THE UNITED STATES WHICH IT IS PROPOSED SHOULD BE CONSIDERED IN TRADE-AGREEMENT NEGOTIATIONS WITH THE COUNTRIES SPECIFIED IN FOREGOING PUBLIC NOTICE

The following list contains descriptions of articles imported into the United States which it is proposed should be considered for possible modification of duties and other import restrictions, imposition of additional import restrictions, or specific continuance of existing customs or excise treatment in the trade-agreement negotiations which are proposed with the countries specified in the foregoing public notice.

For the purpose of facilitating identification of the articles listed, reference is made in the list to the paragraph numbers of the tariff schedules in the Tariff Act of 1930. The descriptive phraseology is frequently limited to a narrower scope than that covered by the cited paragraph. In such cases only the articles covered by the descriptive phraseology of the list will come under consideration for negotiation.

In the event that an article which as of January 1, 1950 was regarded as classifiable under a description included in the list is excluded therefrom by judicial decision or otherwise prior to the inclusion of such description in a trade agreement, the list will nevertheless be considered as including such article.

The United States Tariff Commission has issued a notice (15 F. R. 2114) stating the location and availability of tariff and commodity information pertinent to the pending negotiations announced herein.

SCHEDULE 1—CHEMICALS, OILS, AND PAINTS

17. Mercurial preparations (other than calomel, corrosive sublimate, and red mercuric oxide).

24. Flavoring extracts, natural or synthetic fruit flavors, fruit esters, oils and essences, all the foregoing and their combinations, when containing alcohol.

28. (b) Synthetic indigo, "Colour Index No. 1177", and sulphur black, "Colour Index No. 978".

54. Soy-bean oil.

66. Enamel paints, consisting of pigments or colors ground in or mixed with varnish, not specifically provided for.

67. Barytes ore, whether crude or unmanufactured or ground or otherwise manufactured.

92. Tonka beans.

SCHEDULE 2—EARTH, EARTHENWARE, AND GLASSWARE

205. (e) Manufactures of which plaster of Paris is the component material of chief value, not specially provided for.

211. Earthenware and crockery ware composed of a nonvitrified absorbent body, including white granite and semi-porcelain earthenware, and cream-colored ware, terra cotta, and stoneware, including clock cases with or without movements, pill tiles, plaques, ornaments, charms, vases, statues, statuettes, mugs, cups, steins, lamps, and all other articles composed wholly or in chief value of such ware, however provided for in paragraph 211, Tariff Act of 1930, and

manufactures in chief value of such ware, not specially provided for (except any of the foregoing which are tableware, kitchenware, or table or kitchen utensils, and except any of the foregoing having a body not composed wholly of clay and valued at less than \$10 per dozen).

218. (d) All glassware commercially known as plated or cased glass, composed of two or more layers of clear, opaque, colored, or semitranslucent glass, or combinations of the same.

232. (a) Onyx, sawed or dressed, over 2 inches in thickness.

234. (a) Granite suitable for use as monumental, paving, or building stone, not specially provided for, hewn, dressed, pointed, pitched, lined, or polished, or otherwise manufactured.

SCHEDULE 3—METALS AND MANUFACTURES OF

302. (i) Silicon metal.

(m) Ferrophosphorus, ferroaluminum vanadium, ferromanganese vanadium, ferrosilicon vanadium, and ferrosilicon aluminum vanadium.

(r) Ductile tantalum metal, ductile columbium or niobium metal, and ductile nonferrous alloys of tantalum metal, or of columbium or niobium metal.

327. Cast-iron pipe of every description, and cast-iron fittings for cast-iron pipe.

366. Parts of and fittings for automatic, single-shot, magazine, or revolving pistols and revolvers.

372. Machines, finished or unfinished, not specially provided for, and parts, not specially provided for, wholly or in chief value of metal or porcelain: Food preparing or manufacturing machines (not including food grinding or cutting machines, bakery machines, and machines for manufacturing chocolate or confectionery).

374. Aluminum, and alloys (except those provided for in paragraph 302, Tariff Act of 1930) in which aluminum is the component material of chief value, in crude form (not including aluminum scrap).

397. Articles or wares not specially provided for, composed wholly or in chief value of iron, steel, lead, copper, brass, nickel, pewter, zinc, aluminum, or other base metal, but not plated with platinum, gold, or silver, or colored with gold lacquer, whether partly or wholly manufactured: Typewriter spools not wholly or in chief value of lead.

SCHEDULE 4—WOOD AND MANUFACTURES OF

408. Boxes, barrels, and other articles containing oranges, lemons, limes, grapefruit, shaddocks or pomelos; and the thin wood, so-called, comprising the sides, tops, and bottoms of fruit boxes of the growth or manufacture of the United States, exported as fruit-box shooks and reimported in completed form, filled with fruit.

SCHEDULE 7—AGRICULTURAL PRODUCTS AND PROVISIONS

710. Cheese and substitutes therefor (except Roquefort cheese in original loaves, blue-mold cheese in original loaves, cheddar cheese not processed

otherwise than by division into pieces, Edam and Gouda cheeses containing 40 per centum or more of butterfat, and Camembert, Brie, Coulommiers, Pont-l'Evêque cheeses).

