THE NATIONAL ARCHIVES

FEDERAL REGISTER

OF THE UNITED STATES

VOLUME 15 NUMBER 229

1934

Washington, Saturday, November 25, 1950

TITLE 3—THE PRESIDENT

EXECUTIVE ORDER 10183

MAKING CERTAIN CHANGES IN INTERNAL REVENUE COLLECTION DISTRICTS IN THE STATE OF NEW YORK

By virtue of the authority vested in me by section 3650 (a) of the Internal Revenue Code, I hereby make the following-described changes in internal revenue collection districts in the State of New York:

1. The territory known as the County of Richmond (Staten Island), now comprising a part of the first internal revenue collection district of New York, is transferred to and made a part of the second internal revenue collection district of New York.

2. The following-described territory, now comprising a part of the third internal revenue collection district of New York, is transferred to and made a part of the second internal revenue collection district of New York:

Beginning at a point on the United States pierhead line at the foot of Twenty-third Street and East River, proceeding thence westerly along the south side of Twenty-third Street to the United States pierhead line in the Hudson River; thence northerly along the said United States pierhead line to the foot of Thirty-fourth Street and the Hudson River; thence easterly along the north side of Thirty-fourth Street to the United States pierhead line in the East River; thence southerly along the said United States pierhead line to the foot of Twenty-third Street and East River.

This order shall become effective on January 1, 1951.

HARRY S. TRUMAN

THE WHITE HOUSE,
November 21, 1950.

[F. R. Doc. 50-10723; Filed, Nov. 22, 1950; 2:44 p. m.]

TITLE 7—AGRICULTURE

Chapter VII—Production and Marketing Administration (Agricultural Adjustment), Department of Agriculture

PART 721—CORN

SUBPART—1950 COUNTY CORN ACREAGE ALLOTMENTS

§ 721.105 *Basis and purposes.* The 1950 county corn acreage allotments herein were determined under section 329 (a) of the Agricultural Adjustment Act of 1938, as amended. The purpose of this proclamation is to announce the apportionment among the counties in the commercial corn-producing area of the corn acreage allotment for 1950 which was established by the proclamation dated December 29, 1949 (15 F. R. 3). Prior to determination and announcement of the 1950 county corn acreage allotments public notice (14 F. R. 5512) was given in accordance with the Administrative Procedure Act (60 Stat. 237). The data, views, and recommendations pertaining to the determination of the 1950 county corn acreage allotments which were submitted were duly considered within the limits permitted by the Agricultural Adjustment Act of 1938, as amended.

§ 721.106 *1950 county corn acreage allotments.*

ARKANSAS

County	Allotment	County	Allotment
Clay	45,916	Greene	43,074
Craighead	58,729	Mississippi	56,539
Crittenden	33,513		

DELAWARE

Kent	33,513	Sussex	58,036
New Castle	17,148		

ILLINOIS

Adams	73,535	Brown	26,675
Alexander	16,939	Bureau	168,198
Bond	31,405	Calhoun	18,192
Boone	42,615	Carroll	55,642

(Continued on p. 8071)

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THE PRESIDENT

EXECUTIVE AGENCIES

FEDERAL REGISTER

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CODIFICATION GUIDE

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

ILLINOIS—Continued

County	Allotment	County	Allotment
Cass	46,163	McHenry	80,590
Champaign	198,571	McLean	256,845
Christian	99,117	Macon	97,289
Clark	51,780	Macoupin	81,588
Clay	31,457	Madison	61,187
Clinton	41,428	Marion	31,421
Coles	81,902	Marshall	67,455
Cook	48,966	Mason	72,986
Crawford	44,705	Massac	22,627
		Menard	45,479
Cumberland	38,155	Mercer	93,975
De Kalb	126,775	Monroe	32,382
De Witt	74,805	Montgomery	67,381
Douglas	77,774	Morgan	77,106
Du Page	34,003	Moultrie	57,559
Edgar	95,244	Ogle	118,899
Edwards	23,718	Peoria	79,691
Effingham	36,834	Perry	26,912
Fayette	51,703	Piatt	77,534
Ford	101,087	Pike	92,683
Franklin	21,252	Pope	16,311
Fulton	102,778	Pulaski	18,895
Gallatin	41,426	Putnam	24,298
Greene	65,111	Randolph	46,912
Grundy	85,473	Richland	26,806
Hamilton	37,336	Rock Island	56,330
Hancock	87,264	St. Clair	52,904
Hardin	9,570	Saline	36,219
Henderson	55,646	Sangamon	129,665
Henry	151,622	Schuyler	39,246
Iroquois	226,625	Scott	35,335
Jackson	40,316	Shelby	96,397
Jasper	45,724	Stark	55,416
Jefferson	38,160	Stephenson	73,672
Jersey	32,455	Tazewell	103,246
Jo Daviess	44,325	Union	24,732
Johnson	18,016	Vermilion	143,356
Kane	86,825	Wabash	24,862
Kankakee	129,259	Warren	97,573
Kendall	63,780	Washington	29,845
Knox	110,704	Wayne	62,695
Lake	33,718	White	66,957
La Salle	227,193	Whiteside	126,042
Lawrence	39,767	Will	123,897
Lee	135,171	Williamson	18,793
Livingston	226,398	Winnebago	64,662
Logan	112,967	Woodford	96,627
McDonough	87,438		

INDIANA

Adams	34,324	Jefferson	19,585
Allen	63,354	Jennings	23,819
		Johnson	39,806
Bartholomew	44,032	Knox	65,646
Benton	84,104	Kosciusko	62,022
Blackford	17,557	Lagrange	34,800
Boone	63,212	Lake	48,187
Carroll	56,076	La Porte	61,178
Cass	53,054	Lawrence	21,671
Clark	19,901	Madison	58,798
Clay	30,074	Marion	29,323
Clinton	64,707	Marshall	49,369
Daviess	47,429	Martin	11,874
Dearborn	16,219	Miami	44,337
Decatur	46,218	Monroe	13,389
De Kalb	35,988	Montgomery	66,883
Delaware	49,054	Morgan	36,920
Dubois	30,671	Newton	64,549
Elkhart	40,654	Noble	42,698
Fayette	24,620	Ohio	4,817
Floyd	6,719	Orange	18,539
Fountain	49,322	Owen	20,094
Franklin	33,122	Parke	40,103
Fulton	46,334	Perry	14,499
Gibson	56,756	Pike	21,039
Grant	48,138	Porter	42,249
Greene	36,471	Posey	59,688
Hamilton	53,422	Pulaski	54,585
Hancock	42,207	Putnam	47,430
Harrison	24,968	Randolph	60,168
Hendricks	53,623	Ripley	29,168
Henry	54,710	Rush	67,956
Howard	41,697	St. Joseph	41,774
Huntington	40,654	Scott	11,805
Jackson	37,005	Shelby	60,598
Jasper	83,427	Spencer	35,592
Jay	39,106	Starke	36,384

INDIANA—Continued

County	Allotment	County	Allotment
Steuben	24,364	Wabash	47,568
Sullivan	45,856	Warren	52,100
Switzerland	8,327	Warrick	32,024
Tippecanoe	73,037	Washington	31,759
Tipton	39,308	Wayne	48,411
Union	21,647	Wells	42,813
Vanderburgh	23,909	White	86,125
Vermillion	30,529	Whitley	35,096
Vigo	36,536		

IOWA

Adair	81,782	Jefferson	53,814
Adams	56,492	Johnson	94,664
Allamakee	45,316	Jones	74,789
Appanoose	34,659	Keokuk	84,246
Audubon	75,970	Kossuth	195,588
Benton	123,104	Lee	46,963
Black Hawk	89,697	Linn	101,723
Boone	113,124	Louisa	60,782
Bremer	64,683	Lucas	37,002
Buchanan	91,453	Lyon	115,392
Buena Vista	116,388	Madison	71,979
Butler	100,784	Mahaska	92,036
Calhoun	120,009	Marion	77,620
Carroll	114,891	Marshall	101,789
Cass	92,290	Mills	96,349
Cedar	95,531	Mitchell	75,575
Cerro Gordo	102,817	Monona	127,684
Cherokee	104,461	Monroe	34,282
Chickasaw	70,309	Montgomery	76,463
Clarke	44,379	Muscatine	67,750
Clay	107,988	O'Brien	103,208
Clayton	71,791	Osceola	78,316
Clinton	114,925	Page	90,715
Crawford	121,871	Palo Alto	114,830
Dallas	111,788	Plymouth	169,659
Davis	37,166	Pocahontas	122,291
Decatur	45,633	Polk	95,084
Delaware	81,831	Pottawattamie	192,493
Des Moines	52,950	Poweshiek	93,887
Dickinson	70,685	Ringgold	52,737
Dubuque	62,861	Sac	111,900
Emmet	75,119	Scott	71,603
Fayette	91,651	Shelby	114,145
Floyd	86,828	Sioux	156,741
Franklin	119,405	Story	122,870
Fremont	120,328	Tama	112,479
Greene	128,210	Taylor	64,891
Grundy	93,829	Union	49,770
Guthrie	91,740	Van Buren	37,802
Hamilton	123,978	Wapello	46,402
Hancock	106,897	Warren	70,473
Hardin	111,084	Washington	88,808
Harrison	139,052	Wayne	50,146
Henry	61,306	Webster	142,057
Howard	63,898	Winnebago	74,561
Humboldt	92,682	Winneshiek	76,640
Ida	81,855	Woodbury	168,444
Iowa	88,561	Worth	62,319
Jackson	59,613	Wright	123,872
Jasper	120,175		

KANSAS

Anderson	27,544	Linn	40,334
Atchison	45,886	Lyon	43,545
Bourbon	37,979	Marshall	110,033
Brown	85,634	Miami	54,850
Cherokee	30,374	Nemaha	110,429
Clay	31,506	Neosho	31,167
Cloud	28,128	Osage	47,854
Coffey	33,210	Osborne	9,342
Crawford	40,281	Phillips	48,451
Doniphan	65,177	Pottawatomie	51,581
Douglas	37,722	Republic	81,080
Franklin	45,347	Riley	31,343
Jackson	57,893	Shawnee	41,249
Jefferson	52,328	Smith	74,881
Jewell	92,302	Wabaunsee	25,964
Johnson	35,639	Washington	68,658
Labette	24,293	Wyandotte	7,159
Leavenworth	38,843		

KENTUCKY

Adair	26,982	Boone	11,214
Allen	28,771	Boyle	8,354
Ballard	27,684	Breckenridge	34,094
Barren	39,629	Bullitt	11,017

KENTUCKY—Continued

County	Allotment	County	Allotment
Butler	28,151	Logan	46,499
Caldwell	23,792	Lyon	16,032
Calloway	31,530	McCracken	22,489
Carlisle	19,677	McLean	21,945
Carroll	5,343	Marion	16,573
Casey	19,752	Marshall	26,118
Christian	53,906	Meade	16,968
Crittenden	24,767	Metcalfe	18,451
Daviess	49,005	Monroe	24,028
Edmonson	13,628	Muhlenberg	26,497
Fulton	17,961	Nelson	23,790
Graves	72,791	Ohio	30,915
Grayson	31,773	Oldham	9,298
Green	19,885	Shelby	15,811
Hancock	12,179	Simpson	21,679
Hardin	30,163	Spencer	8,111
Hart	23,711	Taylor	18,208
Henderson	64,327	Todd	32,231
Henry	10,878	Trigg	26,095
Hickman	26,817	Union	36,741
Hopkins	32,485	Warren	56,894
Jefferson	13,129	Washington	12,132
Larne	19,168	Webster	31,094
Livingston	24,117		

MARYLAND

Anne Arundel	7,481	Kent	24,307
Baltimore	18,278	Montgomery	17,476
Caroline	18,188	Queen Annes	25,796
Carroll	29,620	Somerset	9,590
Cecil	14,218	Talbot	18,448
Frederick	38,381	Washington	24,180
Harford	16,009	Wicomico	20,818
Howard	9,286	Worcester	27,923

MICHIGAN

Allegan	38,213	Kalamazoo	28,362
Barry	22,513	Kent	32,064
Berrien	26,762	Lenawee	84,738
Branch	42,139	Livingston	25,801
Calhoun	40,422	Monroe	52,630
Cass	32,289	Montcalm	22,936
Clinton	37,325	Oakland	21,575
Eaton	35,322	Saginaw	36,241
Gratiot	37,620	St. Joseph	38,538
Hillsdale	46,506	Shiawassee	30,878
Ingham	33,595	Van Buren	28,962
Ionia	35,704	Washtenaw	45,212
Isabella	23,554	Wayne	15,388
Jackson	36,542		

MINNESOTA

Anoka	19,129	Mille Lacs	17,526
Benton	28,992	Mower	93,017
Big Stone	46,933	Murray	115,820
Blue Earth	108,252	Nicollet	56,038
Brown	81,999	Nobles	126,701
Carver	37,966	Olmsted	69,406
Chippewa	93,126	Otter Tail	99,999
Cottonwood	99,627	Pipestone	76,812
Dakota	54,111	Pope	48,638
Dodge	51,583	Redwood	146,211
Douglas	40,204	Renville	146,248
Faribault	115,332	Rice	53,464
Fillmore	75,403	Rock	88,035
Freeborn	96,930	Scott	35,250
Goodhue	58,113	Sherburne	31,767
Grant	46,796	Sibley	71,194
Hennepin	30,150	Stearns	98,581
Houston	33,361	Steele	54,824
Isanti	19,813	Stevens	68,202
Jackson	123,285	Swift	93,992
Kandiyohi	92,990	Traverse	56,044
Lac qui Parle	107,191	Wabasha	37,106
Le Sueur	50,721	Waseca	56,929
Lincoln	67,725	Washington	26,834
Lyon	116,653	Watonwan	71,297
McLeod	58,136	Wilkin	48,081
Martin	134,338	Winona	37,806
Meeker	70,212	Wright	65,334
		Yellow Medicine	118,608

MISSOURI

Adair	28,418	Barton	38,246
Andrew	53,467	Bates	66,402
Atchison	125,092	Benton	22,538
Audrain	63,861	Bollinger	23,507

MISSOURI—Continued

County	Allotment	County	Allotment
Boone	38,045	Macon	51,475
Buchanan	48,341	Marion	32,325
Butler	40,279	Mercer	26,950
Caldwell	41,493	Mississippi	43,935
Callaway	36,342	Moniteau	24,515
Cape Girardeau	39,398	Monroe	47,608
Carroll	72,044	Montgomery	35,916
Cass	61,097	New Madrid	58,006
Cedar	22,684	Nodaway	110,672
Chariton	61,659	Osage	20,295
Clark	35,797	Pemiscot	26,110
Clay	30,396	Perry	25,295
Clinton	39,781	Pettis	55,609
Cooper	46,074	Pike	47,943
Daviess	51,453	Platte	37,082
De Kalb	42,704	Putnam	25,229
Dunklin	42,178	Ralls	34,105
Franklin	37,873	Randolph	26,537
Gasconade	17,328	Ray	52,442
Gentry	47,671	St. Charles	43,643
Grundy	37,186	St. Clair	35,402
Harrison	55,965	St. Francois	8,832
Henry	53,512	St. Louis	20,664
Holt	82,282	Ste. Genevieve	18,760
Howard	31,651	Saline	97,621
Jackson	45,855	Schuyler	14,204
Jasper	27,511	Scotland	28,681
Jefferson	21,053	Scott	50,005
Johnson	54,278	Shelby	35,902
Knox	33,050	Stoddard	74,159
Lafayette	70,849	Sullivan	35,211
Lewis	31,667	Vernon	68,485
Lincoln	42,380	Warren	18,375
Linn	41,372	Worth	27,248
Livingston	39,964		

NEBRASKA

Adams	71,336	Jefferson	62,593
Antelope	136,030	Johnson	54,448
Boone	125,310	Kearney	65,336
Boyd	51,491	Keith	21,520
Buffalo	141,991	Knox	147,032
Burt	111,432	Lancaster	138,703
Butler	112,564	Lincoln	103,489
Cass	119,786	Loup	8,993
Cedar	142,066	Madison	119,145
Chase	39,912	Merrick	74,467
Clay	78,217	Nance	73,913
Colfax	80,216	Nemaha	74,111
Cuming	124,800	Nuckolls	93,613
Custer	201,447	Otoe	112,754
Dakota	51,268	Pawnee	55,266
Dawson	117,153	Phelps	80,484
Dixon	99,160	Pierce	99,013
Dodge	116,774	Platte	136,478
Douglas	65,389	Polk	89,507
Dundy	54,970	Redwillow	46,005
Fillmore	93,977	Richardson	92,790
Franklin	58,150	Saline	82,100
Frontier	67,028	Sarpy	53,245
Furnas	62,223	Saunders	166,149
Gage	126,403	Seward	108,601
Garfield	13,552	Sherman	68,035
Gosper	44,320	Stanton	80,229
Greeley	63,878	Thayer	71,192
Hall	83,617	Thurston	84,050
Hamilton	101,213	Valley	64,379
Harlan	57,467	Washington	78,843
Hayes	48,152	Wayne	96,388
Hitchcock	28,996	Webster	80,543
Holt	76,315	Wheeler	12,441
Howard	67,414	York	127,412

NEW JERSEY

Cumberland	7,865	Salem	17,584

NORTH CAROLINA

Beaufort	37,333	Hyde	11,241
Camden	12,607	Pamlico	8,102
Chowan	11,041	Pasquotank	16,882
Craven	23,604	Perquimans	16,288
Currituck	10,778	Tyrrell	5,430
Gates	15,258	Washington	9,887
Hertford	15,425		

NORTH DAKOTA

County	Allotment
Richland	103,786

OHIO

County	Allotment	County	Allotment
Adams	26,837	Lorain	24,200
Allen	38,330	Lucas	20,878
Ashland	27,152	Madison	60,729
Auglaize	44,606	Marion	43,087
Brown	41,324	Medina	26,097
Butler	48,149	Mercer	50,933
Champaign	52,280	Miami	54,440
Clark	46,655	Montgomery	45,211
Clermont	31,912	Morrow	31,028
Clinton	60,127	Muskingum	22,640
Coshocton	22,759	Ottawa	16,460
Crawford	39,908	Paulding	37,166
Darke	85,416	Perry	15,039
Defiance	33,945	Pickaway	65,626
Delaware	41,420	Pike	19,625
Erie	18,403	Preble	59,091
Fairfield	47,289	Putnam	53,770
Fayette	59,514	Richland	29,694
Franklin	44,729	Ross	54,382
Fulton	50,016	Sandusky	40,677
Greene	54,824	Scioto	20,302
Guernsey	11,305	Seneca	54,428
Hamilton	15,638	Shelby	47,744
Hancock	58,801	Stark	28,072
Hardin	54,182	Summit	8,480
Henry	52,349	Tuscarawas	19,129
Highland	56,197	Union	44,095
Hocking	9,094	Van Wert	42,547
Holmes	22,819	Vinton	5,012
Huron	36,952	Warren	40,829
Jackson	9,022	Wayne	46,431
Knox	35,811	Williams	40,182
Licking	49,804	Wood	69,563
Logan	43,983	Wyandot	40,327