720. (a) (2) Fish, smoked or kippered (except fish packed in oil or in oil and other substances and except fish packed in airtight containers weighing with their contents not more than 15 pounds each): Herring (except hard dry-smoked), whole or beheaded, but not further advanced.

721. (d) Caviar and other fish roe for food purposes (except sturgeon), not boiled or not packed in air-tight containers.

722. Patent barley and barley flour.

724. Seed corn or maize.

726. Oatmeal, rolled oats, oat grits, and similar oat products.

730. Vegetable oil cake and oil-cake meal, not specially provided for: Linseed.

734. Apples, green or ripe.

736. Berries, edible (except blueberries), prepared or preserved, or frozen, but not in brine and not dried, desiccated, or evaporated, and not specially provided for.

756. Almonds, bitter, shelled.

763. Grass seeds and other forage crop seeds: Rye grass.

765. Beans, not specially provided for, green or unripe: Lima beans, when entered for consumption during the period from June 1 to October 31, inclusive, in any year.

772. Tomatoes in their natural state.

774. Vegetables in their natural state: Eggplant, when entered for consumption during the period from April 1 to November 30, inclusive, in any year. Cucumbers, when entered for consumption during the period from March 1 to June 30, inclusive, or during the period from September 1 to November 30, inclusive, in any year.

775. Pimientos, packed in brine or in oil, or prepared or preserved in any manner.

781. Spices and spice seeds, not specially provided for: Onion powder.

SCHEDULE 8—SPIRITS, WINES, AND OTHER BEVERAGES

806. (a) Cherry juice, prune juice, or prune wine, and all other fruit juices and fruit sirups, not specially provided for (except citrus-fruit juices), containing less than one half of 1 per centum of alcohol.

SCHEDULE 9—COTTON MANUFACTURES

912. Candle wicking, wholly or in chief value of cotton or other vegetable fiber.

SCHEDULE 10—FLAX, HEMP, JUTE, AND MANUFACTURES OF

1003. Jute sliver.

1005. (a) (1) Cordage, including cables, tarred or untarred, composed of three or more strands, each strand composed of two or more yarns, wholly or in chief value of sisal or henequen.

SCHEDULE 11—WOOL AND MANUFACTURES OF

1117. (c) All other floor coverings, including mats and druggets, wholly or in chief value of wool (except those wholly

or in chief value of hair of the Angora goat, alpaca, llama, guanaco, haurizo, suri, misti, or a combination of the hair of two or more of these species), not specially provided for, all the foregoing valued at more than 40 cents per square foot.

SCHEDULE 12—SILK MANUFACTURES

1205. Plain woven fabrics, in the piece the fibers of which are wholly of silk, dyed or colored, whether or not exceeding 30 inches in width, and whether woven with fast or split edges; any of the foregoing suitable for stenciling purposes in screen-process printing and valued at more than \$5.50 per pound.

SCHEDULE 13—MANUFACTURES OF RAYON OR OTHER SYNTHETIC TEXTILE

1305. Rayon or other synthetic textile in bands or strips not exceeding one inch in width, suitable for the manufacture of textiles.

SCHEDULE 14—PAPERS AND BOOKS

1406. Cigar bands, composed wholly or in chief value of paper lithographically printed in whole or in part from stone, gelatin, metal, or other material, not specially provided for, printed in less than eight colors (bronze printing to be counted as two colors), but not printed in whole or in part in metal leaf.

SCHEDULE 15—SUNDRIES

1513. All other toys, and parts of toys, not specially provided for: Stuffed animal figures not having a spring mechanism, not over six inches in height and valued at 35 cents or more each, or over six inches but not over eleven inches in height and valued at \$1 or more each, or over eleven inches but not over fourteen inches in height and valued at \$2 or more each, or over fourteen inches in height and valued at \$3.50 or more each; building blocks or bricks, valued at 8 cents or more per pound; and all parts of toys (except parts wholly or in chief value of china, porcelain, parian, bisque, earthenware, or stoneware, of toys which are not in the forms of musical instruments and capable of emitting sound).

1527. (c) (2) Articles valued over 20 cents per dozen pieces, designed to be worn on apparel or carried on or about or attached to the person, and parts thereof, finished or unfinished, composed wholly or in chief value of metal other than gold or platinum (whether or not enameled, washed, covered, or plated, including rolled gold plate), or (if not composed in chief value of metal and if not dutiable under clause 1 of paragraph 1527 (c), Tariff Act of 1930) set with and in chief value of precious or semiprecious stones, pearls, cameos, coral, amber, imitation precious or semiprecious stones, or imitation pearls: Parts of cigar and cigarette lighters valued at 20 cents or more but not above \$5 per dozen parts; powder cases, vanity cases, and compacts, valued at not above \$5 per dozen pieces; and parts of powder cases, vanity cases, and compacts, valued at 20 cents or more but not above \$5 per dozen parts.

1529. (a) Laces, lace fabrics, and lace articles, made wholly by hand without

the use of any machine-made material or article provided for in paragraph 1529 (a), Tariff Act of 1930 (except laces, fabrics, and articles, if exceeding 2 inches in width and valued at more than \$50 per pound); all the foregoing if wholly or in chief value of tinsel wire, lame, bullions, or metal threads, however provided for in said paragraph 1529 (a).