PENNSYLVANIA

Adams	35,839	Lancaster	82,040
Berks	49,920	Lebanon	24,365
Blair	11,112	Lehigh	19,915
Centre	20,835	Lycoming	20,039
Chester	37,319	Mifflin	11,637
Clinton	6,677	Montgomery	22,663
Columbia	18,215	Montour	7,929
Cumberland	36,922	Northumberland	21,211
Dauphin	20,861	Perry	17,971
Delaware	2,000	Schuylkill	12,718
Franklin	42,579	Snyder	14,900
Fulton	9,847	Union	10,601
Huntingdon	15,663	York	72,035
Juniata	13,167		

SOUTH DAKOTA

Aurora	63,331	Hanson	59,500
Beadle	100,500	Hutchinson	103,491
Bon Homme	84,318	Jerauld	38,722
Brookings	106,507	Kingsbury	83,089
Brule	79,061	Lake	83,304
Charles Mix	138,593	Lincoln	112,857
Clark	54,843	McCook	92,261
Clay	83,076	Miner	66,169
Codington	29,268	Minnehaha	141,898
Davison	58,847	Moody	88,763
Day	36,704	Roberts	70,561
Deuel	47,216	Sanborn	63,194
Douglas	61,288	Turner	106,176
Grant	47,002	Union	90,451
Gregory	77,801	Yankton	81,003
Hamlin	45,583		

TENNESSEE

Crockett	21,656	Montgomery	31,850
Dyer	41,279	Obion	56,880
Gibson	54,799	Robertson	33,618
Henry	35,860	Stewart	19,286
Lake	6,590	Sumner	27,988
Lauderdale	31,019	Weakley	58,744

VIRGINIA

Clarke	6,908	Nansemond	23,815
Fauquier	18,090	Norfolk	16,642
Isle of Wight	22,492	Northampton	7,377
Loudoun	21,047		

VIRGINIA—Continued

County	Allotment	County	Allotment
Prince William	6,517	Southampton	34,389
Princess Anne	11,078	Surry	12,242

WEST VIRGINIA

Berkeley	8,921	Jefferson	12,794

WISCONSIN

Adams	17,130	Lafayette	61,074
Buffalo	29,511	Marquette	20,581
Columbia	65,996	Monroe	32,211
Crawford	26,398	Pepin	13,606
Dane	120,982	Pierce	41,459
Dodge	74,535	Racine	32,876
Dunn	49,716	Richland	29,051
Fond du Lac	55,029	Rock	89,157
Grant	86,995	St. Croix	54,248
Green	55,670	Sauk	53,576
Green Lake	27,197	Trempealeau	35,414
Iowa	47,956	Vernon	37,576
Jackson	23,431	Walworth	61,259
Jefferson	51,760	Waukesha	43,628
Juneau	23,352	Waushara	27,758
Kenosha	26,995	Winnebago	31,479
La Crosse	25,124		

(Sec. 375, 52 Stat. 66, as amended; 7 U. S. C. 1375. Interprets or applies sec. 329, 52 Stat. 52; 7 U. S. C. 1329)

Issued at Washington D. C., this 17th day of November 1950.

[SEAL] C. J. McCORMICK,
Acting Secretary of Agriculture.

[F. R. Doc. 50-10694; Filed, Nov. 24, 1950; 8:51 a. m.]

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

[Lemon Reg. 358]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

§ 953.465 *Lemon Regulation 358*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953; 14 F. R. 3612), regulating the handling of lemons grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of the quantity of such lemons which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication

thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions of this section effective as hereinafter set forth. Shipments of lemons, grown in the State of California or in the State of Arizona, are currently subject to regulation pursuant to said amended order; the recommendation and supporting information for regulation during the period specified herein was promptly submitted to the Department after an open meeting of the Lemon Administrative Committee on November 21, 1950, such meeting was held, after giving due notice thereof to consider recommendations for regulation, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter specified; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time thereof.

(b) *Order.* (1) The quantity of lemons grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., P. s. t., November 26, 1950, and ending at 12:01 a. m., P. s. t., December 3, 1950, is hereby fixed as follows:

(i) District 1: 15 carloads;

(ii) District 2: 260 carloads;

(iii) District 3: Unlimited movement.

(2) The prorate base of each handler who has made application therefore, as provided in the said amended marketing agreement and order, is hereby fixed in accordance with the prorate base schedule which is attached to Lemon Regulation No. 357 (15 F. R. 7870), and made a part hereof by this reference.

(3) As used in this section, "handled," "handler," "carloads," "prorate base," "District 1," "District 2," and "District 3" shall have the same meaning as when used in the said amended marketing agreement and order.

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

Done at Washington, D. C., this 22d day of November 1950.

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

[F. R. Doc. 50-10759; Filed, Nov. 24, 1950; 11:17 a. m.]

[Grapefruit Reg. 73]

PART 955—GRAPEFRUIT GROWN IN ARIZONA; IN IMPERIAL COUNTY, CALIF.; AND IN THAT PART OF RIVERSIDE COUNTY, CALIF., SITUATED SOUTH AND EAST OF THE SAN GORGONIO PASS

LIMITATION OF SHIPMENTS

§ 955.334 *Grapefruit Regulation 73*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 55, as amended (7 CFR Part 955), regulating the handling of grapefruit grown in the State of Arizona; in Imperial County, California; and in that part of Riverside County, California, situated south and east of the San Gorgonio Pass, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the Administrative Committee (established under the aforesaid amended marketing agreement and order), and upon other available information, it is hereby found that the limitation of shipments of grapefruit, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions of this section effective not later than November 26, 1950. Shipments of grapefruit, grown as aforesaid, have been subject to regulation by grades and sizes, pursuant to the amended marketing agreement and order, since October 15, 1950, and will so continue until November 26, 1950; the recommendation and supporting information for continued regulation subsequent to November 25, 1950, was promptly submitted to the Department after an open meeting of the Administrative Committee on November 16; such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including the effective time thereof, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such grapefruit; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter set forth so as to provide for the continued regulation of the handling of grapefruit; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time hereof.

(b) *Order.* (1) During the period beginning at 12:01 a. m., P. s. t., November 26, 1950, and ending at 12:01 a. m., P. s. t., January 14, 1951, no handler shall ship:

(i) Any grapefruit of any variety grown in the State of Arizona; in Imperial County, California; or in that part of Riverside County, California, situated south and east of the San Gorgonio Pass unless such grapefruit are at least fairly well colored, and otherwise grade at least U. S. No. 2; or

(ii) From the State of California or the State of Arizona (*a*) to any point outside thereof in the United States, any grapefruit, grown as aforesaid, which are of a size smaller than 3 11/16 inches in diameter, or (*b*) to any point in Canada, any grapefruit, grown as aforesaid, which are of a size smaller than 3 5/16 inches in diameter ("diameter" in each case to be measured midway at a right angle to a straight line running from the stem to the blossom end of the fruit), except that a tolerance of 5 percent, by count, of grapefruit smaller than the foregoing minimum sizes shall be permitted which tolerance shall be applied in accordance with the provisions for the application of tolerance, specified in the revised United States Standards for Grapefruit (California and Arizona), 7 CFR 51.241: *Provided*, That, in determining the percentage of grapefruit in any lot which are smaller than 3 11/16 inches in diameter, such percentage shall be based only on the grapefruit in such lot which are of a size 4 3/16 inches in diameter and smaller; and in determining the percentage of grapefruit in any lot which are smaller than 3 5/16 inches in diameter, such percentage shall be based only on the grapefruit in such lot which are of a size 3 13/16 inches in diameter and smaller.

(2) As used in this section, "handler," "variety," "grapefruit," and "ship" shall have the same meaning as when used in said amended marketing agreement and order; and the terms "U. S. No. 2" and "fairly well colored" shall each have the same meaning as when used in the revised United States Standards for Grapefruit (California and Arizona), 7 CFR 51.241.

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

Done at Washington, D. C., this 22d day of November 1950.

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

[F. R. Doc. 50-10758; Filed, Nov. 24, 1950; 11:17 a. m.]

[Orange Reg. 346]

PART 966—ORANGES GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENT

§ 966.492 *Orange Regulation 346*—(a) *Findings.* (1) Pursuant to the provisions of Order No. 66, as amended (7

CFR Part 966; 14 F. R. 3614), regulating the handling of oranges grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and upon the basis of the recommendation and information submitted by the Orange Administrative Committee, established under the said amended order, and upon other available information, it is hereby found that the limitation of the quantity of such oranges which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. Shipments of oranges, grown in the State of California or in the State of Arizona, are currently subject to regulation pursuant to said amended order; the recommendation and supporting information for regulation during the period specified herein was promptly submitted to the Department after an open meeting of the Orange Administrative Committee on November 22, 1950, such meeting was held, after giving due notice thereof to consider recommendations for regulation, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter specified; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time thereof.

(b) *Order.* (1) Subject to the size requirements in Orange Regulation 332 (7 CFR 966.478, 15 F. R. 3863), the quantity of oranges grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., P. s. t., November 26, 1950, and ending at 12:01 a. m., P. s. t., December 3, 1950, is hereby fixed as follows:

(i) *Valencia oranges.* (a) Prorate District No. 1: No movement;

(b) Prorate District No. 2: Unlimited movement;

(c) Prorate District No. 3: No movement.

(ii) *Oranges other than Valencia oranges.* (a) Prorate District No. 1: 850 carloads;

(b) Prorate District No. 2: Unlimited movement;

(c) Prorate District No. 3: 175 carloads.

(2) The prorate base of each handler who has made application therefor, as provided in the said amended order, is hereby fixed in accordance with the prorate base schedule which is attached hereto and made a part hereof by this reference.

(3) As used in this section, "handled," "handler," "varieties," "carloads," and "prorate base" shall have the same meaning as when used in the said amended order; and the terms "Prorate District No. 1," "Prorate District No. 2," and "Prorate District No. 3" shall each have the same meaning as given to the respective term in § 966.107 of the current rules and regulations (7 CFR 966.103 et seq.).

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

Done at Washington, D. C., this 24th day of November 1950.

[SEAL] M. W. BAKER,
Acting Director, Fruit and Vegetable Branch, Production and Marketing Administration.

PRORATE BASE SCHEDULE

[12:01 a. m., P. s. t., Nov. 26, 1950, to 12:01 a. m., P. s. t, Dec 3, 1950]

ALL ORANGES OTHER THAN VALENCIA ORANGES

Prorate District No. 1

Handler	Prorate base (percent)
Total	100.0000
A. F. G. Lindsay	1.8800
A. F. G. Porterville	1.6007
Ivanhoe Cooperative Association	.6585
Sandilands Fruit Co	.7353
Dofflemyer & Son, W. Todd	.5522
Earlibest Orange Association	1.7841
Elderwood Citrus Association	.9545
Exeter Citrus Association	2.7800
Exeter Orange Growers Association	1.2787
Exeter Orchard Association	1.4972
Hillside Packing Association	1.0814
Ivanhoe Mutual Orange Association	1.1131
Klink Citrus Association	4.4549
Lemon Cove Association	2.1487
Lindsay Citrus Growers Association	2.1107
Lindsay Cooperative Citrus Association	.9951
Lindsay Fruit Association	1.4276
Lindsay Orange Growers Association	1.1188
Naranjo Packing House	1.2119
Orange Cove Citrus Association	3.3311
Orange Packing Co	1.0391
Orosi Foothill Citrus Association	1.5569
Paloma Citrus Fruit Association	1.0585
Rocky Hill Citrus Association	1.1745
Sanger Citrus Association	3.8383
Sequoia Citrus Association	1.0799
Stark Packing Corp	2.6028
Visalia Citrus Association	1.9148
Waddell & Son	1.5074
Butte County Citrus Association, Inc	.7613
Mills Orchard Co., James	1.1768
Orland Orange Growers Association, Inc	.6854
Baird-Neece Corp	1.8623
Beattie Association, D. A	.6363

PRORATE BASE SCHEDULE—Continued

ALL ORANGES OTHER THAN VALENCIA ORANGES—continued

Prorate District No. 1—Continued

Handler	Prorate base (percent)
Grand View Heights Citrus Association	2.8098
Magnolia Citrus Association	2.0306
Porterville Citrus Association	1.3915
Richgrove-Jasmine Citrus Association	1.4358
Strathmore Cooperative Association	1.1904
Strathmore District Orange Association	1.2331
Strathmore Fruit Growers Association	.9344
Strathmore Packing House Co	1.7232
Sunflower Packing Association	1.8930
Sunland Packing House Co	2.4221
Terra Bella Citrus Association	1.7512
Tule River Citrus Association	1.1749
La Verne Cooperative Citrus Association	.2132
Lindsay Mutual Groves	1.1069
Martin Ranch	1.4501
Orange Cove Orange Growers	2.6418
Webb Packing Co., Inc	.2560
Woodlake Packing House	3.0003
Anderson Packing Co., R. M	.7258
Andrews Bros. of California	.0106
Arase, I	.0243
Babcock, Herman V	.0027
Baker Bros	.3184
Batkins, Jr., Fred A	.0676
Bear State Packers, Inc	.1455
Buller, Herman	.0000
California Citrus Groves Incorporated, Ltd	1.9539
Chess Co., Meyer W	.5811
Clark, Franklin	.0091
Codromac, Edward F	.0061
Currier, Walter C	.0000
Darby, Fred J	.0341
Dubendorf, John	.1812
Edison Groves Co	.4900
Evans Bros. Packing Co	.1072
Forbes, James H	.0456
Ghianda Ranch	.0250
Hagar, John	.0000
Hagquist, Carl A	.0227
Harding & Leggett	2.1799
Henery Windt Estate	.0304
Hipp, Joseph	.0023
Independent Growers, Inc	2.3104
Kim, Charles	.0523
Kroells Packing Co	2.1959
Larson, Kermit	.0121
Lo Bue Bros	1.1470
Maas, W. A	.0695
Marks, W. & M	.4129
McCarthy, Bernard C	.0000
McCleery, James E	.0000
Moore Packing Co., Myron	.0863
Nicholas, Richard	.0060
O'Hara, J. C	.0759
Randolph Marketing Co., Inc	2.1929
Reimers, Don H	.4252
Saba, Edward A	.0250
Sechrist, Calvin C	.0152
Sherman, A. W	.0181
Simmons, A. E	.0114
Sivensind, Carl G	.0084
Sky Acres Ranch	.0456
Swenson, L. W	.0489
Toy, Chin	.0352
Travis Fruit Co., J. A	.0432
Vincent, Walter H	.0304
Willee, T. R	.0122
Woodlake Heights Packing Corp	.6071
Zaninovich Bros., Inc	.8818

Prorate District No. 3

Total	100.0000
Allen & Allen Citrus Packing Co	2.1819
Consolidated Citrus Growers	13.4824
McKellips Citrus Co., Inc	6.0780
Phoenix Citrus Packing Co	2.1156

PRORATE BASE SCHEDULE—Continued

ALL ORANGES OTHER THAN VALENCIA ORANGES—continued

Prorate District No. 3—Continued

Handler	Prorate base (percent)
Arizona Citrus Growers	15.7412
Chandler Heights Citrus Growers	2.3962
Desert Citrus Growers Co	5.1862
Mesa Citrus Growers Association	14.3511
Tal'-Wi-Wi Ranches	.6020
Tempe Citrus Co	1.7850
Yuma Mesa Fruit Growers Association	.2419
Leppla-Henry Produce Co	13.0689
Maricopa Citrus Co	3.9677
Pioneer Fruit Co	5.2203
Clark & Sons, J. H	1.8113
Commercial Citrus Packing Co	2.4508
Hi Jolly Citrus Packing House	.7512
Ishikawa, Paul	.2708
Macchiaroli Fruit Co., James	.6467
Mattingly Fruit Co	1.3894
Potato House, The	2.2628
Sunny Valley Citrus Packing Co	1.6188
Valley Citrus Packing Co	2.3798

[F. R. Doc. 50-10784; Filed, Nov. 24, 1950; 11:41 a. m.]

TITLE 12—BANKS AND BANKING

Chapter II—Federal Reserve System

Subchapter A—Board of Governors of the Federal Reserve System

[Reg. W]

PART 222—CONSUMER INSTALMENT CREDIT

INTERPRETATIONS

Sec.
222.119 Sets and groups of articles.
222.120 Home improvement incorporating Group B combination unit.
222.121 Hotel or motel repairs or improvements.
222.122 "Rental" transactions.
222.123 Tax or fee prerequisite to auto tags.

AUTHORITY: §§ 222.119 to 222.123 issued under sec. 5, 40 Stat. 415, as amended, sec. 601, Pub. Law 774, 81st Cong.; 50 U. S. C. App. 5, E. O. 8843, Aug. 9, 1941, 6 F. R. 4035; 3 CFR, 1941 Supp.

§ 222.119 *Sets and groups of articles.* (a) A question has been presented concerning the application of § 222.6 (g) relating to sets and groups of articles. In determining whether several articles constitute "a single listed article" under § 222.6 (g), (1) the articles must be so related as to constitute a set, group, or assembly, or (2) they must be merchandised as a single unit; and, in either case (3) they must be sold or delivered at substantially the same time.

(b) Requisites (1) and (2) of paragraph (a) of this section, it will be noted, are stated in the alternative. Consequently, if a given case meets either or both of these requisites, § 222.6 (g) will apply, assuming that the third requisite, which is self-explanatory, is also satisfied.

(c) If the items are functionally related as in the case of a dining room or bedroom suite, the first requisite would be met. However, even if the items are not functionally related, but are merchandised as a set, group, or assembly, the second requisite would be met and the absence of functional relationship would be immaterial.

(d) With respect to the second requisite, important considerations are how the items are offered to customers, advertised, or ticketed, and the merchandising practices of a particular seller or practices in the particular trade. If listed articles are sold pursuant to an offering of the articles as a set, group, or assembly, the articles constitute a single listed article regardless of functional relationship and regardless of whether they are offered at a combination price which is lower than the price of each article if bought separately.

§ 222.120 *Home improvement incorporating Group B combination unit.* (a) The Board understands that instalment financing of combination units including a kitchen sink and dishwasher may be covered by FHA Title I insurance. This part establishes a minimum down payment of 10 percent and a maximum maturity of 30 months for home improvement credits which do not include articles listed in Group B of Part 1 of § 222.9. Item 6 in Group B reads "Combination units incorporating any listed article in the foregoing classifications of this Group B" and one article "in the foregoing classification" is "Dishwashers, mechanical designed for household use." The effect of this listing in Group B is that a minimum down payment of 25 percent is required and the maximum maturity is 15 months for such a combination unit as a sink including a dishwasher.

(b) Where a credit insured under Title I arises from the installation, in an existing residential structure, of a combination unit included as Item 6 in Group B of Part 1 of § 222.9, that portion of credit is subject to the minimum down payment and the maximum maturity specified for Group B articles although the balance of the credit, if any, may be subject to the minimum down payment and maximum maturity applicable to Group D. In that connection, where a credit is partly subject to one section of this part and partly subject to another, § 222.6 (d) is applicable.

§ 222.121 *Hotel or motel repairs or improvements.* A structure is not "designed exclusively for nonresidential use" within the meaning of Group D of Part 1 of § 222.9 merely because it is used, or designed for use, as a motel, tourist court or ordinary hotel. Of course, repairs, alterations and improvements upon such structures will be exempted from this part in many cases by the $2,500 ceiling applicable to such credits under § 222.7 (a).