Articles (except wearing apparel and lace window curtains) in part of machine-made laces, lace fabrics, or lace articles, however provided for in paragraph 1529 (a), Tariff Act of 1930, but not including any article of a class or kind with respect to which United States import duties are reduced or bound against increase pursuant to any trade agreement heretofore concluded under section 350 of the Tariff Act of 1930, as amended.

Articles of wearing apparel wholly or in part of net or netting, however provided for in paragraph 1529 (a), Tariff Act of 1930, not including any article which is embroidered (whether or not the embroidery is on a scalloped edge), tamboured, appliqued, ornamented with beads, bugles, or spangles, or from which threads have been omitted, drawn, punched, or cut, and with threads introduced after weaving to finish or ornament the openwork, not including one row of straight hemstitching adjoining the hem.

Sweaters, knit or crocheted, wholly or in chief value of wool, embroidered (whether or not the embroidery is on a scalloped edge), tamboured, appliqued, ornamented with beads, bugles, or spangles, or from which threads have been omitted, drawn, punched, or cut.

1529. (b) Handkerchiefs, wholly or in part of lace, and handkerchiefs embroidered (whether with a plain or fancy initial, monogram, or otherwise, and whether or not the embroidery is on a scalloped edge), tamboured, appliqued, or from which threads have been omitted, drawn, punched, or cut, and with threads introduced after weaving to finish or ornament the openwork, not including one row of straight hemstitching adjoining the hem; all the foregoing, finished or unfinished, composed wholly or in chief value of silk, and whether or not made with hand rolled or hand made hems.

1530. (e) Men's, youths', and boys' boots, shoes, or other footwear (including athletic or sporting boots and shoes), made wholly or in chief value of leather, not specially provided for (except turn or turned, or sewed or stitched by the process or method known as McKay, or made by the process or method known as welt, or having molded soles laced to uppers, and except huaraches, slippers for house wear, and moc-casins of the Indian handicraft type having no line of demarcation between the soles and the uppers).

1541. (a) Musical instruments and parts thereof, not specially provided for: Stringed instruments (not including pianos, violins, violas, violoncellos, and double basses), and parts thereof.

1558. All raw or unmanufactured

articles not enumerated or provided for: Frog legs.

All articles manufactured, in whole or in part, not specially provided for: Preparations for flavoring or seasoning food, in chief value of yeast extract, containing no alcohol, and not including sauces; ice cream; and incense.

FREE LIST

1674. Palm leaf in its natural state not colored, dyed, or otherwise advanced or manufactured.

1810. Stained or painted window glass or stained or painted glass windows which are works of art when imported to be used in houses of worship, valued at \$15 or more per square foot.

[F. R. Doc. 50-7270; Filed, Aug. 17, 1950; 9:30 a. m.]

COMMITTEE FOR RECIPROCITY INFORMATION

TRADE-AGREEMENT NEGOTIATIONS WITH CUBA

I. Trade-agreement negotiations with Cuba, which is a contracting party to the General Agreement on Tariffs and Trade;

II. Supplementary notice as to trade-agreement negotiations with the countries named in the notices of April 11, 1950, published April 14, 1950, and May 15, 1950;

III. Possible adjustment in preferential rates on Cuban products.

Submission of information to the Committee for Reciprocity Information. Closing date for application to be heard, September 7, 1950. Closing date for submission of briefs, September 14, 1950. Public hearings open, September 25, 1950.

The Interdepartmental Committee on Trade Agreements has issued on this day a notice of intention¹ to conduct trade-agreement negotiations with the Republic of Cuba.

Annexed to the notice by the Interdepartmental Committee on Trade Agreements is a list of articles imported into the United States to be considered for possible trade-agreement negotiations which is the second notice supplementary to the list annexed to the notice by that Committee of April 11, 1950, published April 14, 1950 (15 F. R. 2114). Articles in both these lists, and in the list annexed to the supplementary notice by that Committee of May 15, 1950, may be considered for negotiation with the Republic of Cuba and with the countries named in the notice of April 11, 1950, published April 14, 1950, and in the notice of May 15, 1950.

The Interdepartmental Committee on Trade Agreements has also announced in such notice that, in the case of each article in the list with respect to which the corresponding product of Cuba is subject to preferential treatment, the negotiations referred to with any country other than Cuba will involve the elimination, reduction, or continuation of the preference, perhaps with an ad-

¹ See F. R. Doc. 50-7270, *supra*.

justment or specification of the rate applicable to the product of Cuba.

The Committee for Reciprocity Information hereby gives notice that all applications for oral presentation of views in regard to the foregoing proposals, which must indicate the product or products on which the individuals or groups desire to be heard, shall be submitted to the Committee for Reciprocity Information not later than 12:00 noon, September 7, 1950, and all information and views in writing in regard to the foregoing proposals shall be submitted to the Committee for Reciprocity Information not later than 12:00 noon, September 14, 1950.

Such communications shall be addressed to "The Chairman, Committee for Reciprocity Information, Tariff Commission Building, Washington 25, D. C.". Ten copies of written statements, either typed, printed, or duplicated shall be submitted, of which one copy shall be sworn to.

Public hearings will be held before the Committee for Reciprocity Information, at which oral statements will be heard. The first hearing will be at 10:00 a. m. on September 25, 1950, in the Hearing Room in the Tariff Commission Building, Seventh and E Streets NW., Washington 25, D. C. Witnesses who make application to be heard will be advised regarding the time and place of their individual appearances. Appearances at hearings before the Committee may be made only by or on behalf of those persons who have filed written statements and who have within the time prescribed made written application for oral presentation of views. Statements made at the public hearings shall be under oath.

Persons or groups interested in import products may present to the Committee their views concerning possible tariff concessions by the United States in negotiations with the Republic of Cuba on any product, whether or not included in the list annexed to the notice of intention to negotiate. However, as indicated in the notice of intention to negotiate, no tariff reduction will be considered on any product which is not included in the list annexed to the public notice by the Interdepartmental Committee on Trade Agreements of April 11, 1950, published April 14, 1950 (15 F. R. 2114), in the list annexed to the notice of May 15, 1950, the list annexed to the notice issued by said Committee on this date, or in a supplementary public list.

Persons interested in export items may present their views regarding any tariff (including preferential tariff) or other concessions that might be requested of the Republic of Cuba.

Copies of the list attached to the notice of intention to negotiate may be obtained from the Committee for Reciprocity Information at the address designated above and may be inspected at the field offices of the Department of Congress. The United States Tariff Commission has issued a notice (15 F. R. 2114) stating the location and availability of tariff and commodity information pertinent to the pending negotiations announced herein.

By direction of the Committee for Reciprocity Information this 17th day of August 1950.

EDWARD YARDLEY,
Secretary, Committee for
Reciprocity Information.

[F. R. Doc. 50-7266; Filed, Aug. 17, 1950;
9:27 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-1454]

MISSISSIPPI RIVER FUEL CORP.

NOTICE OF APPLICATION

AUGUST 11, 1950.

Take notice that on August 2, 1950, Mississippi River Fuel Corporation (Applicant) a Delaware corporation with its principal place of business in St. Louis, Missouri, filed an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, authorizing the construction and operation of the following described facilities:

An additional delivery point to Illinois Power Company by the installation of a tap on Applicant's Line No. 2 at a point on U. S. Survey No. 416, Township 1 South, Range 10 West, Monroe County, Illinois, near where said Line No. 2 crosses Monroe County Highway No. SA 6, and the construction adjacent thereto of a regulating and metering station for the purpose of measuring the gas delivered.

Applicant says that the proposed service to be rendered is to meet the requirements of Illinois Power Company in connection with the proposed distribution of natural gas in the town of Columbia, Illinois, a suburban community 13 miles from St. Louis, Missouri, with a population of some 1,871. It says that its gas supply will continue to be obtained as indicated in Docket No. G-1281.

The estimated cost of the proposed installation and construction is \$6,360, which Applicant expects to finance out of cash on hand.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) before the 31st day of August 1950. The application is on file with the Commission for public inspection.

[SEAL]

J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 50-7215; Filed, Aug. 17, 1950;
8:47 a. m.]

[Docket No. G-1455]

HOPE NATURAL GAS CO.

NOTICE OF APPLICATION

AUGUST 11, 1950.

Take notice that on August 3, 1950, Hope Natural Gas Company (Applicant), a West Virginia corporation, with its principal place of business in Clarksburg, West Virginia, filed an application for a certificate of public convenience

and necessity pursuant to section 7 of the Natural Gas Act, as amended, authorizing the construction and operation of the following described facilities:

An 18-inch natural gas transmission pipeline approximately 19½ miles in length, extending in a southeasterly direction from its present L. L. Tonkin Compressor Station in Doddridge County, West Virginia, to a point in the present Fink Storage Area, located in Lewis County, West Virginia.

Applicant states that the proposed facilities will not be used to serve any new markets or areas, but will be integrated with its presently existing transmission system to render more adequate service to its present customers, through greater utilization of its Fink Storage Area.

Applicant alleges that the proposed facilities will provide an increased pipe line capacity into this storage area of some 100,000 Mcf per day, and will permit Applicant to increase its ultimate volume of gas in this storage area by approximately 25,000,000 Mcf.

The estimated cost of the proposed facilities is \$790,000, which Applicant intends to finance from cash on hand.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) before the 31st day of August 1950. The application is on file with the Commission for public inspection.

[SEAL]

J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 50-7216; Filed, Aug. 17, 1950;
8:47 a. m.]

[Docket No. G-1456]

ARKANSAS LOUISIANA GAS CO.

NOTICE OF APPLICATION

AUGUST 11, 1950.

Take notice that on August 3, 1950, Arkansas Louisiana Gas Company (Applicant), a Delaware corporation with its principal place of business in Shreveport, Louisiana, filed an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, authorizing the construction and operation of the following described facilities:

1. (Section A) Approximately 4.9 miles of 8½ inch O. D. welded pipeline, extending from a point in Section 21, Township 23 North, Range 7 West, in the East Haynesville Field of Claiborne Parish, Louisiana in a westerly direction to a dehydrator installation located at a point in Section 22, Township 23 North, Range 8 West in the Haynesville Field of Claiborne Parish, Louisiana.

2. (Section B) Approximately 16.4 miles of 8½ inch O. D. welded pipeline, extending from the dehydrator installation described under Section A, in a northwesterly direction to the Columbia Gas Treating Plant, owned and operated by Arkansas Fuel Oil Company and located in Section 9, Township 18 South, Range 21 West, Columbia County, Arkansas, including a telephone line to parallel the pipeline and metering, regulating and appurtenant facilities.