§ 222.122 *"Rental" transactions.* A transaction does not cease to be subject to this part merely because the parties choose to call it a "rental" rather than a "sale". Without attempting to describe all the various arrangements that are subject to the part, it should be noted that the definition of credits that are subject to the part includes, among other things, "any contract for the bailment or leasing of property under which the bailee or lessee either has the option of becoming the owner thereof or obligates himself to pay as compensation a sum substantially equivalent to or in excess of the value thereof; * * * and any transaction or series of transactions having a similar purpose or effect."

§ 222.123 *Tax or fee prerequisite to auto tags.* The question has been presented concerning the treatment under this part of the tax or fee payable as a prerequisite to obtaining license plates in the name of the purchaser of an automobile. The Board is of the view that such a tax or fee may be included in the "cash price" of the automobile, and may be added in computing the "appraisal guide value" under Part 4 of § 222.9. To this extent the credit extended may cover such a tax or fee whether the transaction is an instalment sale or an instalment loan. This is in accordance with the interpretations issued under earlier versions of this part. The Board is of the further view, however, that such a tax or fee may not be treated separately and added in its entirety as part of the time or loan balance subject to maximum maturity limitations.

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM,
[SEAL] S. R. CARPENTER,
Secretary.

[F. R. Doc. 50-10662; Filed, Nov. 24, 1950; 8:47 a. m.]

[Reg. X]

PART 225—RESIDENTIAL REAL ESTATE CREDIT

INTERPRETATIONS

Sec.
225.113 Exemptions for contemplated construction.
225.114 Modification of pre-effective date firm commitment.
225.115 Motels and tourist courts.

AUTHORITY: §§ 225.113 to 225.115 issued under sec. 704, Pub. Law 774, 81st Cong., E. O. 10161, Sept. 9, 1950, 15 F. R. 6105. Interprets or applies sec. 602, Pub. Law 774, 81st Cong.

§ 225.113 *Exemptions for contemplated construction.* It is the view of the Board that exemptions under § 225.5 (g) should not be granted unless there is a clear showing of substantial hardship. The mere fact that a builder or other person may have made substantial commitments or undertakings before August 3, 1950, is not sufficient basis for the granting of an exemption unless he is also able to show that he will suffer substantial hardship if he has to comply with this part in obtaining credit rather than obtaining it on the basis previously contemplated by him and the Registrant. The builder or other person must also be able to show that he had contacts or negotiations with a Registrant prior to August 3, 1950, with a view to possible subsequent agreement for extension of credit to such builder or other person.

Section 225.5 (g) relates only to the credit to finance new construction which is extended to the builder or other person who made substantial commitments or undertakings before August 3, 1950, and the provision does not apply to credit involved in a subsequent sale of the property by such builder or other person.

§ 225.114 *Modification of pre-effective date firm commitment.* Section 225.6 (b) provides that the provisions of the part shall not apply to or affect any credit extended pursuant to any firm commitment to extend credit made prior to the effective date of the part. Questions have been raised concerning the application of this provision where firm commitments made prior to the effective date of the part are modified subsequent to that date by (a) substituting a new borrower for the one named in the commitment, (b) increasing the amount which the Registrant is committed to lend in order to cover increases in construction costs, or (c) extending the time within which the Registrant is committed to make the loan. It is the Board's opinion that credit extended pursuant to such a modification of a prior commitment is not exempt from this part except in the case of reasonable extensions of time in accordance with customary practices where the closing of loans is delayed by title difficulties, unforeseen delays in the completion of construction, or comparable circumstances.

§ 225.115 *Motels and tourist courts.* In reply to inquiries concerning the application of this part to motels and tourist courts, it is the Board's opinion that the fact that a structure is used, serving or designed for transient or temporary occupancy, rather than permanent occupancy, does not prevent the structure from being a residence within the meaning of § 225.2 (k). However, in accordance with the provisions of § 225.7, the maximum loan value may be applied separately with respect to each structure if the Registrant so desires.

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM,
[SEAL] S. R. CARPENTER,
Secretary.

[F. R. Doc. 50-10663; Filed, Nov. 24, 1950; 8:47 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Civil Air Regs., Amdt. 9-1]

PART 9—AIRCRAFT AIRWORTHINESS—LIMITED CATEGORY

LIMITED AIRWORTHINESS CERTIFICATES

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 20th day of November 1950.

Currently effective Part 9 provides that a limited airworthiness certificate shall not be initially issued after August 31, 1948. That time limitation was established in order that the development of postwar civilian-type aircraft would not be stifled by an extended overloading of the market with surplus war aircraft. However, in view of the increasing demand for military-type aircraft and the consequent diversion of facilities from the production of civilian-type aircraft to the production of military-type aircraft and an increase in demand for the use of war surplus aircraft as executive type transports, it appears desirable to remove this time limitation.

It should be noted that in order to obtain a limited airworthiness certificate for an aircraft the applicant must submit such substantiating data as may be necessary to prove that the aircraft is in an airworthy condition and that it complies with the type certificate. The Administrator is authorized to prescribe such operating limitations as may be necessary to assure safe operation of the aircraft. Moreover, an aircraft bearing a limited airworthiness certificate may not be used for the transportation of persons or cargo for compensation or hire.

We are not extending the date for making application for a limited type certificate, December 31, 1947, is the date currently established as a cut-off date for making such application. Therefore, the airworthiness certificates which can be issued under this amendment will be only for aircraft holding type certificates for which application was made prior to December 31, 1947. However, attention is invited to the provisions of Part 8 of the Civil Air Regulations, effective October 11, 1950, which permits the certification of surplus military aircraft, whether or not previously type certificated under Part 9, for use for special industrial purposes.

Interested persons have been afforded an opportunity to participate in the making of this amendment, and due consideration has been given to all relevant matter presented. Since this amendment imposes no additional burden on any person, it may be made effective without prior notice.

In consideration of the foregoing the Civil Aeronautics Board hereby amends Part 9 of the Civil Air Regulations (14 CFR Part 9, as amended) effective immediately:

By amending § 9.3 (a) to read as follows:

§ 9.3 *Airworthiness certificate*—(a) *Requirements for issuance.* A limited airworthiness certificate shall be issued by the Administrator for an aircraft type certificated under the provisions of this part if he finds, after inspection, that the aircraft is in a good state of preservation and repair and is in a condition for safe operation. Such inspection shall include a flight check by the applicant.

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interprets or applies secs. 601, 603, 52 Stat. 1007, 1009, as amended; 49 U. S. C. 551, 553)

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 50-10672; Filed, Nov. 24, 1950; 8:49 a. m.]

TITLE 15—COMMERCE AND FOREIGN TRADE

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

Subchapter C—Office of International Trade

[5th Gen. Rev. of Export Regs., Amdt. 25][1]

PART 374—PROJECT LICENSES

Part 374 is amended to read as follows:

Sec.
374.1 Project licenses.
374.2 Dollar Limit (DL) licenses.
374.3 SP (Special) project licenses.
374.4 Amendments to licenses.
374.5 Extension of validity period.
374.6 Export clearance.
374.7 Other applicable provisions.

AUTHORITY: §§ 374.1 to 374.7 issued under sec. 3, 63 Stat. 7; 50 U. S. C. App. Sup., 2023. E. O. 9630, Sept. 27, 1945, 10 F. R. 12245, 3 CFR, 1945 Supp.; E. O. 9919, Jan. 3, 1948, 13 F. R. 59, 3 CFR, 1948 Supp.

§ 374.1 *Project licenses*—(a) *General.* Under the provisions of this part, there is established a procedure for the exportation of commodities required for a specific project or program. Pursuant to this procedure, application may be made for a project license which, if issued, can be used to effect export clearance of commodities requiring validated license to export.

(1) A "project" is a new foreign operation, or the expansion of an existing foreign operation, for which commodities are required; in other words, a capital expenditure.

(2) A "program" is the maintenance, repair or operation, and production requirements of commodities for a foreign operation.

Two types of project licenses have been established: The Dollar Limit (DL) license, and the Special Project (SP) license. The form of the project license will be a validated Application for Export License (Form IT-419) with supplemental validated documents as required. The validated Form IT-419 constitutes the general approval and authorization of the project; however, export clearance of commodities for such project may be effected only under the appropriate supplemental validated documents. The validated Form IT-419 may cover a project or program for a validity period of one year which may be renewable for a similar period on the request of the licensee in accordance with § 374.5. Supplemental documents will be valid for the period indicated thereon.

(b) *Bases for consideration of project license applications.* In order to be considered under this procedure, a foreign project or program must have annual requirements for materials sufficient in quantity or variety to justify the use of the DL or SP procedure. Save for exceptional circumstances, applications for project licenses will be granted only for commodities not intended for resale.

[1] This amendment was published as Subject II of Current Export Bulletin No. 593 dated November 16, 1950.

(1) *DL licenses.* Applications for a DL license must meet one or more of the following conditions:

(i) The project or program will contribute significantly to supporting, maintaining, or increasing the production of materials strategic to or in short supply in the United States, and will benefit supply conditions of these materials in the United States or in areas in which the United States has a significant interest.

(ii) It will implement the Economic Cooperation Act or will implement loans granted foreign countries by the Export-Import Bank.

(iii) In the opinion of an appropriate agency of the U. S. Government (including the Office of International Trade), it merits licensing under the DL procedure.

(2) *SP licenses.* Project license applications will be considered for SP licenses which are suited administratively to the project licensing technique, but where the foreign project or program does not possess elements of United States interest to justify the approval of a DL license under the provisions of subparagraph (1) of this paragraph. Annual requirements for materials must be sufficient in quantity and variety to justify the use of the SP procedure rather than individual license applications or unit-process license applications.

NOTE: 1. *Project license identification.* If a project license is issued, it will be given a license number with either the prefix "SP" (if approved as a Special Project license) or with the prefix "DL" (if approved as a Dollar Limit license).

2. *Consultations with OIT.* All applicants for new project licenses are advised that, before submitting an application, they should consult with the Office of International Trade, to the end that a determination may be made whether the use of the project license procedure is justified.

3. *Holders of SP project licenses.* Holders of outstanding SP project licenses, as well as other applicants, may apply for Dollar Limit licenses. If requirements for a project or program now authorized for export by an outstanding SP project license are approved for export under a Dollar Limit license, the SP project license will be canceled.

§ 374.2 *Dollar Limit (DL) licenses—*(a) *License application form.* Applications for DL licenses must be submitted on Form IT–419, in duplicate, and must be accompanied by the additional statements and documents described in this section.

(b) *Preparation of application form.* In preparing the application, Form IT–419, with respect to the particular items specified below, the applicant shall enter:

(1) Under item 9 (b) (the commodity description column), the following:

Articles and materials set forth on the attached statement of estimated requirements constitute the requirements for not more than 1 year for (insert name of project or program) of commodities requiring validated export license beginning (insert date, beginning with a calendar quarter). We hereby certify that if a license is granted in response to this application, no such commodities will be exported under the license unless specifically required for the project or program, and after exportation the commodities will not be disposed of or used for any purpose other than that stated in this application.

(2) Under item 9 (d) (the value column), the total or aggregate dollar value of the commodities set forth in the statement of estimated requirements.

(3) Under item 13, the signature of the person who has authority to bind the applicant organization to its commitments in the license application. In the case of an individual, the application shall be signed by that individual applicant; in the case of a partnership, it shall be signed by a partner; in the case of a corporation, it shall be signed by an officer; in the case of other applicants, it shall be signed by a comparable official.

(c) *Letter of explanation.* A letter, in duplicate, giving full details as to the nature of the project or program for which the commodities are required.

NOTE: The degree of adequacy of the information submitted in justification of the project or program has a direct bearing upon the period of time required for processing the application and the action taken. Additional information, if needed, will be requested by the OIT.

(d) *Statement of estimated requirements.* A statement, in duplicate, of the estimated commodity requirements requiring validated export license for one year, or less if the project or program is of shorter duration. Except for the restricted commodities described in paragraph (e) of this section, such statements shall be made in terms of broad descriptive categories, within which commodities are found on the Positive List, such as "steel mill products," "construction, excavating, and conveying machinery," or "industrial chemicals." The total dollar value of the requirements for each category of commodities shall also be shown. With respect to the restricted commodities described in paragraph (e) of this section, a separate statement of requirements, in duplicate, shall be made, stated in terms of the specific commodity description, Schedule B number and the unit of quantity shown for that commodity entry on the Positive List, as well as in terms of the total dollar value for each commodity.

NOTE: Commodities which do not require a validated license for export to the country in question should not be listed on the statement of estimated requirements.

(e) *Restricted commodities.* The following commodities may not be exported under a DL license unless, prior to export, a Form IT–375 SP (Special) License Application Materials Requirements List, has been submitted to and validated by the Department of Commerce in accordance with paragraph (f) of this section.

(1) Commodities which, at the time of exportation, are listed as exceptions to the General In-Transit (GIT) license provisions, § 371.9 (c) of this chapter;

(2) Commodities which have been excepted from the general DL license clearance procedure by subsequent letter from the Department of Commerce to the licensee;

(3) Commodities included on the List of Restricted Commodities in Supplement 1 following the part.

NOTE: The above limitation applies to any unshipped balance against outstanding DL licenses.

(f) *Submission of Form IT–375.* Where required in accordance with paragraph (e) of this section, Form IT–375 must be submitted, in duplicate, for each restricted commodity, except that related commodities have the same processing code symbol and number may be included on one set of Form IT–375. Commodities which do not have the same processing code symbol and number must be submitted on separate IT–375 forms. Form IT–375 must be submitted not later than 30 days prior to the calendar quarter in which the commodity will be exported except that where a commodity is placed under restricted commodity control invalidating the license with respect to that commodity less than 30 days prior to a calendar quarter, Form IT–375 may be submitted immediately.

In addition to furnishing all the other information requested, Form IT–375 must include a statement of firm requirements for the calendar quarter, stated in terms of the Schedule B number, commodity description, and quantity in the unit of quantity shown for that commodity entry on the Positive List, as well as in terms of total dollar values.

NOTE: A statement of the essentiality of the particular commodity in relation to the project will be helpful in expediting action on the application.

(g) *Authorizations required by other Government agencies.* The applicant must also submit with the application any special authorization required by other agencies of the United States Government as to the commodities or matters covered by the application.

NOTE: The requirements of the special provisions set forth in Part 373 of this chapter, with respect to particular commodities must be fulfilled as a part of making application for the export of such commodities under a project license.

§ 374.3 *SP (Special) project licenses—*(a) *License application form.* Applications for SP (Special) Project licenses for a project or program shall be submitted on Form IT–419, in duplicate, and must be accompanied by the additional statement and documents described in this section.

(b) *Preparation of application form.* In preparing the application, Form IT–419, with respect to the particular items specified below, the applicant shall enter:

(1) Under item 9 (b) (the commodity description column), the following legend:

Articles and materials set forth on the attached form IT–375 constitute the total known requirements for (insert name of project) or requirements for one year for (insert name of program) of commodities requiring validated export license beginning (insert date, beginning with a calendar quarter). We hereby certify that if a license is granted in response to this application, no such commodities will be exported under the license unless specifically required for the project or program, and after exportation the commodities will not be disposed of or used for any purpose other than that stated in this application.

(2) Under item 9 (d) (the value column), the total or aggregate dollar

value of the commodities to be exported, as shown on the IT–375.

(3) Under item 13, the signature of the person who has authority to bind the applicant organization to its commitments in the license application. In the case of an individual, the application shall be signed by that individual applicant; in the case of a partnership, it shall be signed by a partner; in the case of a corporation, it shall be signed by an officer; in the case of other applicants, it shall be signed by a comparable official.

(c) *Letter of explanation.* A letter, in duplicate, giving full details as to urgency of need of the commodities and the nature of the operation for which they are required.

NOTE: The degree of adequacy of the information submitted in justification of the project has a direct bearing upon the period of time required for processing the application and the action taken. Additional information, if needed, will be requested by the OIT.

(d) *Form IT–375.* (1) A copy of Form IT–375, SP (Special) License Application Material Requirements List, in duplicate, must accompany each copy of application Form IT–419 and should be attached thereto. In addition to furnishing all the other information requested, Form IT–375 must include an estimate of the quantity of each commodity required. Such estimates must cover:

(i) In the case of projects, the total requirements thereof set forth by calendar quarter;

(ii) In the case of programs, the requirements for a full 12-month period set forth by calendar quarter.

(2) A separate Form IT–375, in duplicate, must be submitted for each group of commodities classified under a single processing code and number, describing them as listed on the Positive List and stating:

(i) The firm requirements of each commodity for the beginning calendar quarter; and

(ii) The estimated date on which each category of commodities referred to in subdivision (i) of this subparagraph will become available to the applicant.

NOTE: Commodities which do not require a validated license to export to the country in question should not be listed on Form IT–375.

(e) *Authorizations required by other Government agencies.* The applicant must also submit with the application any special authorization required by other agencies of the United States Government as to the commodities or matters covered by the application.

NOTE: The requirements of the special provisions set forth in Part 373 of this chapter, with respect to particular commodities must be fulfilled as a part of making application for the export of such commodities under a project license.

§ 374.4 *Amendments to licenses*—(a) *Conditions under which amendments will be made.* Subject to the provisions of § 374.1 (b) and of the other provisions of this section, amendments to project licenses may be granted to provide for special requirements of commodities by reason of changes in specifications, omissions, or unforeseen contingencies arising from emergencies or breakdowns.

(b) *Information required.* Requests for amendments of project licenses must include the following:

(1) With respect to a request for amendment of an SP (Special) Project license, a supplementary Materials Requirements List (Form IT–375) in duplicate, showing in detail the additional necessary commodities and the statement of the firm requirements for the beginning calendar quarter, as provided in § 374.3 (d); and

(2) With respect to a request for amendment of a DL (Dollar Limit) license, a supplementary statement, in duplicate, of estimated new or additional requirements for the project or program, prepared in detail as set forth in § 374.2 (d). If the additional commodity or commodities required fall within the restricted commodities described in § 374.2 (e), a Form IT–375, in duplicate, must be submitted in accordance with the provisions of § 374.2 (f).

§ 374.5 *Extension of validity period.* Extensions of the validity period of project licenses will not be granted unless the extension is justified under the provisions of § 374.1 (b).

(a) *Submission of requests.* Requests for extension must be submitted by letter, in duplicate, and must set forth (1) the approximate percentage of completion of the project; (2) the approximate unshipped balances of commodities included on the Positive List which are covered by the license; and (3) the approximate date shipment will be completed.

(b) *Notification.* If the request is granted, a notification letter will be sent to the licensee for attachment to the license and all collectors of customs will be notified.

§ 374.6 *Export clearance*—(a) *Presentation of license.* When clearing shipments for export under any project license, the licensee must present, upon demand of the collector of customs at the port of exit, either the original or a photostatic copy of the license, and supplementary validated documents.

(b) *Shipper's export declaration.* When clearing shipments under a project license, licensees shall file with the collector of customs an additional (fourth) copy of the shipper's export declaration (Commerce Form 7525–V). The licensee shall also enter the license symbol DL or SP, as the case may be, and the license number on the declaration. Where exportation is made under an SP license, or where a restricted commodity is being exported under a DL license, the amendment number of the particular validated IT–375 shall also be shown.

Commodities exported under a DL license shall be described on the shipper's export declaration as they are described on the Positive List, including the processing code. It is not sufficient to describe such commodities in terms of Schedule B listings or by broad commodity categories.

NOTE: For example, when shipping centrifuge bowls, stainless steel, Schedule B No. 775098, the exporter must describe such commodity in the terms used on the Positive List; a description of such commodity as "industrial machinery and parts n. e. s.," is not acceptable. The provisions of § 379.3 (a) of this chapter shall govern, except that a detailed description shall be given of all commodities within any "basket" classification.

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

SUPPLEMENT NO. 1 TO PART 374

LIST OF RESTRICTED COMMODITIES

Positive list commodities	*Effective date*
Aluminum and manufactures: Schedule B Nos. 630000 through 630998	Oct. 20, 1950
Copper and manufactures: Schedule B Nos. 640100 through 643998	Oct. 20, 1950
Brass and bronze manufactures: Schedule B Nos. 644000 through 647998	Oct. 20, 1950
Zinc and manufactures: Schedule B Nos. 657050 through 658998	Oct. 20, 1950
Electrical machinery and apparatus: Schedule B Nos. 709810 through 709850	Oct. 20, 1950
Lead and manufactures: Schedule B Nos. 650406 through 651598	Oct. 20, 1950
All commodities with the processing code TNPL	Nov. 10, 1950
All commodities with the processing code STEE	Nov. 10, 1950

This amendment shall become effective as of November 16, 1950.

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

[F. R. Doc. 50–10649; Filed, Nov. 24, 1950; 8:45 a. m.]

[5th Gen. Rev. of Export Regs., Amdt. P. L. 26] [1]

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 entries on the Positive List for pumping equipment, Schedule B Nos. 735500–736990, are revised as shown below by amending the commodity descriptions. These amendments clarify the present descriptions without making substantive change. As set forth below, the term "corrosion-resistant materials" appearing in each of these entries is specifically defined in a new paragraph to the "General Notes to Appendix A" which precede the Positive List.

[1] This amendment was published in Current Export Bulletin No. 593 dated November 16, 1950.

Dept. of Commerce Schedule B No.	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Validated license required
	Mining, well, and pumping machinery:				
	Pumping equipment:				
735300	Centrifugal pumps (delivering liquids separately or in combination with solids and/or gases) with any of the following characteristics: (a) designed for working pressures of 300 pounds per square inch, gauge reading, and over; (b) designed to operate continuously at temperatures of 220 degrees Fahrenheit and over; (c) fabricated of, or lined with, any corrosion-resistant materials as defined in the "General Notes to Appendix A."	No.	CONS	None	RO
735500	Centrifugal pumps (delivering liquids separately or in combination with solids and/or gases) with all of the following characteristics: (a) designed for working pressures of 75 pounds per square inch, gauge reading, and under 300 pounds per square inch, gauge reading; (b) designed to operate continuously at temperatures under 220 degrees Fahrenheit; and (c) not fabricated of, or lined with, any corrosion-resistant materials as defined in the "General Notes to Appendix A."	No.	CONS	None	R
735600	Rotary pumps (delivering liquids separately or in combination with solids and/or gases) with any of the following characteristics: (a) designed for working pressures of 300 pounds per square inch, gauge reading, and over; (b) designed to operate continuously at temperatures of 220 degrees Fahrenheit and over; (c) fabricated of, or lined with, any corrosion-resistant materials as defined in the "General Notes to Appendix A."	No.	CONS	None	RO
735800	Rotary pumps (delivering liquids separately or in combination with solids and/or gases) with all of the following characteristics: (a) designed for working pressures of 75 pounds per square inch, gauge reading, and under 300 pounds per square inch, gauge reading; (b) designed to operate continuously at temperatures under 220 degrees Fahrenheit; and (c) not fabricated, or lined with, any corrosion-resistant materials as defined in the "General Notes to Appendix A."	No.	CONS	None	R
735900	Deep-well turbine pumps (delivering liquids separately or in combination with solids and/or gases) with any of the following characteristics: (a) designed for working pressures of 300 pounds per square inch, gauge reading, and over; (b) designed to operate continuously at temperatures of 220 degrees Fahrenheit and over; (c) fabricated of, or lined with, any corrosion-resistant materials as defined in the "General Notes to Appendix A."	No.	CONS	None	RO
735700	Deep-well turbine pumps (delivering liquids separately or in combination with solids and/or gases) with all of the following characteristics: (a) designed for working pressures of 75 pounds per square inch, gauge reading, and under 300 pounds per square inch, gauge reading; (b) designed to operate continuously at temperatures under 220 degrees Fahrenheit; and (c) not fabricated of, or lined with, any corrosion-resistant materials as defined in the "General Notes to Appendix A."	No.	CONS	None	R
735800	Reciprocating steam pumps (delivering liquids separately or in combination with solids and/or gases) with any of the following characteristics: (a) designed for working pressures of 300 pounds per square inch, gauge reading, and over; (b) designed to operate continuously at temperatures of 220 degrees Fahrenheit and over; (c) fabricated of, or lined with, any corrosion-resistant materials as defined in the "General Notes to Appendix A."	No.	CONS	None	RO
735800	Reciprocating steam pumps (delivering liquids separately or in combination with solids and/or gases) with all of the following characteristics: (a) designed for working pressures of 75 pounds per square inch, gauge reading, and under 300 pounds per square inch, gauge reading; (b) designed to operate continuously at temperatures under 220 degrees Fahrenheit; and (c) not fabricated of, or lined with, any corrosion-resistant materials as defined in the "General Notes to Appendix A."	No.	CONS	None	R
	Mining, well, and pumping machinery—Continued				
	Pumping equipment—Continued				
736100	Other reciprocating power pumps (delivering liquids separately or in combination with solids and/or gases) with any of the following characteristics: (a) designed for working pressures of 300 pounds per square inch, gauge reading, and over; (b) designed to operate continuously at temperatures of 220 degrees Fahrenheit and over; (c) fabricated of, or lined with, any corrosion-resistant materials as defined in the "General Notes to Appendix A."	No.	CONS	None	RO
736100	Other reciprocating power pumps (delivering liquids separately or in combination with solids and/or gases) with all of the following characteristics: (a) designed for working pressures of 75 pounds per square inch, gauge reading and under 300 pounds per square inch, gauge reading; (b) designed to operate continuously at temperatures under 220 degrees Fahrenheit; and (c) not fabricated of, or lined with, any corrosion-resistant materials as defined in the "General Notes to Appendix A."	No.	CONS	None	R
736910	Pumps, n. e. s. (delivering liquids separately or in combination with solids and/or gases) with any of the following characteristics: (a) designed for working pressures of 300 pounds per square inch, gauge reading, and over; (b) designed to operate continuously at temperatures of 200 degrees Fahrenheit and over; (c) fabricated of, or lined with, any corrosion-resistant materials as defined in the "General Notes to Appendix A."	No.	CONS	None	RO
736910	Pumps, n. e. s. (delivering liquids separately or in combination with solids and/or gases) with all of the following characteristics: (a) designed for working pressures of 75 pounds per square inch, gauge reading and under 300 pounds per square inch, gauge reading; (b) designed to operate continuously at temperatures under 220 degrees Fahrenheit; and (c) not fabricated of, or lined with, any corrosion-resistant materials as defined in the "General Notes to Appendix A."	No.	CONS	None	R
736990	Parts for pumps (delivering liquids separately or in combination with solids and/or gases) with any of the following characteristics: (a) designed for working pressures of 300 pounds per square inch, gauge reading, and over; (b) designed to operate continuously at temperatures of 220 degrees Fahrenheit and over; (c) fabricated of, or lined with, any corrosion-resistant materials as defined in the "General Notes to Appendix A."	No.	CONS	None	RO
736990	Parts for pumps (delivering liquids separately or in combination with solids and/or gases) with all of the following characteristics: (a) designed for working pressures of 75 pounds per square inch, gauge reading and under 300 pounds per square inch, gauge reading; (b) designed to operate continuously at temperatures under 220 degrees Fahrenheit; and (c) not fabricated of, or lined with, any corrosion-resistant materials as defined in the "General Notes to Appendix A."	No.	CONS	100	R

2. In connection with the above entries, the following new paragraph is added to the "General Notes to Appendix A":

As used in the Positive List of Commodities, the term "corrosion-resistant materials" means (1) metals or alloys containing 10% or more of chromium and/or nickel and/or silicon; 60% or more of copper; 85% or more of aluminum; or 90% or more of zinc, tin, cadmium, indium, lead, silver, titanium, molybdenum, tantalum or zirconium, either separately or in combination; (2) glass, ceramics or other non-metallic material of mineral origin; (3) plastics as defined in ASTM Specification D-883; and (4) rubber (natural or synthetic).

Parts 1 and 2 of this amendment shall become effective as of November 16, 1950.

3. The following commodities are added to the Positive List:

Dept. of Commerce Schedule B No.	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Validated license required
	Medicinal and pharmaceutical preparations:				
	Medicinal chemicals (bulk), including U. S. P. and N. F.:				
	Sulfonamide drugs (exclusive of ampoules):				
*813551	Sulfanilamide, including dosage forms	Lb	DRUG 1	100	RO
	Sulfathiazole and derivatives:				
813552	Bulk	Lb	DRUG 1	100	RO
813554	Dosage forms	Lb	DRUG 1	100	RO
	Sulfadiazine and derivatives:				
813556	Bulk	Lb	DRUG 1	100	RO
813558	Dosage forms	Lb	DRUG 1	100	RO
813567	Sulfaguanidine, including dosage forms (specify by name).	Lb	DRUG 1	100	RO
813569	Other sulfonamide drugs, including dosage forms (specify by name).	Lb	DRUG 1	100	RO
	Antibiotics, derivatives and preparations, including ampoules:				
813576	Penicillin	Oxford units	DRUG 2	100	RO
813577	Streptomycin	Gram	DRUG 2	100	RO
813579	Antibiotics, n. e. s. (specify by name)		DRUG 2	100	RO

With respect to Country Group R destinations only, shipments of the commodities removed from general license to Country Group R destinations as a result of changes set forth above which were on dock, on lighter, laden aboard an exporting carrier, or in transit to a port of exit pursuant to actual orders for export prior to November 19, 1950, may be exported under the previous general license provisions up to and including December 18, 1950. Any such shipment not laden aboard the exporting carrier on or before December 18, 1950, requires a validated license for export. This saving clause is not applicable to any such shipments to Subgroup A destinations, Hong Kong and Macao.

Part 3 of this amendment shall become effective as of November 19, 1950, for Country Group R destinations; and shall become effective as of December 19, 1950, for Country Group O destinations.

(Sec. 3, 63 Stat. 7; 50 U. S. C. App. Sup., 2023. E. O. 9630, Sept. 27, 1945, 10 F. R. 12245, 3 CFR, 1945 Supp.; E. O. 9919, Jan. 3, 1948, 13 F. R. 59, 3 CFR, 1948 Supp.)

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

[F. R. Doc. 50-10650; Filed, Nov. 24, 1950; 8:45 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket 5488]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

JOSEPH L. MORSE ET AL.

Subpart—*Advertising falsely or misleadingly:* § 3.25 *Competitors and their products—Competitors' products;* § 3.45 *Content;* § 3.230 *Size or weight;* § 3.250 *Success, use or standing.* Subpart—*Disparaging competitors and their products — Competitors' products;* § 3.965 *Composition;* § 3.985 *Manufacture or preparation;* § 3.1005 *Prices;* § 3.1015 *Quality;* § 3.1033 *Success, use or standing.* In connection with the offering for sale, sale, or distribution of respondents' Funk & Wagnalls New Standard Encyclopedia or other reference books in commerce, (1) representing that the number of volumes or sets of their said publication sold annually, or during any other period, is greater than it actually is; (2) representing, by exaggeration as to the number of subjects covered, or otherwise, that the encyclopedic coverage of their said publication is any greater, or more extensive, than it is in fact; (3) representing, by picturizations or otherwise, that the individual volumes of their said publication are larger than they actually are; or, (4) making or publishing false or disparaging representations concerning encyclopedias published by competitors; prohibited.

(Sec. 6, 38 Stat. 722, as amended; 15 U. S. C. 46. Interpret or apply sec. 5, 38 Stat. 719 as amended; 15 U. S. C. 45) [Cease and desist order, Joseph L. Morse et al. trading as Unicorn Press, Docket 5488, October 16, 1950]

In the Matter of Joseph L. Morse, Mac Gache, Gertrude Morse, and Rose Gache, Individually and as Copartners Trading as Unicorn Press

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, answer of the respondents, testimony and other evidence introduced before a trial examiner of the Commission theretofore duly designated by it, recommended decision of the trial examiner and exceptions thereto filed by counsel for the respondents, and briefs and oral argument of counsel; and the Commission having made its findings as to the facts and its conclusion that the respondents have violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondents, Joseph L. Morse, Mac Gache, Gertrude Morse, and Rose Gache, individually and trading as Unicorn Press, or trading under any other names, and their agents, representatives, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, or distribution of their Funk & Wagnalls New Standard Encyclopedia or other reference books in commerce as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

(1) Representing that the number of volumes or sets of their said publication sold annually, or during any other period, is greater than it actually is.

(2) Representing, by exaggeration as to the number of subjects covered, or otherwise, that the encyclopedic coverage of their said publication is any greater, or more extensive, than it is in fact.

(3) Representing, by picturizations or otherwise, that the individual volumes of their said publication are larger than they actually are.

(4) Making or publishing false or disparaging representations concerning encyclopedias published by competitors.

It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

Issued: October 6, 1950.

By the Commission.

[SEAL] D. C. DANIEL,
Secretary.

[F. R. Doc. 50-10671; Filed, Nov. 24, 1950; 8:49 a. m.]

[Docket 5591]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

OLD MISSION TABLET CO.

Subpart—*Advertising falsely or misleadingly:* § 3.170 *Qualities or properties of product or service;* § 3.205 *Scientific or other relevant facts.* In connection with the offering for sale, sale and distribution in commerce, of "O-M Tablets" or any product of substantially similar composition or possessing similar properties, whether sold under the same or any other name, disseminating, etc., any advertisements by means of the United States mails, or in commerce, or by any means to induce, etc., directly or indirectly, the purchase in commerce, etc., of respondent's O-M Tablets, which advertisements represent, directly or through inference, (a) that impairment of the stomach, kidneys and liver, soreness of the stomach, weakness of the stomach and palpitation due to gas are caused by constipation; (b) that gas in the stomach is caused by slow digestion; (c) that respondent's product will effectively relieve gas caused by constipation; (d) that the use of respondent's product will improve or strengthen the digestive processes of the human body; (e) that the use of respondent's product will increase the rapidity of digestion of food or impart to the stomach a feeling of ease or comfort; (f) that "feeling bad" and "unnatural feelings," when due to constipation, can be effectively treated by the use of respondent's product beyond the temporary relief of bowel evacuation; or, (g) that "feeling bad" and "unnatural feelings," when not due to constipation, can be benefited at all by the use of respondent's product; prohibited.

(Sec. 6, 38 Stat. 722; 15 U. S. C., sec. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U. S. C. 45) [Cease and desist

order, W. L. Hopperstead trading as Old Mission Tablet Company, Docket 5591, October 2, 1950]

This proceeding was heard by Frank Hier, trial examiner theretofore designated by the Federal Trade Commission for that purpose, upon the complaint of the Commission, respondent's answer, and a stipulation entered into the record which it was agreed might be taken as the facts in this proceeding and in lieu of testimony in support of and in opposition to the charges in the complaint, and that the said statement of facts might serve as the basis of findings as to the facts and conclusion based thereon and order disposing of the proceeding without presentation of proposed findings and conclusions or oral argument.

Thereafter the proceeding regularly came on for final consideration by said trial examiner upon the complaint, answer and stipulation of facts, the latter having been approved by said trial examiner; and said trial examiner, having considered the record in the matter and having found that the instant proceeding was in the interest of the public, made his initial decision, comprising certain findings as to the facts, and conclusion drawn therefrom, and order to cease and desist.

No appeal having been filed from said initial decision of said trial examiner as provided for in Rule XXII, nor any other action taken as thereby provided to prevent said initial decision becoming the decision of the Commission thirty days from service thereof upon the parties, said initial decision, including said order to cease and desist, accordingly, under the provisions of said Rule XXII, became the decision of the Commission on October 2, 1950.

The said order to cease and desist is as follows:

It is ordered, That W. L. Hopperstead, his employees, representatives and agents, directly or indirectly, through any corporate or other device, under the trade name of Old Mission Tablet Company or under any other trade name, in connection with the offering for sale, sale and distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act of "O-M Tablets" or any product of substantially similar composition or possessing substantially similar properties, whether sold under the same or any other name, do forthwith cease and desist from, directly or indirectly,

1. Disseminating or causing to be disseminated, by means of the United States mails or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, any advertisement which represents, directly or through inference,

(a) That impairment of the stomach, kidneys and liver, soreness of the stomach, weakness of the stomach and palpitation due to gas are caused by constipation.

(b) That gas in the stomach is caused by slow digestion.

(c) That respondent's product will effectively relieve gas caused by constipation.

(d) That the use of respondent's product will improve or strengthen the digestive processes of the human body.

(e) That the use of respondent's product will increase the rapidity of digestion of food or impart to the stomach a feeling of ease or comfort.

(f) That "feeling bad" and "unnatural feelings," when due to constipation, can be effectively treated by the use of respondent's product beyond the temporary relief of bowel evacuation.

(g) That "feeling bad" and "unnatural feelings," when not due to constipation, can be benefited at all by the use of respondent's product.

2. Disseminating or causing to be disseminated, by any means, for the purpose of inducing or which is likely to induce, directly or indirectly, the purchase in commerce, as "commerce" is defined in the Federal Trade Commission Act, of respondent's O-M Tablets, any advertisement which contains any of the representations prohibited in Paragraph 1 of this order.

It is ordered, That the respondent herein, W. L. Hopperstead, shall, within sixty (60) days after service upon him of this order, file with the Commission a report in writing setting forth in detail the manner and form in which he has complied with this order.

Issued: October 2, 1950.

By the Commission.

[SEAL] D. C. DANIEL, *Secretary.*

[F. R. Doc. 50-10669; Filed, Nov. 24, 1950; 8:49 a. m.]

[Docket 5717]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

CORADIO, INC., ET AL.