Applicant alleges that natural gas produced in the East Haynesville Field and

to be transported through the proposed facilities will be used to supplement the gas supply available to its pipeline system in the State of Arkansas; that it has entered into a 20-year contract with Hunt Oil Company, et al., for the purchase of gas produced from various leases in the East Haynesville Field; and that negotiations are under way for similar contracts with other owners of producing property in this East Haynesville Field.

Under the contemplated operating pressure conditions, Applicant states that the capacity of the proposed facilities will be about 31,000 Mcf per day. Some 24,000 Mcf of gas per day to be obtained in the East Haynesville Field are expected to flow through these facilities, and Applicant estimates that this will result in a reduction of its curtailment estimate to about 40,000 Mcf per day, and will replace gas heretofore available from the Dorcheat-Macedonia Field of Southern Arkansas, which is now declining rapidly.

Applicant asserts that construction of the proposed facilities will not result in increased rates to domestic, commercial or small industrial consumers, that service to new or additional consumers, other than those anticipated through normal growth of the area, is not involved, and that no additional revenue is expected to arise out of the proposed construction.

The estimated cost of Section A of the proposed construction is \$83,669, and of Section B, \$284,078. Applicant proposes to finance the construction out of its cash reserves and the proceeds of additional bank loans bearing interest at 2½ percent per annum.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) before the 31st day of August 1950. The application is on file with the Commission for public inspection.

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

[F. R. Doc. 50-7217; Filed, Aug. 17, 1950;
8:47 a. m.]

[Project No. 199]

SOUTH CAROLINA PUBLIC SERVICE
AUTHORITY

NOTICE OF APPLICATION FOR AMENDMENT
OF LICENSE

AUGUST 11, 1950.

Public notice hereby is given that South Carolina Public Service Authority has filed application under the Federal Power Act (16 U. S. C. 791a-825r) for amendment of its license for Project No. 199 on the Santee River, to authorize operation of its reservoir with normal high-water level at elevation 76.8 feet above mean sea level at a specified point, and operation of all other project waters at such levels as may result therefrom.

Any protest against the approval of this application or request for hearing thereon, with the reason for such protest or request and the name and ad-

dress of the party or parties so protesting or requesting should be submitted on or before September 20, 1950, to the Federal Power Commission, Washington 25, D. C.

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

[F. R. Doc. 50-7218; Filed, Aug. 17, 1950;
8:47 a. m.]

[Project No. 1927]

CALIFORNIA OREGON POWER CO.

NOTICE OF APPLICATION FOR AMENDMENT
OF LICENSE (MAJOR)

AUGUST 14, 1950.

Public notice hereby is given that The California Oregon Power Company has filed application under the Federal Power Act (16 U. S. C. 791a-825r) for amendment of its license for Project No. 1927 to authorize the construction, operation and maintenance of an additional hydroelectric development and an access road.

Any protest against the approval of this application or request for hearing thereon, with the reason for such protest or request and the name and address of the party or parties so protesting or requesting should be submitted on or before September 29, 1950, to the Federal Power Commission.

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

[F. R. Doc. 50-7219; Filed, Aug. 17, 1950;
8:47 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 25327]

SUPERPHOSPHATE FROM FLORIDA TO WESTERN TRUNK LINE TERRITORY

APPLICATION FOR RELIEF

AUGUST 15, 1950.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for and on behalf of carriers parties to Agent C. A. Spaninger's tariff I. C. C. No. 1180.

Commodities involved: Superphosphate, carloads.

From: Points in Florida.

To: Points in Western Trunk Line Territory.

Grounds for relief: Competition with rail carriers and circuitous routes.

Schedules filed containing proposed rates: C. A. Spaninger's tariff I. C. C. No. 1180, Supplement 3.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commis-

sion, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 50-7220; Filed, Aug. 17, 1950;
8:48 a. m.]

[4th Sec. Application 25328]

LIQUEFIED CHLORINE GAS FROM BATON ROUGE AND NORTH BATON ROUGE, LA.

APPLICATION FOR RELIEF

AUGUST 15, 1950.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for and on behalf of carriers parties to Agent W. P. Emerson, Jr.'s tariff I. C. C. No. 378.

Commodities involved: Liquefied chlorine gas, tank-carloads.

From: Baton Rouge and North Baton Rouge, La.

To: Decatur, Ill., Louisville, Ky., and Terre Haute, Ind.

Grounds for relief: Circuitous routes. Schedules filed containing proposed rates: W. P. Emerson, Jr.'s tariff I. C. C. No. 378, Supplement 95.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 50-7221; Filed, Aug. 17, 1950;
8:48 a. m.]

[4th Sec. Application 25329]

IRON AND STEEL ARTICLES IN THE SOUTH
APPLICATION FOR RELIEF

AUGUST 15, 1950.

The Commission is in receipt of the above-entitled and numbered applica-

tion for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for and on behalf of carriers parties to Agent C. A. Spaninger's tariff I. C. C. No. 920.

Commodities involved: Iron and steel articles, tin and terne plate and tin mill black plate, carloads.