Subpart—*Advertising falsely or misleadingly:* § 3.15 *Business status, advantages, or connections—Producer status of dealer—Manufacturer;* § 3.70 *Fictitious or misleading guarantees;* § 3.205 *Scientific or other relevant facts;* § 3.260 *Terms and conditions.* Subpart—*Offering unfair, improper and deceptive inducements to purchase or deal:* § 3.1980 *Guarantees, in general;* § 3.2080 *Terms and conditions;* § 3.2090 *Undertakings in general.* Subpart—*Securing agents or representatives falsely or misleadingly:* § 3.2120 *Dealer or seller assistance;* § 3.2148 *Scientific or relevant facts;* § 3.2150 *Seller status, advantages or connections;* § 3.2165 *Terms and conditions.* In connection with the offering for sale, sale or distribution of coin operated radios or any component part thereof in commerce, representing, directly or by implication, (1) that insurance on coin-operated radios against loss by fire, theft, or damage is readily obtainable generally or that the rates on such insurance are low; (2) that exclusive sales territories are allotted to distributors, sales agents, or others, purchasing their radios, when such is not a fact; (3) that respondents will assist distributors, sales agents, or others in selling or operating the radios purchased by furnishing advertising material, lists of prospective buyers, lease and order blanks, and similar material, or otherwise, unless such assistance will in fact be furnished; (4) through the use of the words "manufactured by," or any other word or words of similar import or meaning, that they are the manufacturers of said coin-operated radios, or any component part thereof, unless and until such products are actually manufactured in a plant or factory owned and operated, or directly and absolutely controlled, by them; or, (5) that their radio sets, or the tubes thereof, are "guaranteed," unless and until the nature and extent of the "guarantee" and manner in which the guarantor will perform are clearly and conspicuously disclosed; prohibited.

(Sec. 6, 38 Stat. 722, as amended; 15 U. S. C., 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U. S. C. 45) [Cease and desist order, Coradio, Inc. et al., Docket 5717, October 16, 1950]

In the Matter of Coradio, Inc., a Corporation; Louis Brown and Lew N. Lewis, Individually and as Officers of Coradio, Inc.; and Sydney Gold, Individually and as General Agent for Coradio, Inc.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, answers of the respondents, except individual respondent Lew N. Lewis, the complaint having been dismissed as to him without prejudice, in which answers the respondents admitted all the material allegations of fact set forth in said complaint and waived the taking of testimony and other procedure; and the Commission having made its findings as to the facts and its conclusion that respondents have violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondents, Coradio, Inc., a corporation, and its officers, Louis Brown, individually and as an officer of respondent corporation, and Sydney Gold, individually and as General Agent for respondent corporation, and respondents' agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of coin-operated radios or any component part thereof in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from representing, directly or by implication:

(1) That insurance on coin-operated radios against loss by fire, theft, or damage is readily obtainable generally or that the rates on such insurance are low;

(2) That exclusive sales territories are allotted to distributors, sales agents, or others purchasing their radios, when such is not a fact;

(3) That they will assist distributors, sales agents, or others in selling or operating the radios purchased by furnishing advertising material, lists of prospective buyers, lease and order blanks, and similar material, or otherwise, unless such assistance will in fact be furnished;

(4) Through the use of the words "manufactured by", or any other word or words of similar import or meaning, that they are the manufacturers of said coin-operated radios, or any component

part thereof, unless and until such products are actually manufactured in a plant or factory owned and operated, or directly and absolutely controlled, by them;

(5) That their radio sets, or the tubes thereof, are "guaranteed," unless and until the nature and extent of the "guarantee" and manner in which the guarantor will perform are clearly and conspicuously disclosed.

It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report, in writing, setting forth in detail the manner and form in which they have complied with this order.

Issued: October 16, 1950.

By the Commission.

[SEAL] D. C. DANIEL,
Secretary.

[F. R. Doc. 50-10670; Filed, Nov. 24, 1950; 8:49 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T. D. 52610]

PART 12—SPECIAL CLASSES OF MERCHANDISE

PROCEDURE ON ENTRY AND INSPECTION OF PLANT AND PLANT PRODUCTS

In order to provide by regulation for the procedure now informally in effect maintaining Government control over plants and plant products after all requirements for release of merchandise have been met at the port of first arrival, until released by a representative of the Bureau of Entomology and Plant Quarantine when such release takes place at other than the port of first arrival, § 12.11, Customs Regulations of 1943 (19 CFR 12.11), as amended by T. D. 52492, is hereby further amended by deleting the parenthetical matter at the end of paragraph (b) and adding a new paragraph (c) reading as follows:

(c) Where plant or plant products are shipped from the port of first arrival to another port or place for inspection or other treatment by a representative of the Bureau of Entomology and Plant Quarantine and all customs requirements for the release of the merchandise have been met, the merchandise shall be forwarded under a special manifest (customs Form 7512) and in-bond labels or customs seals to the representative of the Bureau of Entomology and Plant Quarantine at the place at which the inspection or other treatment is to take place. No further release by the collector of customs shall be required.

(R. S. 161, sec. 624, 46 Stat. 759; 5 U. S. C. 22, 19 U. S. C. 1624)

[SEAL] FRANK DOW,
Commissioner of Customs.

Approved: November 20, 1950.

JOHN S. GRAHAM,
Acting Secretary of the Treasury.

[F. R. Doc. 50-10673; Filed, Nov. 24, 1950; 8:49 a. m.]

TITLE 24—HOUSING AND HOUSING CREDIT

Chapter VIII—Office of Housing Expediter

[Controlled Housing Rent, Reg., Amdt. 307]

[Controlled Rooms in Rooming Houses and Other Establishments Rent Reg., Amdt. 303]

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

CONNECTICUT, MINNESOTA, NEW JERSEY, OHIO AND PENNSYLVANIA

Amendment 307 to the Controlled Housing Rent Regulation (§§ 825.1 to 825.12) and Amendment 303 to the Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments (§§ 825.81 to 825.92).

In Schedule C of said Rent Regulations, the description of localities affected by declarations for continuance of rent control after December 31, 1950 is amended with respect to certain Defense-Rental Areas to read as follows:

1. (47) Bridgeport, Connecticut, Defense-Rental Area:

In Fairfield County, the City of Bridgeport and all unincorporated localities, if any, in the Towns of Easton, Fairfield, Stratford, Trumbull and Westport.

In the remainder of Fairfield County, the City of Stamford, the Town of Greenwich, and all unincorporated localities.

This adds to Schedule C (1) the City of Bridgeport, Connecticut, as of November 6, 1950 and)2) all unincorporated localities in the Defense-Rental Area, as of November 6, 1950, by virtue of declarations made by incorporated localities constituting the major portion of the Defense-Rental Area.

2. (48) Hartford-New Britain, Connecticut, Defense-Rental Area:

In Hartford County, the Cities of Bristol, Hartford and New Britain, the Towns of East Hartford and Windsor, and all unincorporated localities, if any, in the Towns of Berlin, Bloomfield, East Windsor, Farmington, Glastonbury, Manchester, Newington, Plainville, Rocky Hill, Southington, South Windsor, West Hartford, Weathersfield and Windsor Locks; in Middlesex County, all unincorporated localities, if any, in the Towns of Cromwell, Middlefield and Portland; in New Haven County, the City of Meriden, the Borough of Wallingford and all unincorporated localities, if any, in the Town of Wallingford; and in Tolland County, all unincorporated localities, if any, in the Town of Vernon.

In the remaining portions of the Counties of Hartford, Middlesex and Tolland, all unincorporated localities, if any.

This adds to Schedule C the Town of Windsor, Connecticut, as of September 29, 1950, and the City of Meriden, Connecticut, as of November 7, 1950.

3. (160) Minneapolis-St. Paul, Minnesota, Defense-Rental Area:

In Ramsey County, the City of St. Paul; and in Washington County, the village of Forest Lake.

This adds to Schedule C the City of St. Paul, Minnesota, as of September 10, 1950.

4. (183a) Southern New Jersey Defense-Rental Area:

In Burlington County, the City of Burlington and the Borough of Palmyra; in Camden County, the City of Camden, the Boroughs of Barrington, Chesilhurst, Collingswood, Gibbsboro, Haddon Heights, Lawnside, Lindenwold, Magnolia, Oaklyn, Runnemede, Somerdale and Woodlynne and the Township of Berlin; and in Gloucester County, the Borough of Glassboro.

This adds to Schedule C the Boroughs of Gibbsboro, New Jersey, as of October 24, 1950 and Somerdale, New Jersey, as of September 13, 1950.

5. (190) Northeastern New Jersey Defense-Rental Area:

In Bergen County, the City of North Arlington, the Boroughs of Cliffside Park, Closter, East Rutherford, Edgewater, Fort Lee, Harrington Park, Palisades Park and Teterboro, the Township of Teaneck and all unincorporated localities; in Essex County, the Cities of East Orange, Newark and Orange, the Towns of Belleville, Bloomfield and Nutley, and all unincorporated localities; in Hudson County, the Cities of Bayonne, Hoboken, Jersey City and Union City, the Towns of Harrison, Kearny and West New York, the Township of North Bergen, and all unincorporated localities; in Middlesex County, the Cities of New Brunswick and Perth Amboy, the Boroughs of Helmetta, Highland Park, South Plainfield and South River, the Township of Raritan, and all unincorporated localities; in Monmouth County, the City of Long Branch, the Boroughs of Deal and Red Bank, and all unincorporated localities; in Morris County, the Borough of Wharton, the Towns of Dover and Morristown, the Townships of Denville and Hanover and all unincorporated localities; in Passaic County, the Cities of Clifton and Paterson, and all unincorporated localities; in Somerset County, the Borough of Raritan, and all unincorporated localities; and in Union County, the Cities of Elizabeth, Linden and Rahway, the Boroughs of Garwood, Roselle and Roselle Park, and all unincorporated localities.

This adds to Schedule C the following localities in the State of New Jersey:

(1) Borough of Edgewater, as of October 17, 1950.

(2) City of Elizabeth and the Borough of South Plainfield, as of October 26, 1950.

(3) Town of Bloomfield, as of November 6, 1950.

(4) Borough of Helmetta and Town of Nutley, as of November 8, 1950.

(5) Town of Harrison, as of November 9, 1950.

6. (241) Youngstown-Warren, Ohio, Defense-Rental Area:

In Mahoning County, the Cities of Struthers and Youngstown, the Village of Lowellville, and all unincorporated localities; and in Trumbull County, the Cities of Girard and Niles, the Village of McDonald, and all unincorporated localities.

This adds to Schedule C the City of Niles, Ohio, as of November 1, 1950.

7. (257) Allentown-Bethlehem, Pennsylvania, Defense-Rental Area:

In Lehigh County (exclusive of the Townships of Heidelberg, Lowhill, Lower Macungie, Lower Milford, Lynn, Upper Macungie, Upper Milford, Washington and Weisenberg, and the Boroughs of Alburtis, Macungie and Slatington), the City of Allentown and all unincorporated localities; and in Northampton County (exclusive of the Townships of Bushkill, Lehigh, Lower Mount Bethel, Moore, Plainfield, Upper Mount Bethel and Washington, and the Boroughs of Bangor, Chapman, East Bangor, Penn Argyl, Portland, Roseto, Walnutport and Wind Gap), the City of Easton and all unincorporated localities.

This adds to Schedule C (1) the City of Allentown, Pennsylvania, as of November 8, 1950 and (2) all unincorporated localities in the Defense-Rental Area, as of November 8, 1950, by virtue of declarations made by incorporated localities constituting the major portion of the Defense-Rental Area.

8. (258) Altoona-Johnstown, Pennsylvania, Defense-Rental Area:

In Blair County, the unincorporated localities, if any, in the Townships of Allegheny, Antis, Blair, Frankstown, Logan, and Snyder; in Cambria County, the City of Johnstown, the Boroughs of Barnesboro, Nanty-Glo and Scalp Level, and all unincorporated localities; and in Somerset County, the Boroughs of Garrett, Meyersdale and Windber, and all unincorporated localities, if any, in the Townships of Black, Conemough, Jenner, Lincoln, Ogle, Paint, Shade, Somerset, Summit and Quemahoning.

This adds to Schedule C (1) the Borough of Windber, Pennsylvania, as of October 3, 1950, (2) the Borough of Nanty-Glo, Pennsylvania, as of November 3, 1950, and (3) the Borough of Barnesboro, Pennsylvania, as of November 8, 1950.

All the foregoing additions to Schedule C are based on declarations made on the dates specified above in accordance with section 204 (f) (1) of the Housing and Rent Act of 1947, as amended.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

This amendment shall be effective with respect to each locality covered thereby as of the date on which the declaration affecting that locality was made.

Issued this 21st day of November 1950.

TIGHE E. WOODS,
Housing Expediter.

[F. R. Doc. 50-10667; Filed, Nov. 24, 1950; 8:48 a. m.]

[Controlled Housing Rent Reg., Amdt. 308]

[Controlled Rooms in Rooming Houses and Other Establishments, Rent Reg., Amdt. 304]

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

CERTAIN STATES

Amendment 308 to the Controlled Housing Rent Regulation (§§ 825.1 to 825.12) and Amendment 304 of the Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments (§§ 825.81 to 825.92). Said Regulations are amended in the following respect:

The following new items are hereby incorporated in Schedule C:

Name of defense-rental area	State	Localities affected by declarations for continuation of rent control after Dec. 31, 1950
(50) New London	Connecticut	In New London County, the city of New London.
(64b) Starke	Florida	In Clay County, the city of Green Cove Springs.
(131) Lake Charles	Louisiana	In Calcasieu Parish, the city of De Quincy.
(140) Hagerstown	Maryland	In Washington County (exclusive of election districts 1, 8, 9, 11, 12, 14, and 20), the city of Hagerstown and all unincorporated localities.
(221c) Plymouth	North Carolina	In Washington County, the city of Plymouth.
(233) Lorain-Elyria	Ohio	In Lorain County, the village of South Amherst.
(238) Sandusky-Port Clinton	do	In Ottawa County, the village of Oak Harbor.
(258c) Bradford County	Pennsylvania	In Bradford County, the borough of South Waverly.
(288) Clarksville	Tennessee	In Montgomery County, the city of Clarksville.
(337a) Burlington	Vermont	In Chittenden County, the city of Burlington and all unincorporated localities, if any, in the town of South Burlington.
(337c) Montpelier	do	In Washington County, the city of Montpelier.
(369) Cheyenne	Wyoming	In Laramie County, the city of Cheyenne.

This addition to Schedule C is based upon declarations made on the dates specified below in accordance with Section 204 (f) (1) of the Housing and Rent Act of 1947, as amended, by local governing bodies affecting the following localities:

(1) City of De Quincy, Louisiana—September 6, 1950.

(2) City of Cheyenne, Wyoming—September 18, 1950.

(3) Village of South Amherst, Ohio—October 16, 1950.

(4) Village of Oak Harbor, Ohio—October 17, 1950.

(5) City of Hagerstown, Maryland, and all unincorporated localities in the Defense-Rental Area, said City being the major portion of the Defense-Rental Area—November 2, 1950.

(6) City of Clarksville, Tennessee—November 2, 1950.

(7) City of New London, Connecticut—November 6, 1950.

(8) Cities of Green Cove Springs, Florida, and Borough of South Waverly, Pennsylvania—November 7, 1950.

(9) City of Burlington, Vermont, and all unincorporated localities in the Defense-Rental Area, said City being the major portion of the Defense-Rental Area—November 7, 1950.

(10) Cities of Plymouth, North Carolina, and Montpelier, Vermont—November 8, 1950.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

This amendment shall be effective with respect to each locality covered thereby as of the date on which the declaration affecting that locality was made.

Issued this 21st day of November 1950.

TIGHE E. WOODS,
Housing Expediter.

[F. R. Doc. 50-10668; Filed, Nov. 24, 1950; 8:47 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter V—Department of the Army

Subchapter A—Aid of Civil Authorities and Public Relations

PART 513—ASSISTANCE OF CREDITOR BY DEPARTMENT OF THE ARMY

INDEBTEDNESS OF MILITARY PERSONNEL

Section 513.1 is rescinded and the following substituted therefor:

§ 513.1 *Indebtedness of military personnel.* Normally, personal indebtedness of officers and enlisted personnel will be considered as a personal matter to be settled between the creditor and the debtor without assistance or intervention by the Army. However, when it appears that an officer or enlisted person by his or her conduct or attitude with regard to personal indebtedness reflects discredit upon the service, the commanding officer concerned will take appropriate action in accordance with paragraph 183b, Manual for Courts-Martial, 1949. (E. O. 10020, Dec. 7, 1948, 13 F. R. 7519)

[AR 600-10 Nov. 10, 1950] (R. S. 161; 5 U. S. C. 22)

[SEAL] EDWARD F. WITSELL,
Major General, U. S. Army,
The Adjutant General.

[F. R. Doc. 50-10661; Filed, Nov. 24, 1950; 8:47 a. m.]

TITLE 42—PUBLIC HEALTH

Chapter I—Public Health Service, Federal Security Agency

PART 71—FOREIGN QUARANTINE

MISCELLANEOUS AMENDMENTS

The regulations contained in this part are amended as indicated below. The regulations and the amendments thereto are for the purpose of preventing the introduction, transmission or spread of communicable diseases from foreign countries into the United States, its territories or possessions insofar as such introduction, transmission and spread of communicable diseases may be prevented by inspection, vaccination, conditional release of individuals, and related measures. Notice of proposed rule-making and public rule-making proceedings with respect to the amendments herein prescribed was published in the FEDERAL REGISTER on October 14, 1950 (15 F. R. 6916).

1. Section 71.16 is revised to read as follows:

§ 71.16 *Smallpox: Vessels or aircraft.* (a) The owner or operator of a vessel or aircraft shall not permit to embark thereon, until successfully vaccinated, any person who within the 14 days immediately prior to embarkation has been in an area where smallpox was present, unless the person presents:

(1) Bodily or documentary evidence of a previous attack of smallpox, or a certificate of immunization executed on a form approved by the World Health Organization, or

(2) A written statement from a licensed physician that, because of such person's advanced age, infancy, or illness, vaccination would be dangerous to his health.

(b) A statement by a local or national health authority at the place of embarkation affirming that a person has not been in an area where smallpox was present in the 14 days immediately prior to embarkation may be accepted as evidence of the facts so stated unless the owner or operator of the vessel or aircraft knows or has reason to know that the statement is erroneous.

2. Section 71.68 is revised to read as follows:

§ 71.68 *Persons; release under surveillance.* Persons released under surveillance pursuant to the provisions of Subpart F of this part shall, during the periods specified in such subpart, submit to such medical examination or inquiry as the medical officer in charge may determine to be necessary to prevent the spread of the disease or diseases with respect to which such persons have been released under surveillance.

3. Section 71.87 is revised to read as follows:

§ 71.87 *Smallpox: Vessels or aircraft; persons.* (a) Persons ill from smallpox shall be removed and isolated until no longer infectious.

(b) All arriving persons shall be vaccinated unless:

(1) They present evidence satisfactory to the quarantine officer of successful vaccination within three years prior to arrival or of a previous attack of smallpox, or

(2) They present a statement from a local or national health authority at the place of embarkation affirming that they were not in an area where smallpox was present in the 14 days immediately prior to embarkation for a port under the control of the United States, or

(3) In the judgment of the quarantine officer vaccination would, because of advanced age, infancy, or illness of such persons, be dangerous to their health, in which case they shall be placed under surveillance for not more than 14 days, subject to the provisions of paragraph (c) (2) of this section.

(c) The following persons may be held under observation for not more than 14 days to determine whether they are infected with smallpox:

(1) All persons required under paragraph (b) of this section to be vaccinated who fail or refuse to be vaccinated;

(2) All persons exempted by paragraph (b) (2) or (3) of this section from the vaccination requirement, if the quarantine officer has reason to believe that they have been exposed to smallpox within 14 days prior to arrival.

(3) All persons vaccinated on arrival or within 14 days prior to arrival, if the quarantine officer has reason to believe that they have been exposed to smallpox within 14 days prior to arrival.

4. Paragraphs (c) and (d) of § 71.139 are revised to read as follows:

§ 71.139 *Particular diseases.* • • •

(c) All persons shall be vaccinated against smallpox unless:

(1) They present evidence satisfactory to the quarantine officer of successful vaccination within three years prior to arrival or of a previous attack of smallpox, or

(2) In the judgment of the quarantine officer vaccination would, because of advanced age, infancy, or illness of such persons, be dangerous to their health, in which case they shall be placed under surveillance for not more than 14 days, subject to the provisions of paragraph (d) (2) of this section.

(d) The following persons may be held under observation for not more than 14 days to determine whether they are infected with smallpox:

(1) All persons required under paragraph (c) of this section to be vaccinated who fail or refuse to be vaccinated;

(2) All persons excepted, because of danger to their health, from the vaccination requirement, if the quarantine officer has reason to believe that they have been exposed to smallpox within 14 days prior to arrival.

(3) All persons vaccinated on arrival or within 14 days prior to arrival, if the quarantine officer has reason to believe that they have been exposed to smallpox within 14 days prior to arrival.

(Sec. 215, 58 Stat. 690, as amended; 42 U. S. C. 216. Interpret or apply secs. 361–369, 58 Stat. 703–706; 42 U. S. C. 264–272)

Effective date. The foregoing amendments shall become effective 30 days after publication in the FEDERAL REGISTER.

Dated: November 17, 1950.

[SEAL] LEONARD A. SCHEELE,
Surgeon General.

Approved: November 20, 1950.

OSCAR R. EWING,
Federal Security Administrator.

[F. R. Doc. 50-10666; Filed, Nov. 24, 1950; 8:48 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR, Ch. IX]

[Docket No. AO 229]

HANDLING OF MILK IN CEDAR RAPIDS, IOWA, MARKETING AREA

NOTICE OF HEARING ON PROPOSED MARKETING AGREEMENT AND ORDER

Pursuant to the Agricultural Marketing 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 public hearing to be held in the Assembly Room, Chamber of Commerce Building, May's Island, Cedar Rapids, Iowa, beginning at 10:00 a. m., c. s. t., December 11, 1950.

The public hearing is for the purpose of receiving evidence with respect to economic and marketing conditions which relate to the handling of milk for the Cedar Rapids, Iowa, marketing area and to the issuance of a marketing agreement and order regulating the handling of milk in the said marketing area. The proposed marketing agreement and order proposals set forth below have not received the approval of the Secretary of Agriculture, and at the hearing evidence will be received relative to all aspects of the marketing conditions which are dealt with by the proposals and any modification thereof.

Marketing Agreement and Order Proposed by the Cedar Rapids Milk Producers Association:

DEFINITIONS

SECTION 1. *"Act"* means Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.).

SEC. 2. *"Secretary"* means the Secretary of Agriculture or such other officer or employee of the United States as may be authorized to exercise the powers or to perform the duties of the said Secretary of Agriculture.

SEC. 3. *"Department of Agriculture"* means the United States Department of Agriculture or such other Federal agency as may be authorized to perform the price reporting functions of the United States Department of Agriculture.

SEC. 4. *"Person"* means any individual, partnership, corporation, association, or any other business unit.

SEC. 5. *"Delivery period"* means the calendar month or the total portion thereof during which this order is in effect.

SEC. 6. *"Cooperative association"* means any cooperative marketing association of producers which the Secretary determines (a) is qualified under the provisions of the act of Congress of February 11, 1922, as amended, known as the "Capper-Volstead Act"; (b) has full authority in the sale of milk of its members; and (c) is engaged in making collective sales of or marketing milk or its products for its members.

SEC. 7. *Cedar Rapids, Iowa marketing area.* "Cedar Rapids, Iowa, marketing area", hereinafter referred to as "Marketing Area" means the territory within the counties of Linn, Johnson, Cedar, Jones, Iowa, Delaware and the city of Belle Plaine all in the State of Iowa.

SEC. 8. *"Producer"* means any person who, in conformity with the requirements of the health authorities of any of the several municipalities in the marketing area for the production of milk for consumption as milk, produces milk which (a) is received at a plant from which milk is disposed of as Class I milk on wholesale or retail routes (including plant stores) within the marketing area, or (b) is caused by a cooperative association to be diverted from a plant described in paragraph (a) of this section to a plant from which no Class I milk is disposed of within the marketing area. This definition shall not include a person with respect to milk produced by him

which is received by a handler who is subject to another Federal marketing order and who is partially exempted from the provisions of this order pursuant to section 56.

SEC. 9. *"Handler"* means (a) any person with respect to all milk received at a plant operated by him from which milk is disposed of as Class I milk on wholesale or retail routes (including plant stores) within the marketing area, or (b) a cooperative association with respect to milk which it causes to be diverted from a plant described in paragraph (a) of this section to a plant from which no Class I milk is disposed of within the marketing area.

SEC. 10. *"Producer-handler"* means any person who is both a producer and a handler and who receives no milk directly from the farms of other producers: *Provided*, That the maintenance, care, and management of the dairy animals and other resources necessary to produce the milk and the processing, packaging and distribution of the milk are the personal enterprise and the personal risk of such person.

SEC. 11. *"Producer milk"* means all skim milk and butterfat which is produced by a producer, other than a producer-handler, and which is received by a handler either directly from producers or from other handlers.

SEC. 12. *"Other source milk"* means all skim milk and butterfat except that contained in producer milk.

MARKET ADMINISTRATOR

SEC. 20. *"Designation."* The agency for the administration hereof shall be a market administrator who shall be a person selected by the Secretary. Such person shall be entitled to such compensation as may be determined by, and shall be subject to removal at the discretion of the Secretary.

SEC. 21. *"Powers."* The market administrator shall have the power to:

(a) Administer the terms and provisions hereof;

(b) Make rules and regulations to effectuate the terms and provisions hereof;

(c) Receive, investigate, and report to the Secretary complaints of violations of the terms and provisions hereof; and

(d) Recommend to the Secretary amendments hereto.

SEC. 22. *"Duties."* The market administrator shall perform all duties necessary to administer the terms and provisions hereof, including but not limited to the following:

(a) Within 30 days following the date on which he enters upon his duties, or such lesser period as may be prescribed by the Secretary, execute and deliver to the Secretary a bond, effective as of the date on which he enters upon such duties and conditioned upon the faithful performance of such duties, in an amount and with surety thereon satisfactory to the Secretary;

(b) Employ and fix the compensation of such persons as may be necessary to enable him to administer the terms and provisions hereof;

(c) Obtain a bond in a reasonable amount and with reasonable surety thereon covering each employee who handles funds entrusted to the market administrator;

(d) Pay out of the funds provided by section 70, the cost of his bond and the bonds of his employees, his own compensation, and all other expenses, except those incurred under section 75, necessarily incurred by him in the maintenance and functioning of his office and in the performance of his duties;

(e) Keep such books and records as will clearly reflect the transactions provided for herein, and upon request by the Secretary surrender the same to such other person as the Secretary may designate;

(f) Submit his books and records to examination by the Secretary and furnish such information and reports as may be requested by the Secretary;

(g) Publicly announce unless otherwise directed by the Secretary, by posting in a conspicuous place in his office and by such other means as he deems appropriate the name of any person who within 10 days after the day upon which he is required to perform such acts, has not made (1) reports pursuant to sections 30 and 31, or (2) payments pursuant to section 65;

(h) Audit each handler's records and payments by inspection of such handler's records and the records of any person upon whose utilization the classification of skim milk and butterfat for such handler depends;

(i) On or before the 10th day after the end of each delivery period report to each cooperative association which so requests the utilization of the milk caused to be delivered to each handler by such cooperative association. For this purpose such milk shall be prorated to each class in the same proportion that the total receipts of producer milk by such handler were used in each class;

(j) Publicly announce, by posting in a conspicuous place in his office and by such other means as he deems appropriate the prices determined for each delivery period as follows:

(1) On or before the 5th day of each delivery period, (i) the minimum price for Class I milk computed pursuant to section 50 (a) and the butterfat differential computed pursuant to section 51 (a), both for the current delivery period, and (ii) the minimum price for Class II milk computed pursuant to section 50 (b) and the butterfat differential computed pursuant to section 51 (b) for the previous delivery period; and

(2) On or before the 10th day after the end of each delivery period, the uniform price computed pursuant to section 61 and the butterfat differential computed pursuant to section 66; and

(k) Prepare and disseminate to the public such statistics and information as he deems advisable and as do not reveal confidential information.

REPORTS, RECORDS AND FACILITIES

SEC. 30. *"Delivery period reports."* On or before the 7th day after the end of each delivery period each handler, except a producer-handler, shall report to the market administrator in detail and on forms prescribed by the market administrator:

(a) The quantities of butterfat and skim milk contained in milk received from producers;

(b) The quantities of skim milk and butterfat contained in (or used in the production of) receipts from any other handler;

(c) The quantities of skim milk and butterfat contained in receipts of other source milk (except nonfluid milk products disposed of in the form in which received without further processing by the handler);

(d) The utilization of all receipts required to be reported pursuant to this paragraph; and

(e) Such other information with respect to receipts and utilization as the market administrator may prescribe.

SEC. 31. *"Other reports."* (a) Each producer-handler shall make reports to the market administrator at such time and in such manner as the market administrator may prescribe.

(b) On or before the 20th day of each delivery period each handler shall submit to the market administrator such handler's producer payroll for the preceding delivery period which shall show:

(1) The total pounds of milk received from each producer and cooperative association and the total pounds of butterfat contained in such milk;

(2) The amount of payment to each producer and cooperative association; and

(3) The nature and amount of any deductions involved in such payments.

SEC. 32. *"Records and facilities."* Each handler shall maintain and make available to the market administrator or to his representative during the usual hours of business such accounts and records of his operations and such facilities as are necessary for the market administrator to verify or to establish the correct data with respect to:

(a) The receipts and utilization, in whatever form of all skim milk and butterfat received, including nonfluid milk products disposed of in the form in which received without further processing;

(b) The weights and tests for butterfat and other content of all milk, skim milk, cream, and milk products handled;

(c) Payment to producers and cooperative associations; and

(d) The pounds of skim milk and butterfat contained in or represented by all milk, skim milk, cream, and milk products on hand at the beginning and end of each delivery period.

SEC. 33. *"Retention of records."* All books and records required under this order to be made available to the market administrator shall be retained by the handler for a period of three years to begin at the end of the calendar month to which such books and records pertain: *Provided*, That if, within such three-year period the market administrator notifies the handler in writing that the retention of such books and records, or of specified books and records, is necessary in connection with a proceeding under section 8c (15) (A) of

the act or a court action specified in such notice, the handler shall retain such books and records, or specified books and records, until further written notification from the market administrator. In either case the market administrator shall give further written notification to the handler promptly upon the termination of the litigation or when the records are no longer necessary in connection therewith.

CLASSIFICATION

SEC. 40. *"Skim milk and butterfat to be classified."* All skim milk and butterfat in any form received by a handler during the delivery period and required to be reported pursuant to section 30 shall be classified by the market administrator pursuant to sections 41 to 46.

SEC. 41. *"Classes of utilization."* Subject to the conditions set forth in sections 43 and 44, the classes of utilization shall be as follows:

(a) Class I milk shall be all skim milk (including reconstituted skim milk) and butterfat disposed of in the form of milk, skim milk, buttermilk, flavored milk, flavored milk drinks, cream, or any mixture (except ice cream mix) of cream and milk or skim milk containing more than 6 percent of butterfat and all skim milk and butterfat not specifically accounted for under paragraph (b) of this section.

(b) Class II milk shall be all skim milk and butterfat used to produce any milk product other than those specified in Class I milk, and in shrinkage up to 2 percent of receipts from producers, and other source milk.

SEC. 42. *"Shrinkage."* The market administrator shall allocate shrinkage over a handler's receipts as follows:

(a) Compute the total shrinkage of skim milk and butterfat for each handler.

(b) Prorate the resulting amounts between the receipts of skim milk and butterfat received from producers and from other sources.

SEC. 43. *"Responsibility of handlers and reclassification of milk."* (a) All skim milk and butterfat shall be Class I unless the handler who first receives such skim milk or butterfat can prove to the market administrator that such skim milk or butterfat should be classified otherwise.

(b) Any skim milk or butterfat (except that transferred to a producer-handler) shall be reclassified if verification by the market administrator discloses that the original classification was incorrect.

SEC. 44. *"Transfers."* Skim milk or butterfat disposed of by a handler either by transfer or diversion shall be classified:

(a) As Class I milk if transferred or diverted in the form of milk, skim milk, or cream to another handler, except a producer-handler, unless utilization in another class is mutually indicated in writing to the market administrator by both handlers on or before the 7th day after the end of the delivery period within which such transaction occurred, but in no event shall the amount classified in any class exceed the total use in such class by the transferee handler: *Provided*, That, if either or both handlers have received other source milk, such milk so disposed of shall be classified at both plants so as to return the higher class utilization to producer milk.

(b) As Class I milk if transferred to a producer-handler in the form of milk, skim milk, or cream.

(c) As Class I milk if transferred or diverted in the form of milk, skim milk, or cream to a nonhandler's plant unless

(1) The handler claims other classification on the basis of utilization mutually indicated in writing to the market administrator by both the handler and nonhandler on or before the 7th day after the end of the delivery period within which such transfer or diversion occurred;

(2) Such nonhandler maintains books and records showing the utilization of all skim milk and butterfat at his plant, which are made available if requested by the market administrator for the purpose of verification; and

(3) Such nonhandler's plant had actually used not less than an equivalent amount of skim milk and butterfat in the use indicated in such statement: *Provided*, That, if verification of such nonhandler's records discloses that an equivalent amount of skim milk and butterfat had not been used in such indicated utilization, the remaining pounds shall be classified in series beginning with the next higher priced classification in which such nonhandler had utilization.

SEC. 45. *"Computation of skim milk and butterfat in each class."* For each delivery period, the market administrator shall correct for mathematical and other obvious errors the delivery period report submitted by each handler and shall compute the total pounds of skim milk and butterfat, respectively, in Class I milk and Class II milk for such handler.

SEC. 46. *"Allocation of skim milk and butterfat classified."* After computing the classification of all skim milk and butterfat received by a handler pursuant to section 45, the market administrator shall determine the classification of milk received from producers as follows:

(a) Skim milk shall be allocated in the following manner:

(1) Subtract from the total pounds of skim milk in Class II the pounds of skim milk allocated to shrinkage of producer milk;

(2) Subtract from the remaining pounds of skim milk in each class in series beginning with the lowest priced class in which the handler has use, the pounds of skim milk contained in other source milk;

(3) Subtract from the remaining pounds of skim milk in each class the pounds of skim milk contained in receipts from other handlers in accordance with its classification as determined pursuant to section 45;

(4) Add to the remaining pounds of skim milk in Class II the pounds of skim milk subtracted pursuant to subparagraph (1) of this paragraph; and

(5) If the remaining pounds of skim milk in all classes exceed the pounds of skim milk received from producers an amount equal to the difference shall be subtracted from the pounds of skim milk in each class in series beginning with the lowest priced class in which the handler has use. Any amount so subtracted shall be called "overrun."

(b) Butterfat shall be allocated in accordance with the same procedure outlined for skim milk in paragraph (a) of this section.

MINIMUM PRICES

SEC. 50. Subject to the provisions of section 51, the minimum price per hundredweight, on a 3.5 percent butterfat content basis, to be paid by each handler at his plant for producer milk shall be the prices determined as follows:

(a) *Class I milk price.* The Class I price for milk shall be the Class I price for Grade A milk as determined by the market administrator pursuant to the provisions of Order No. 44, Quad-Cities marketing area.

(b) *Class II milk price.* The price for Class II milk shall be the higher of the prices resulting from the following computations:

(1) *Butter-powder.* From the average of the carlot prices per pound of nonfat dried milk solids for human consumption f. o. b. Chicago area manufacturing plants as reported by the Department during the delivery period, subtract 6 cents, multiply by 8.5, and then multiply by .965 and add the following: From the average of the daily prices of 92-score butter in the Chicago market as reported by the Department during the delivery period, subtract 4 cents and multiply by 1.2, and multiply by 3.5.

(2) *Butter-cheese.* The price resulting from the following:

(i) Multiply by 6 the average of the daily wholesale prices per pound of 92-score butter in the Chicago market as reported by the Department during the delivery period,

(ii) Add an amount equal to 2.4 times the average of the weekly prices of the cheese known as "Cheddars" on the Wisconsin Cheese Exchange at Plymouth, Wisconsin, as reported by the Department during the delivery period. If there are no sales on the Exchange during any week, the last previously quoted price shall be used as the price for that week in making these computations.

(c) Divide the resulting sum by 7,

(d) Add 30 percent thereof, and

(e) Multiply the resulting sum by 3.5.

SEC. 51. *Butterfat differentials to handlers.* If the average butterfat content of the milk of any handler allocated to any class pursuant to section 46 is more or less than 3.5 percent there shall be added to the respective class price computed pursuant to section 50 for each one-tenth of 1 percent that the average butterfat content of such milk is above 3.5 percent or subtracted for each one-tenth of 1 percent that such average butterfat content is below 3.5 percent, an amount equal to the applicable butterfat differential computed as follows:

(a) *Class I milk.* Multiply by 1.25 the average of the daily wholesale prices per pound of 92-score butter in the Chicago market as reported by the Department

of Agriculture during the previous delivery period and divide the result by 10.

(b) *Class II milk.* Multiply by 1.20 the average of the daily wholesale prices per pound of 92-score butter in the Chicago market as reported by the Department of Agriculture during the delivery period and divide the result by 10.

SEC. 52. *Emergency price provisions.* Whenever the provisions hereof require the market administrator to use a specific price (or prices) for milk or any milk product for the purpose of determining class prices or for any other purpose the market administrator shall add to the specified price the amount of any subsidy or other similar payment being made by any Federal agency in connection with the milk or product associated with the price specified: *Provided,* That if for any reason the price specified is not reported or published as indicated, the market administrator shall use the applicable maximum uniform price established by regulations of any Federal agency plus the amount of any subsidy or other similar payment: *Provided further,* That if the specified price is not reported or published and there is no applicable maximum uniform price, or if the specified price is not reported or published and the Secretary determines that the market price is below the applicable maximum uniform price, the market administrator shall use a price determined by the Secretary to be equivalent to or comparable with the price specified.

APPLICATION OF PROVISIONS

SEC. 55. *Producer-handler.* Sections 40 through 52 and 60 through 81 shall not apply to a producer-handler.

SEC. 56. *Handlers subject to other Federal orders.* In the case of any handler who the Secretary determines, disposes of a greater portion of his milk as Class I milk in another marketing area regulated by another milk marketing agreement or order issued pursuant to the act, the provisions of this order shall not apply except as follows:

(a) The handler shall with respect to his total receipts of skim milk and butterfat make reports to the market administrator at such time and in such manner as the market administrator may require and allow verification of such reports by the market administrator.