Between: Stations on the Apalachicola Northern Railroad, on the one hand, and points in southern territory, Illinois and Indiana, also St. Louis, Mo., on the other.

Grounds for relief: Competition with rail carriers, circuitous routes and competition with motor carriers.

Schedules filed containing proposed rates: C. A. Spaninger's tariff I. C. C. No. 920, Supplement 182.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 50-7222; Filed, Aug. 17, 1950;
8:48 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-2380]

COLUMBIA GAS SYSTEM, INC., AND
COLUMBIA ENGINEERING CORP.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 14th day of August A. D. 1950.

The Columbia Gas System, Inc. ("Columbia"), a registered holding company, and its subsidiary, Columbia Engineering Corporation ("Engineering"), having filed a joint application-declaration, pursuant to the provisions of sections 6, 7, 9, 10, and 12 of the Public Utility Holding Company Act of 1935 and Rule U-43 promulgated thereunder, with respect to the following proposed transaction:

Engineering is a service company rendering services to associate companies in the Columbia holding company system. The capital stock, consisting of 2,500 shares of common stock, \$100 per share, is entirely held by Columbia.

Engineering now proposes to increase its capital from \$250,000 to \$500,000, by issuing and selling to Columbia 2,500 shares of common stock, \$100 par value.

In addition to its present common stock capital, Engineering has obtained, as a temporary measure, \$150,000 of non-interest bearing advances from Columbia. Engineering proposes to repay the temporary advances to Columbia out of the proceeds from the sale of the additional common stock to Columbia. Approximately \$45,000 of such proceeds will be invested by Engineering in additional office equipment and the remainder of such proceeds will be added to the working capital of Engineering.

Said joint application-declaration having been filed on April 28, 1950, and an amendment thereto having been filed on July 25, 1950, and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for hearing with respect to said joint application-declaration within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding with respect to said joint application-declaration that the requirements of the applicable provisions of the act and rules thereunder are satisfied, and deeming it appropriate in the public interest and in the interest of investors and consumers that the said joint application-declaration be granted and permitted to become effective:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of said act, that the said joint application-declaration be, and hereby is, granted and permitted to become effective forthwith subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 50-7210; Filed, Aug. 17, 1950;
8:45 a. m.]

[File No. 70-2447]

LONG ISLAND LIGHTING CO.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 14th day of August A. D. 1950.

Long Island Lighting Company, a registered holding company, having filed a declaration pursuant to sections 6 and 7 of the Public Utility Holding Company Act of 1935 ("act"), with respect to the following transactions:

Declarant proposes to issue and sell for cash at principal amount to three commercial banks an aggregate of \$6,000,000 principal amount of unsecured notes which will bear interest at the rate of 2½ percent per annum and will mature on December 15, 1950. The proceeds of the sale of the notes are to be used for construction requirements of the company.

Such declaration having been duly filed, and notice of said filing having been duly given in the form and manner

prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for hearing with respect to said declaration within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding that no adverse findings are necessary with respect to the declaration, and deeming it appropriate in the public interest and in the interest of investors and consumers that said declaration be permitted to become effective, and deeming it appropriate to grant a request of declarant that the order become effective at the earliest date possible.

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of the act, and subject to the terms and conditions prescribed in Rule U-24, that the declaration be, and the same hereby is, permitted to become effective forthwith.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 50-7207; Filed, Aug. 17, 1950;
8:45 a. m.]

[File No. 70-2440]

APPALACHIAN ELECTRIC POWER CO. AND
CENTRAL APPALACHIAN COAL CO.

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C. on the 14th day of August A. D. 1950.

Notice is hereby given that Appalachian Electric Power Company ("Appalachian"), an electric utility subsidiary of American Gas & Electric Company, a registered holding company, and Appalachian's non-utility subsidiary, Central Appalachian Coal Company ("Coal Company"), have filed a joint application-declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("act") and have designated sections 6 (b), 9 (a) and 10 of the act and Rule U-43 thereunder as applicable to the transactions proposed in said joint application-declaration, which proposed transactions may be summarized as follows:

Coal Company proposes to issue and sell and Appalachian proposes to acquire not to exceed 20,000 shares of the authorized and unissued \$100 par value common stock of Coal Company at \$100 per share for aggregate gross proceeds to Coal Company of \$2,000,000. It is proposed that the sales and acquisitions will be made from time to time prior to December 31, 1951 as funds are needed by Coal Company. It is stated that the proceeds to Coal Company will be used to provide funds to complete the initial development of Coal Company and to provide working capital. Pursuant to authorization of this Commission (File No. 70-1841), Appalachian has heretofore acquired from Coal Company 40,000 shares of Coal Company's common stock having a par value of \$100 per share for \$4,000,000 which represents all of

Coal Company's presently outstanding capital stock.

It is stated that Appalachian and Coal Company propose to file a joint application with the State Corporation Commission of Virginia requesting that Commission to authorize the proposed transactions.

Applicants-declarants request that any order of this Commission authorizing the proposed transactions issue as soon as may be practicable and become effective upon issuance.

Notice is further given that any interested person may, not later than August 24, 1950, at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held on such matters, stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law raised by said application-declaration which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed to the Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after August 24, 1950, said application-declaration may be granted and permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof.