(b) If the price which such handler is required to pay, under the other Federal order to which he is subject, for skim milk and butterfat which would be classified as Class I milk under this order is less than the price provided by this order, such handler shall pay to the market administrator for deposit into the producer-settlement fund (with respect to all skim milk and butterfat disposed of as Class I milk within the marketing area) an amount equal to the difference between the value of such skim milk or butterfat as computed pursuant to this order and its value as determined pursuant to the other order to which he is subject.

DETERMINATION OF UNIFORM PRICES

SEC. 60. *Computation of value of milk.* The value of milk received during each delivery period by each handler from producers shall be a sum of money computed by the market administrator by multiplying the pounds of such milk in each class by the applicable class prices, and adding together the resulting amounts: *Provided,* That if the handler had overrun of either skim milk or butterfat there shall be added to the above values an amount computed by multiplying the pounds of overrun by the applicable class prices.

SEC. 61. *Computation of uniform price.* For each delivery period the market administrator shall compute the uniform price per hundredweight for milk of 3.5 percent butterfat content received from producers as follows:

(a) Combine into one total the values computed pursuant to section 60 for all handlers who made the reports prescribed by section 30 and who made the payments pursuant to section 65 for the preceding delivery period;

(b) Add not less than one-half of the cash balance on hand in the producer-settlement fund less the total amount of contingent obligations to handlers pursuant to section 67.

(c) Subtract, if the average butterfat content of the milk included in these computations is greater than 3.5 percent, or add, if such average butterfat content is less than 3.5 percent an amount computed by: Multiplying the amount by which the average butterfat content of such milk varies from 3.5 percent by the butterfat differential computed pursuant to section 66 and multiplying the resulting figure by the total hundredweight of such milk;

(d) Divide the resulting amount by the total hundredweight of milk included in these computations; and

(e) Subtract not less than 4 cents nor more than 5 cents from the amount per hundredweight computed pursuant to paragraph (d) of this section. The resulting figure shall be the uniform price for milk received from producers.

SEC. 62. *Notification of handlers.* On or before the 10th day after the end of each delivery period, the market administrator shall mail to each handler at his last known address, a statement showing:

(a) The classification and value of the milk received from producers by such handler;

(b) The applicable class prices and the uniform price; and

(c) The amount due such handler or the amount to be paid by such handler as the case may be, pursuant to sections 68 and 69.

PAYMENT FOR MILK

SEC. 65. *Time and method of payment.* Each handler shall make payments as follows:

(a) On or before the 15th day after the end of the delivery period during which the milk was received to each producer for milk, except that for which payment is made to a cooperative association pursuant to paragraph (b) of this section at not less than the uniform price per hundredweight computed pursuant to section 61 subject to the butterfat differential computed pursuant to section 66.

(b) On or before the 12th day after the end of the delivery period during which the milk was received, to a cooperative association for milk which it caused to be delivered to such handler from producers' farms, of an amount equal to not less than the sum of the individual payments otherwise payable to such producers.

SEC. 66. *Producer butterfat differential.* In making payments pursuant to section 65 there shall be added to or subtracted from the uniform price for each one-tenth of one percent that the average butterfat content of the milk received from producers is above or below 3.5 percent, an amount computed by multiplying by 1.20 the average of the daily wholesale prices per pound of 92-score butter in the Chicago market as reported by the Department of Agriculture during the delivery period and dividing the resulting sum by 10.

SEC. 67. *Producer-settlement fund.* The market administrator shall establish and maintain a separate fund known as the "producer-settlement fund" into which he shall deposit all payments made by handlers pursuant to section 68, and out of which he shall make all payments to handlers pursuant to section 69.

SEC. 68. *Payments to the producer-settlement fund.* On or before the 12th day after the end of each delivery period, each handler shall pay to the market administrator the amount by which the utilization value of the milk received by such handler from producers during such delivery period is greater than the amount required to be paid producers by such handler pursuant to section 67.

SEC. 69. *Payments out of the producer-settlement fund.* On or before the 12th day after the end of each delivery period, the market administrator shall pay to each handler the amount by which the utilization value of the milk received by such handler from producers during such delivery period is less than the amount required to be paid by such handler pursuant to section 67: *Provided,* That if the balance in the producer-settlement fund is insufficient to make all payments pursuant to this paragraph, the market administrator shall reduce uniformly such payments and shall complete such payments as soon as the necessary funds are available. No handler who has not received the balance of such payments from the market administrator shall be considered in violation of section 67 if he reduces his payments to producers by not more than the amount of the reduction in payment from the producer-settlement fund.

EXPENSE OF ADMINISTRATION

SEC. 70. *Expense of administration.* As his pro rata share of the expense of administration hereof, each handler shall pay to the market administrator on or before the 12th day after the end of each delivery period, 4 cents per hundredweight, or such lesser amount as the Secretary from time to time may prescribe with respect to all milk re-

ceived within the delivery period from producers (including such handler's own production) and from sources other than producers or other handlers.

MARKETING SERVICES

SEC. 75. *Marketing services*—(a) *Deductions.* Except as set forth in paragraph (b) of this section each handler, in making payment to producers (other than himself) pursuant to section 65 shall deduct 5 cents per hundredweight or such lesser amount as the Secretary from time to time may prescribe, and shall pay such deductions to the market administrator on or before the 12th day after the end of such delivery period. Such moneys shall be used by the market administrator to check weights, samples, and tests of milk received from producers and to provide producers with market information.

(b) In the case of producers for whom a cooperative association is actually performing the services set forth in paragraph (a) of this section, each handler shall make in lieu of the deduction specified in paragraph (a) of this section such deductions from the payments to be made to such producers as may be authorized by the membership agreement or marketing contract between such cooperative association and such producers and on or before the 12th day after the end of such delivery period pay such deduction to the cooperative association rendering such services.

ADJUSTMENT OF ACCOUNTS

SEC. 80. *Errors in payments.* Whenever audit by the market administrator of any handler's reports, books, records, or accounts discloses errors resulting in moneys due (a) the market administrator from such handler, (b) such handler from the market administrator, or (c) any producer or cooperative association from such handler, the market administrator shall promptly notify such handler of any amount so due, and payment thereof shall be made on or before the next date for making payment set forth in the provision under which such error occurred.

EFFECTIVE TIME

SEC. 85. *Effective time.* The provisions hereof, or any amendment hereto, shall become effective at such time as the Secretary may declare and shall continue in force until suspended or terminated.

SUSPENSION OR TERMINATION

SEC. 90. *When suspended or terminated.* The Secretary shall, whenever he finds that this order, or any provision thereof, obstructs or does not tend to effectuate the declared policy of the act, terminate or suspend the operation of this order or any such provisions thereof.

SEC. 91. *Continuing obligations.* If, upon the suspension or termination of any or all provisions of this order, there are any obligations thereunder the final accrual or ascertainment of which requires further acts by any person (including the market administrator), such further acts shall be performed notwithstanding such suspension or termination.

SEC. 92. *Liquidation.* Upon the suspension or termination of the provisions hereof, except this section, the liquidating agent shall, if so directed by the Secretary, liquidate the business of the market administrator's office, dispose of all property in his possession or control, including accounts receivable, and execute and deliver all assignments or other instruments necessary or appropriate to effectuate any such disposition. If a liquidating agent is so designated all assets, books, and records of the market administrator shall be transferred promptly to such liquidating agent. If, upon such liquidation, the funds on hand exceed the amounts required to pay outstanding obligations of the office of the market administrator and to pay necessary expenses of liquidation and distribution, such excess shall be distributed to contributing handlers and producers in an equitable manner.

SEPARABILITY OF PROVISIONS

SEC. 95. *Separability of provisions.* If any provision hereof, or its application to any person or circumstances, is held invalid, the application of such provision and of the remaining provisions hereof, to other persons or circumstances shall not be affected thereby.

TERMINATION OF OBLIGATIONS

SEC. 100. *Termination of obligations.* The provisions of this section shall apply to any obligation under this order for the payment of money irrespective of when such obligation arose.

(a) The obligation of any handler to pay money required to be paid under the terms of this order shall, except as provided in paragraphs (b) and (c) of this section, terminate two years after the last day of the calendar month during which the market administrator receives the handler's utilization report on the milk involved in such obligation, unless within such two year period the market administrator notifies the handler in writing that such money is due and payable. Service of such notice shall be complete upon mailing to the handler's last known address, and it shall contain, but need not be limited to, the following information:

(1) The amount of the obligation;

(2) The delivery period during which the milk with respect to which the obligation exists, was received or handled; and

(3) If the obligation is payable to one or more producers or to a cooperative association, the name of such producer or cooperative association, or if the obligation is payable to the market administrator, the account for which it is to be paid.

(b) If a handler fails or refuses, with respect to any obligation under this order, to make available to the market administrator all books and records required by this order to be made available, the market administrator may, within the two year period provided for in paragraph (a) of this section, notify the handler in writing of such failure or refusal. If the market administrator so notifies a handler, the said two year period with respect to such obligation shall not begin to run until the first day of the calendar month following the delivery period during which all such books and records pertaining to such obligation are made available to the market administrator.

(c) Notwithstanding the provisions of paragraphs (a) and (b) of this section, a handler's obligation under this order to pay money shall not be terminated with respect to any transaction involving fraud or willful concealment of a fact, material to the obligation, on the part of the handler against whom the obligation is sought to be imposed.

(d) Any obligation on the part of the market administrator to pay a handler any money which such handler claims to be due him under the terms of this order shall terminate two years after the end of the calendar month, during which the milk involved in the claim was received if an underpayment is claimed, or two years after the end of the calendar month during which the payment (including deduction or set-off by the market administrator) was made by the handler if a refund on such payment is claimed, unless such handler, within the applicable period of time, files, pursuant to section 8c (15) (A) of the act, a petition claiming such money.

Modifications Proposed by the Cedar Rapids Co-operative Dairy Company:

1. Amend section 7 by deleting the words, "the City of Belle Plaine" and substituting in lieu thereof the word, "Benton."

2. Amend section 22 (j) (1) by adding after the words "51 (b) for the previous delivery period, and" the following, "(iii) the minimum price for Class III milk computed pursuant to section 50 (c) and the butterfat differential computed pursuant to section 51 (b) for the previous delivery period, and"

3. Amend section 41 (a) by adding the words "and paragraph (c)" following the words, "paragraph (b)."

4. Delete paragraph (b) of section 41 and substitute paragraphs (b) and (c) as follows:

(b) Class II milk shall be all skim milk and butterfat used to produce evaporated milk, condensed milk, ice cream, ice cream mix, cottage cheese, and any milk product other than those specified in Class I milk or Class III milk.

(c) Class III milk shall be all skim milk and butterfat used to produce butter, American type Cheddar cheese, animal feed, casein, nonfat dry milk solids, in shrinkage up to 2 percent of receipts from producers, and in shrinkage of other source milk.

5. Delete in section 45 the words "Class I milk and Class II milk" and substitute therefor the words, "Class I milk, Class II milk and Class III milk."

6. Amend section 45 (a) (1) by deleting the words "Class II" and substituting the words "Class III."

6. Amend section 46 (a) (1) by deleting the words, "Class II" and substituting therefor the words "Class III."

8. Delete paragraph (a) in section 50, and substitute therefor paragraph (a) as follows:

(a) *Class I milk.* The price for Class II milk for the previous delivery period

plus the following premiums during the delivery periods indicated:

	Grade A Milk
January, February, March	$0.90
April, May, June	.70
July through December	1.15

9. Delete paragraph (b) in section 50, and substitute therefor paragraph (b) and paragraph (c) as follows:

(b) *Class II milk price.* The highest of the prices resulting from the computations made pursuant to paragraph (c) of this section, or to subparagraphs (1) or (2) of this paragraph.

(1) The average of the basic or field prices reported to have been paid or to be paid for milk of 3.5 percent butterfat content received from farmers during the period beginning with the 16th day of the previous month and ending with the 15th day of the then current month at the following plants for which prices have been reported to the market administrator or to the Department of Agriculture:

Present Operator of Plant and Location of Plant

Amboy Milk Products Co., Amboy, Ill.
Borden Co., Dixon, Ill.
Borden Co., Sterling, Ill.
Carnation Milk Co., Oregon, Ill.
Carnation Milk Co., Morrison, Ill.
United Milk Products Co., Argo Fay, Ill.

(2) The price resulting from the following computations:

(i) Multiply by 6 the average daily wholesale price per pound of 92-score butter in the Chicago market as reported by the Department of Agriculture during the delivery period;

(ii) Add an amount equal to 2.4 times the average daily wholesale price per pound of the cheese known as "Twins" in the Chicago market as reported by the Department of Agriculture during the delivery period;

(iii) Divide the resulting sum by 7;

(iv) Add 30 percent thereof; and

(v) Multiply the resulting sum by 3.5.

(c) *Class III milk.* The higher of the prices resulting from the following computations:

(1) Multiply by 2.4 the average of the weekly prices of the cheese known as "Cheddars" on the Wisconsin Cheese Exchange at Plymouth, Wisconsin, as reported by the Department of Agriculture during the delivery period and multiply such result by 3.5. If there are no sales on the Exchange during any week, the last previously quoted price shall be used as the price for that week in making these computations.

(2) Multiply by 3.5 the average daily wholesale price per pound of 92-score butter in the Chicago market as reported by the Department of Agriculture during the delivery period and add 20 percent thereof.

10. Delete in section 51 (b) the words "Class II milk" and substitute therefor the words "Class II milk and Class III milk."

Modifications Proposed by the Sanitary Farm Dairies:

11. Amend section 7 by deleting the words, "the City of Belle Plaine" and substituting in lieu thereof the words "Benton County."

12. Amend section 22 (j) (1) by adding after the words "51 (b) for the previous delivery period, and" the following, "and (iii) the minimum price for Class III milk computed pursuant to section 50 (c) and the butterfat differential computed pursuant to section 51 (b) for the previous delivery period, and"

13. Amend section 41 (a) by adding the words "and paragraph (c)" following the words, "paragraph (b)."

14. Delete paragraph (b) of section 41 and substitute paragraphs (b) and (c) as follows:

(b) Class II milk shall be all skim milk and butterfat used to produce evaporated milk, condensed milk, ice cream, ice cream mix, cottage cheese, and any milk product other than those specified in Class I milk or Class III milk.

(c) Class III milk shall be all skim milk and butterfat used to produce butter, American type Cheddar cheese, animal feed, casein, nonfat dry milk solids, in shrinkage up to 2 percent of receipts from producers, and in shrinkage of other source milk.

15. Delete in section 45 the words "Class I milk and Class II milk" and substitute therefor the words, "Class I milk, Class II milk, and Class III milk."

16. Amend section 46 (a) (1) by deleting the words "Class II" and substituting therefor the words "Class III."

17. Amend section 46 (a) (4) by deleting the words, "Class II" and substituting therefor the words "Class III."

18. Delete paragraph (b) in section 50, and substitute therefor paragraph (b) and paragraph (c) as follows:

(b) *Class II milk price.* The Class II price for milk shall be the Class III price for milk as determined by the market administrator pursuant to the provisions of Order No. 44, Quad-Cities marketing area.

(c) *Class III milk price.* The Class III price for milk shall be the Class IV price for milk as determined by the market administrator pursuant to the provisions of Order No. 44, Quad-Cities marketing area.

19. Delete in section 51 (b) the words, *"Class II milk"* and substitute therefor the words *"Class II milk and Class III milk."*

Copies of this notice of hearing may be procured from E. H. McGuire, 335 Federal Building, Sixteenth Street and Second Avenue, Rock Island, Illinois, or from the Hearing Clerk, Room 1353, South Building, United States Department of Agriculture, Washington 25, D. C., or may be there inspected.

Dated: November 20, 1950.

[SEAL] JOHN I. THOMPSON,
Assistant Administrator.

[F. R. Doc. 50-10651; Filed, Nov. 24, 1950; 8:46 a. m.]

FEDERAL SECURITY AGENCY

Food and Drug Administration

[21 CFR, Part 32]

[Docket No. FDC-52]

FROZEN FRUITS; DEFINITIONS AND STANDARDS OF IDENTITY AND STANDARDS OF FILL OF CONTAINER

ORDER EXTENDING TIME FOR FILING EXCEPTIONS TO TENTATIVE ORDER

On October 4, 1950, there was published in the FEDERAL REGISTER (15 F. R. 6674) a notice of proposed rule making issued by the Acting Federal Security Administrator in the matter of fixing and establishing definitions and standards of identity and standards of fill of container for various frozen fruits. The notice provided that any person whose appearance was filed at the hearing may, within 45 days from the date of publication, file with the Hearing Clerk, Federal Security Agency, Room 5109, Federal Security Building, Fourth Street and Independence Avenue SW., Washington, D. C., written exceptions to the proposed order, which exceptions may be accompanied by a memorandum or brief in support thereof.

The Federal Security Administrator, having been petitioned by an interested person whose appearance was filed at the hearing, to extend the period of time in which such exceptions and supporting memoranda or briefs may be filed; and, good cause therefor appearing: *It is ordered*, That the time for filing such documents be hereby extended to January 2, 1951, and that said extension shall apply to any interested person whose appearance was filed at the hearing.

Dated: November 20, 1950.

[SEAL] OSCAR R. EWING,
Administrator.

[F. R. Doc. 50-10665; Filed, Nov. 24, 1950; 8:48 a. m.]

FEDERAL TRADE COMMISSION

[16 CFR, Part 61]

[File No. 21-171]

MILK BOTTLE CAP AND CLOSURE INDUSTRY

NOTICE OF HEARING AND OF OPPORTUNITY TO PRESENT VIEWS, SUGGESTIONS, OR OBJECTIONS

Notice is hereby given that a public hearing will be held at 10 a. m., December 13, 1950, in Room 332, Federal Trade Commission Building, Pennsylvania Avenue at Sixth Street NW., Washington, D. C., for the purpose of considering proposed trade practice rules for the Milk Bottle Cap and Closure Industry. Such rules constitute a proposed revision and extension of the trade practice rules for the Paper Bottle Cap Industry (16 CFR Part 61) as promulgated November 5, 1931.

The hearing is being held to afford all persons, firms, corporations, or other parties, including farm, labor, and consumer groups, affected by or having an interest in the above-mentioned proposed rules, an opportunity to be heard in the premises at said hearing and to present their views, including such pertinent information, suggestions, or objections as they may desire to submit. For this purpose, copies of the proposed revised rules may be obtained upon request to the Commission.

In addition to, or in lieu of, oral presentation at the hearing, such views, suggestions, objections, or other pertinent information, may be submitted in writing, pursuant to this notice, by memorandum, letter, or other communication, which shall be filed with the Commission not later than December 13, 1950.

After due consideration of all matters presented in writing or orally, the Commission will proceed to final action on the proposed rules.

Issued: November 20, 1950.

By the Commission.

[SEAL] D. C. DANIEL, *Secretary.*

[F. R. Doc. 50-10606; Filed, Nov. 24, 1950; 8:45 a. m.]

NOTICES

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[51149]

ARIZONA

NOTICE OF FILING OF PLAT OF SURVEY

NOVEMBER 17, 1950.