All interested persons are referred to the joint application-declaration which is on file in the offices of the Commission for a full statement of the proposed transactions.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 50-7208; Filed, Aug. 17, 1950;
8:45 a. m.]

[File No. 70-2450]

OHIO POWER CO. AND CENTRAL OHIO
COAL CO.

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C. on the 14th day of August A. D. 1950.

Notice is hereby given that The Ohio Power Company ("Ohio"), an electric utility subsidiary of American Gas & Electric Company, a registered holding company, and Ohio's non-utility subsidiary, Central Ohio Coal Company ("Coal Company"), have filed a joint declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("act") and have designated Rules U-42 and U-43 promulgated under the act as applicable to the transactions proposed in said joint declaration which proposed transactions may be summarized as follows:

From time to time prior to December 31, 1951 Coal Company proposes to acquire not to exceed 10,000 shares of its capital stock from Ohio at \$100 per share and to promptly retire all shares so acquired. The authorized capital of Coal

Company consists of 40,000 shares of \$100 par value common stock of which 28,000 shares are outstanding and all of which are owned by Ohio having been acquired by that company at \$100 per share for a total aggregate amount of \$2,800,000.

In the declaration it is stated that Coal Company at the present time has some \$300,000 cash on hand in excess of its required working capital, which funds have been accumulated as a result of depreciation charges on its equipment. Coal Company expects that such depreciation accruals will continue to accumulate excess cash as it is not now contemplated that the Coal Company will have to make any substantial purchases of additional equipment. Coal Company desires to reacquire shares of its capital stock from Ohio with such excess funds.

Declarants request that any order of this Commission authorizing the proposed transactions issue as soon as may be practicable and become effective upon issuance.

Notice is further given that any interested person may, not later than August 25, 1950, at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held on such matters, stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law raised by said declaration which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed to the Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after August 24, 1950, said declaration may be permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rule U-20 (a) and U-100 thereof.

All interested persons are referred to the joint declaration which is on file in the offices of the Commission for a full statement of the proposed transactions.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 50-7209; Filed, Aug. 17, 1950;
8:45 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 8, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 14921]

WERNER LIMPert

In re: Rights of Werner Limpert under insurance installment certificate, File No. F-28-26651-H-6.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to

law, after investigation, it is hereby found:

1. That Werner Limpert, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the net proceeds due or to become due under Continuous Installment Certificate No. D-92,520-I, issued by The Mutual Benefit Life Insurance Company, Newark, N. J. to Werner Limpert, together with the right to demand, receive and collect said net proceeds,

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

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on August 4, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 50-7226; Filed, Aug. 17, 1950;
8:49 a. m.]

[Vesting Order 14937]

YOSHIE NUMOTO

In re: Debt owing to Yoshie Numoto, F-39-6541-C-1, F-39-5816-D-1.

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

1. That Yoshie Numoto, whose last known address is Okayama Ken, Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows: That certain debt or other obligation of Cano Numoto, Route 2, Box 342, Bellevue, Washington, in the amount of \$631.87, representing the residue of the Estate of Tsuruichi S. Numoto, deceased, set aside to Yoshie Numoto per Order Discharging and Exonerating Ad-

ministrator, executed December 2, 1947, by J. T. Ronald, Judge, in the Superior Court of the State of Washington for King County, in Probate No. 99827, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

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

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on August 4, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 50-7227; Filed, Aug. 17, 1950;
8:49 a. m.]

[Vesting Order 14940]

JULIUS SPRINGER

In re: Debt owing to Julius Springer, F-28-8530-C-1.

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

1. That Julius Springer, whose last known address is Linkstrasse 22/24, Berlin W9, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Julius Springer, by The University of Chicago, 5750 Ellis Avenue, Chicago, Illinois, in the amount of \$215.29, as of December 31, 1945, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on ac-

count of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on August 4, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 50-7228; Filed, Aug. 17, 1950;
8:49 a. m.]

[Vesting Order 14941]

AUGUSTE F. STENDER

In re: Bank account owned by the personal representatives, heirs, next of kin, legatees and distributees of Auguste F. Stender, deceased, F-28-25928-E-1/2.

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

1. That the personal representatives, heirs, next of kin, legatees and distributees of Auguste F. Stender, deceased, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation of the South Bergen Savings and Loan Association, 271 Valley Boulevard, Wood-Ridge, New Jersey, arising out of a savings account, account number 22630, entitled "Estate Auguste F. Stender", maintained at the aforesaid Association, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the personal representatives, heirs, next of kin, legatees and distributees of Auguste F. Stender, deceased, the aforesaid na-

tionals of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the personal representatives, heirs, next of kin, legatees and distributees of Auguste F. Stender, deceased, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

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

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

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

Executed at Washington, D. C., on August 4, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 50-7229; Filed, Aug. 17, 1950;
8:49 a. m.]

[Vesting Order 14944]

YOSHIKO WATANABE ET AL.

In re: Bank accounts owned by Yoshiko Watanabe, Toshiyasu Watanabe, Masako Watanabe, Kiyoko Inouye and Tsukasa Inouye, D-39-14215.

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

1. That Yoshiko Watanabe, Toshiyasu Watanabe, Masako Watanabe, Kiyoko Inouye and Tsukasa Inouye, whose last known addresses are Hiroshima, Japan, are residents of Japan and are nationals of a designated enemy country (Japan);

2. That the property described as follows: That certain debt or other obligation owing to Yoshiko Watanabe, by the Old National Bank of Spokane, Spokane, Washington, arising out of a savings account, account numbered 15535, entitled Yoshiko Watanabe, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same,

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

3. That the property described as follows: That certain debt or other obligation owing to Toshiyasu Watanabe, by the Old National Bank of Spokane, Spokane, Washington, arising out of a sav-

ings account, account numbered 15537, entitled Toshiyasu Watanabe, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same,

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

4. That the property described as follows: That certain debt or other obligation owing to Masako Watanabe, by the Old National Bank of Spokane, Spokane, Washington, arising out of a savings account, account numbered 15539, entitled Masako Watanabe, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same,

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

5. That the property described as follows: That certain debt or other obligation owing to Kiyoko Inouye, by the Old National Bank of Spokane, Spokane, Washington, arising out of a savings account, account numbered 15543, entitled Kiyoko Inouye, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same,

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

6. That the property described as follows: That certain debt or other obligation owing to Tsukasa Inouye, by the Old National Bank of Spokane, Spokane, Washington, arising out of a savings account, account numbered 15547, entitled Tsukasa Inouye, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same,

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

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on August 4, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 50-7230; Filed, Aug. 17, 1950; 8:49 a. m.]

MRS. JOSEPHINE CASALI

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

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

Claimant, Claim No., Property, and Location

Mrs. Josephine Casali, Florence, Italy; Claim No. 33756; \$5,943.44 in the Treasury of the United States.

Executed at Washington, D. C., on August 11, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 50-7232; Filed, Aug. 17, 1950; 8:49 a. m.]

ANNA FERRANTINO

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

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

Claimant, Claim No., Property, and Location

Anna Ferrantino, Porto D'Ischia, Naples, Italy; Claim No. 8868; \$11,440.38 in the Treasury of the United States. All right, title and interest of the Attorney General, as successor to the Alien Property Custodian, in and to Guaranteed First Mortgage Participation Certificate Number 53 of Series 101,529 issued by Lawyers Mortgage Company, New York, presently in liquidation by the State of New York Insurance Department, Liquidation Bureau, 160 Broadway, New York 7, N. Y.

Executed at Washington, D. C., on August 11, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 50-7233; Filed, Aug. 17, 1950; 8:49 a. m.]

EMILIE FRISCH

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

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

Claimant, Claim No., Property, and Location

Emilie Frisch, Vienna, Austria; Claim No. 35578; \$8,529.22 in the Treasury of the United States. All right, title and interest of Mrs. Emilie Frisch, nee Kottinig, in and to the Estate of Louis Gaugler, deceased.

Executed at Washington, D. C., on August 11, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 50-7234; Filed, Aug. 17, 1950; 8:49 a. m.]

EMMA HAASE

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

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

Claimant, Claim No., Property, and Location

Emma Haase or Holms, Greenock, Scotland; Claim No. 5686; \$2,885.47 in the Treasury of the United States.

Executed at Washington, D. C., on August 11, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 50-7235; Filed, Aug. 17, 1950; 8:50 a. m.]

HERTA HOLLAND AND ANNA STEIN

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

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

Claimant, Claim Nos., Property, and Location

Herta Holland, nee Latz and Anna Stein, nee Latz, London, England; Claims Nos. 10257

NOTICES

and 36328, (consolidated); \$1,784.63 in the Treasury of the United States, returnable to the claimants in equal shares.

Executed at Washington, D. C., on August 11, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 50-7235; Filed, Aug. 17, 1950;
8:50 a. m.]

[Vesting Order 15004]

GERMANY

In re: Real property and safes owned by Germany.

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

1. That the property described as follows:

a. Real property situated in the City of Washington, District of Columbia, particularly described in Exhibits A and B, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all

claims for rents, refunds, benefits or other payments arising from the ownership of such property, and

b. All those certain safes located in the premises described in subparagraph 1-a hereof,

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

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

There is hereby vested in the Attorney General of the United States the property described in subparagraph 1-a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and

There is hereby vested in the Attorney General of the United States the property described in subparagraph 1-b hereof,

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The term "designated enemy country" as used herein shall have the meaning prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 14, 1950.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

EXHIBIT A

All of lots Seventeen (17) and Eighteen (18) of Andrew Wylie's Subdivision of a part of Square Two Hundred and Twelve (212) as per plat recorded in Liber R. W., folio 95 of the Records of the Office of the Surveyor of the District of Columbia.

EXHIBIT B

All of Lots Eight Hundred and Seven (807), Eight Hundred and Eight (808) and Eight Hundred and Nine (809) of Square Two Hundred and Twelve (212), formerly known and described as Lots One Hundred and Two (102), One Hundred and Three (103), One Hundred and Four (104), One Hundred and Five (105), One Hundred and Ten (110) and One Hundred and Eleven (111), in Thomas B. Ferguson's Subdivision of lots in Square Two Hundred and Twelve (212), as per plat recorded in Liber Eleven (11), folio 125 of the Records of the Office of the Surveyor of the District of Columbia.

[F. R. Doc. 50-7231; Filed, Aug. 17, 1950;
8:49 a. m.]