Notice is given that the plat of original survey of the following described lands, accepted May 5, 1949, will be officially filed in the Land and Survey Office, Phoenix, Arizona, effective at 10:00 a. m. on the 35th day after the date of this notice:

GILA AND SALT RIVER MERIDIAN

T. 31 N., R. 14 W.,
Sec. 28, SW¼NW¼NW¼, NW¼SW¼NW¼;
Sec. 29, SE¼NE¼NE¼, E½SE¼NE¼, SW¼SE¼NE¼, lot 1.

The area described aggregates 66.40 acres.

All of the above-described lands were included in a first form withdrawal on April 19, 1920, for the Colorado River Storage Project, Boulder Canyon Reservoir, and the lands in such sec. 29 are also embraced in Power Site Reserves Nos. 449 and 490 (Water Power Designation No. 7), as construed by Power Site Interpretation No. 66, dated July 22, 1925.

In view thereof, the lands described will not be subject to disposition under the general public land laws by reason of the official filing of this plat.

C. R. BRADSHAW, *Acting Director.*

[F. R. Doc. 50-10646; Filed, Nov. 24, 1950; 8:45 a. m.]

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[P. & S. Docket 1146]

LICENSEES OPERATING AS COMMISSION MERCHANTS IN DESIGNATED AREA OF NEW YORK CITY, N. Y.

NOTICE OF PETITION FOR MODIFICATION OF RATES

Pursuant to the provisions of the Packers and Stockyards Act, 1921, as amended (7 U. S. C. 181 et seq.) an order was issued on July 12, 1949 (8 A. D. 787). This order authorized the respondents, on and after July 18, 1949, to assess the charges set out in the tabulation below under the heading "Current Charges." The authorization for these charges has been continued in effect by subsequent orders, to and including January 14, 1951.

On November 13, 1950, a petition was filed with the Hearing Clerk. By this petition respondents have requested that they be authorized to assess the charges set out under the heading "Proposed Charges" in the tabulation below:

	Current charges	Proposed charges
	Cents per lb.	*Cents per lb.*
On consignments of 1 to 5 baskets, inclusive	2½	2¾
On consignments of more than 5 baskets	2¾	2¾
On consignments of turkey, geese, and capon	3½	3½

If authorized, the proposed charges will produce additional revenue for the respondents and increase the cost of marketing. It appears, therefore, that this notice of the filing of the petition should be given to the public.

All interested parties who desire to be heard in the matter shall notify the Hearing Clerk, United States Department of Agriculture, Washington 25, D. C., within 15 days following the publication of this notice.

Done at Washington, D. C., this 21st day of November 1950.

[SEAL] KATHERINE L. MASON, *Hearing Clerk.*

[F. R. Doc. 50-10693; Filed, Nov. 24, 1950; 8:51 a. m.]

DEPARTMENT OF COMMERCE

Office of the Secretary

DESIGNATION OF CLAIMANT AGENCIES

1. The purpose of this notice is to designate claimant agencies to present requirements to the Secretary of Commerce with respect to materials and facilities placed under his jurisdiction by section 101 (d) of Executive Order 10161 of September 9, 1950 (15 F. R. 6105).

2. Section 101 (d) of Executive Order 10161 delegates to the Secretary of Commerce the functions conferred upon the President by Title 1 of the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.) with respect to all materials and facilities except those specifically delegated by sections 101 (a), (b), and (c) to the Secretary of the Interior, the Secretary of Agriculture, and the Commissioner of the Interstate Commerce Commission responsible for supervising the Bureau of Service, respectively.

Section 103 of Executive Order 10161 provides:

(a) Each delegate referred to in section 101 of this Executive order shall be a claimant before the other such delegates, respectively, in the case of materials and additional facilities deemed by the claimant delegate to be necessary for the provision of an adequate supply of the materials and facilities with respect to which delegation is made to the claimant delegate by the said section 101.

(b) Each delegate under section 101 of this Executive order may, with the approval of the Chairman of the National Security Resources Board, designate agencies and officers of the Government, additional to the claimants referred to in section 103 (a) of this Executive order, to be claimants before such delegate with respect to stated materials and facilities.

3. In accordance with the description of claimant responsibilities set forth in section 103 of Executive Order 10161 and pursuant to the designations in section 103 (a) and to the authority contained in section 103 (b) of the order, the following officers and agencies of the Government, having been approved by the National Security Resources Board, are hereby designated as claimants before the Secretary of Commerce: (1) The Secretary of the Interior with respect to petroleum; gas; solid fuels; electric power; construction and maintenance projects under his jurisdiction other than those classes of construction specified in paragraphs 12 and 15; fishery products as set forth in the October 13, 1950, order of the Secretary of Agriculture delegating fishery authority to the Secretary of the Interior; those areas of minerals and metals as set forth in the October 6, 1950, Memorandum of Agreement between the Departments of Interior and Commerce; and the construction program of the Tennessee Valley Authority; (2) The Secretary of Agriculture with respect to food; and the domestic distribution of farm equipment and commercial fertilizer, and veterinary supplies and equipment; (3) That commissioner of the Interstate Commerce Commission who is the Administrator of the Defense Transport Administration with respect to domestic transportation, storage, and port facilities, or the use thereof; (4) The Secretary of Defense with respect to the military needs of the Department of De-

fense, except those items for which the General Services Administration regularly procures for the Department of Defense; equipment and supplies of military-type products for the Mutual Defense Aid Program; stockpile; and military construction; (5) The Secretary of the Army with respect to civil construction projects under the jurisdiction of the Department of the Army, except projects having electric power generating capacity or facilities unless specifically exempted by the Secretary of the Interior; (6) The Administrator of the Economic Cooperation Administration with respect to all nonmilitary exports to countries in which the ECA has a program including the requirements for additional military production under the Mutual Defense Aid Program and for common-use items under other approved military programs. In developing requirements for his claimant area, the Administrator shall consult with the Secretary of State and with the heads of those agencies having responsibility for particular domestic programs. The presentation of requirements for foreign mineral and energy development programs shall include a statement by the Secretary of the Interior covering the relationship of the programs concerned to his over-all mineral and energy development programs; (7) The Director of the Office of International Trade (Department of Commerce) with respect to all exports not covered by the Department of Defense and the Economic Cooperation Administration. In developing the requirements for his claimant area the Director shall consult with the Secretary of State and with the heads of those agencies having responsibility for particular domestic programs. The presentation of requirements for foreign mineral and energy development programs shall include a statement by the Secretary of the Interior covering the relationship of the programs concerned to his over-all mineral and energy development programs; (8) The Chairman of the Atomic Energy Commission with respect to the program of that agency; (9) The Maritime Administrator with respect to coastwise, intercoastal, and overseas shipping, and merchant ship construction and repair; (10) The Chairman of the Civil Aeronautics Board with respect to all aircraft used in carrier transportation and the use thereof; (11) The Administrator of the Civil Aeronautics Administration with respect to all civil aviation operations not covered in paragraph 10, including materials, parts, and equipment for all civil aircraft and for aeronautical communiction facilities; (12) The Commissioner of Public Roads with respect to all highway construction and maintenance, including urban streets constructed with or without Federal aid. The Commissioner shall consult with the Secretary of the Interior and the Secretary of Agriculture on road programs under their jurisdiction and with the Administrator of the Housing and Home Finance Agency on road programs related to community facilities; (13) The Chairman of the Federal Communications Commission with respect to all communications facilities, both Government and private, of a civilian character not covered otherwise; (14) The Director of the National Advisory Committee for Aeronautics with respect to the program of that agency; (15) The Administrator of the Federal Security Agency with respect to school and hospital construction other than veterans' hospitals; and the domestic distribution of supplies and equipment needed in the fields of health, education, welfare, recreation and related activities; (16) The Administrator of the Veterans' Administration with respect to the hospital program of that agency; (17) The Administrator of the Housing and Home Finance Agency with respect to all housing construction, alteration and repair, and with respect to State and local community facilities not covered elsewhere. The Administrator shall consult with the Administrator of the Federal Security Agency with respect to the establishment of requirements for the community facilities under his area of responsibility, particularly as regards the health and sanitation problems involved; and as regards the relationship of the Housing and Home Finance Agency community facility requirements to the school and hospital requirements as developed by the Administrator of the Federal Security Agency. The Administrator shall also consult with the Director of the United States Geological Survey on community water facility projects in order to obtain his recommendations as to the most effective utilization of water supply; (18) The Administrator of the General Services Administration with respect to the needs of all Federal Government agencies not covered otherwise, including Federal construction not covered otherwise, and notwithstanding the other designations made, the needs of all Federal Government agencies for common-use items listed in the General Services Administration Stores Stock Catalog, or procured under Federal Supply Schedule contracts, or otherwise designated as common-use items by the Administrator of General Services: *Provided*, That the Secretary of Defense shall act as claimant with respect to the needs of the Department of Defense for such common-use items as may be designated by agreement between the Secretary of Defense and the Administrator; and (19) The Assistant Administrator of NPA for Industry Operations (Department of Commerce) with respect to the needs of all industries and business, including wholesale and retail trades, and the construction and service industries not otherwise covered. This includes claimant status with respect to general consumption of products and services produced in the industries put under the cognizance of the Secretary of Commerce by Executive Order 10161.

[SEAL] PHILIP B. FLEMING,
Acting Secretary of Commerce.

[F. R. Doc. 50-10757; Filed, Nov. 24, 1950; 9:30 a. m.]

DEPARTMENT OF LABOR

Wage and Hour Division

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

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 Sup. 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 522.166; as amended September 25, 1950 (15 F. R. 5701; 6326)).

Avoca Sportswear Co., 1013 Main Street, Avoca, Pa., effective 11-7-50 to 11-6-51; 10 percent normal labor turnover (dresses).

The B. V. D. Co., Inc., 221 High Street, Cambridge, Md., effective 11-9-50 to 11-8-51; 10 percent normal labor turnover (sport shirts).

William Bernstein & Sons Co., Inc., 110 Carlisle Avenue, York, Pa., effective 11-14-50 to 11-13-51; 10 percent normal labor turnover (ladies' and children's dresses and blouses).

William Bernstein & Sons Co., Inc., 110 Carlisle Avenue, York, Pa., effective 11-14-50 to 5-13-51; 20 learners for expansion purposes (ladies' and children's dresses and blouses).

The Black Manufacturing Co., 1130 Ranier Avenue, Seattle, Wash., effective 11-14-50 to 11-13-51; 10 percent normal labor turnover (single pants and shirts).

Blue Bell, Inc., Mount Jackson, Va., effective 11-14-50 to 5-13-51; 20 learners for expansion purposes (dungarees) (supplementary certificates).

Blue Jeans Corp. of Vermont, 21 Frost Street, Brattleboro, Vt., effective 11-9-50 to 11-8-51; 10 percent normal labor turnover (dungarees).

Barry Bob Sportswear Co., 144 E. Blaine Street, McAdoo, Pa., effective 11-14-50 to 11-13-51; 10 learners for normal labor turnover (ladies' sportswear).

Dora Brooke, 228 North Vermont Avenue, Atlantic City, N. J., effective 11-14-50 to 11-13-51; 10 percent normal labor turnover (children's dresses).

Champion Canvas Supplies, Inc., Linn, Osage County, Mo., effective 11-9-50 to 11-8-51; 10 percent normal labor turnover (men's rainwear).

Clearfield Sportswear Co., Inc., Curwensville, Pa., effective 11-9-50 to 11-8-51; 10 percent normal labor turnover (dress shirts, etc.).

Cluett, Peabody & Co., Inc., Buchanan, Ga., effective 11-9-50 to 11-8-51; 10 percent normal labor turnover (white shirts).

Cluett, Peabody & Co., Inc., Bremen, Ga., effective 11-14-50 to 11-13-51; 10 percent normal labor turnover (white shirts).

Cluett, Peabody & Co., Inc., Chisholm, Minn., effective 11-14-50 to 11-13-51; 10 percent normal labor turnover (white shirts).

Day's Tailor-d Clothing, Inc., 2902 A Street, Tacoma, Wash., effective 11-10-50 to 5-9-51; 40 learners for expansion purposes (men's trousers, uniform jackets).

Day's Tailor-d Clothing, Inc., 2902 A Street, Tacoma, Wash., effective 11-10-50 to 11-9-51; 10 percent normal labor turnover (men's trousers, uniform jackets).

DeCody Foundations, Inc., 158 Market Street, Lowell, Mass., effective 11-14-50 to 11-13-51; five learners for normal labor turnover (corsets).

Donna Jill Fashions, Inc., 601 West Arch Street, Pottsville, Pa., effective 11-9-50 to 5-8-51; 10 learners for expansion purposes (women's blouses).

Eagle Bros., Mahanoy City, Pa., effective 11-7-50 to 11-6-51; 10 percent normal labor turnover (shirts).

Eastwill Sportswear Co., Inc., Hickory Street, Greenwood, S. C., effective 11-10-50 to 11-9-51; 10 percent normal labor turnover (men's sport shirts).

Eddins Garment Co., Inc., 611 Tyler Street, Crewe, Va., effective 11-14-50 to 11-13-51; 10 percent normal labor turnover (children's and infants' outerwear).

Empire Manufacturing Co., Winder, Ga., effective 11-9-50 to 11-8-51; 10 percent normal labor turnover (pants, overalls, and jackets).

M. Fine & Sons Manufacturing Co., Inc., Paducah, Ky., effective 11-7-50 to 11-6-51; 10 percent normal labor turnover (work shirts).

Finesilver Manufacturing Co., 816-20 Camaron Street, San Antonio, Tex., effective 11-10-50 to 11-9-51; 10 percent normal labor turnover (dungarees and wark pants).

Formaid Co., 893 North Union Street, Rockland, Mass., effective 11-14-50 to 11-13-51; 10 percent normal labor turnover (brassieres).

Galion Consolidated Garment Co., 225 North Market Street, Galion, Ohio, effective 11-7-50 to 11-6-51; 10 percent normal labor turnover (ladies' wearing apparel).

O. K. Gray, Manufacturing, 115 North Fisk Street, Brownwood, Tex., effective 11-7-50 to 11-6-51; 10 percent normal labor turnover (shirts).

Hershey Garment Co., Paradise, Pa., effective 11-9-50 to 11-8-51; 10 percent normal labor turnover (women's slips, etc.).

Jay Ann Co., Inc., 3021 West Martin Street, San Antonio, Tex., effective 11-9-50 to 11-8-51; 10 percent normal labor turnover (cotton dresses, sunsuits, etc.).

Jersey Shore Manufacturing Corp., 148 South Main Street, Jersey Shore, Pa., effective 11-9-50 to 11-8-51; 10 percent normal labor turnover (sport shirts).

Joy Undergarment Co., Inc., 911 First Avenue, Asbury Park, N. J., effective 11-8-50 to 11-7-51; 10 percent normal labor turnover (ladies' lingerie).

Kentucky Pants Co., 117 North Race Street, Glasgow, Ky., effective 11-9-50 to 11-8-51; 10 percent normal labor turnover (work pants).

Kleeson Co., Moundsville, W. Va., effective 11-14-50 to 11-13-51; 10 percent normal labor turnover (men's work pants).

Kramer Bros., 313 Arch Street, Philadelphia, Pa., effective 11-7-50 to 11-6-51; 10 percent normal labor turnover (work pants, dungarees).

La Follette Shirt Co., Inc., La Follette, Tenn., effective 11-9-50 to 11-8-51; 10 percent normal labor turnover (men's dress and sport shirts).

Lansdale Clothing Co., Green and Blaine Streets, Lansdale, Pa., effective 11-9-50 to 11-8-51; 10 percent normal labor turnover (men's trousers).

David Lee Sportswear, Inc., Wayne Street and Clay Avenue, West Hazleton, Pa., effective 11-7-50 to 11-6-51; 10 percent normal labor turnover (ladies' blouses).

Lee Garment Co., South Center Street, Clinton, Ill., effective 11-8-50 to 11-7-51; 10 percent normal labor turnover (women's and misses' dresses).

Lee Garment Co., South Center Street, Clinton, Ill., effective 11-8-50 to 5-7-51; five learners for expansion purposes (women's and misses' dresses).

Leecraft Manufacturing Co., Spencer, Tenn., effective 11-9-50 to 11-8-51; 10 percent normal labor turnover (men's and boys' sport shirts).

Lemoyne Dress Co., 308 South Third Street, Lemoyne, Pa., effective 11-9-50 to 11-8-51; 10 percent normal labor turnover (dresses).

M and S Co., Inc., 2217 DeSiard Street, Monroe, La., effective 11-14-50 to 5-13-51; 30 learners for expansion purposes (men's and boys' dress pants and slacks).

M and S Co., Inc., 2217 DeSiare St., Monroe, La., effective 11-14-50 to 11-13-51; 10 percent normal labor turnover, (men's and boys' dress pants and slacks).

Marion Manufacturing Corp., Marion, Va., effective 11-9-50 to 11-8-51; 10 percent normal labor turnover (woven shorts and pajamas).

Milam Manufacturing Co., Tupelo, Miss., effective 11-11-50 to 11-10-51; 10 percent normal labor turnover (little boys' suits and play togs).

Model Sportswear, Inc., 305 Holland Street, Shelbyville, Tenn., effective 11-16-50 to 11-15-51; 10 percent normal labor turnover (boys' and men's sport shirts and jackets).

William H. Noggle & Sons, Inc., Rexmont, Pa., effective 11-9-50 to 11-8-51; 10 percent normal labor turnover (boys' cotton sleeping garments).

Nunnally & McCrea Co., Pickens County, Jasper, Ga., effective 11-9-50 to 11-8-51; 10 percent normal labor turnover (fatigue pants).

Nunnally & McCrea Co., 104 Mitchell Street SW., Atlanta, Ga., effective 11-9-50 to 11-8-51; 10 percent normal labor turnover (overalls, coveralls, etc.).

Osgood & Sons, Inc., Warsaw, Ill., effective 11-15-50 to 5-15-51; 10 learners for expansion purposes (women's dresses, housecoats and robes) (supplemental certificate).

Anthony Palumbo, Hartford Road, R. D., Moorestown, N. J., effective 11-7-50 to 11-6-51; 10 percent normal labor turnover (polo sweaters).

Phillips-Jones Factory, Patton, Pa., effective 11-14-50 to 5-13-51; 27 learners for expansion purposes (men's dress shirts) (supplemental certificate).

Plainfield Manufacturing Co., Plainfield, Conn., effective 11-7-50 to 11-6-51; 10 percent normal labor turnover (men's robes).

Robinhold & Co., Port Clinton, Schuylkill County, Pa., effective 11-9-50 to 11-8-51; 10 percent normal labor turnover (cotton knit underwear).

Salant & Salant, Inc., Troy, Tenn., effective 11-7-50 to 11-6-51; 10 percent normal labor turnover (cotton work shirts).

Salant & Salant Inc., Washington Street, Paris, Tenn., effective 11-7-50 to 11-6-51; 10 percent normal labor turnover (work shirts).

Salant & Salant, Inc., Atlas Factory, Tennessee Avenue, Parsons, Tenn., effective 11-9-50 to 11-8-51; 10 percent normal labor turnover (work pants).

Salant & Salant, Inc., Obion, Tenn., effective 11-9-50 to 11-8-51; 10 percent normal labor turnover (cotton work shirts).

Robert Scott Sportswear Co., 101 West Lehigh Avenue, Philadelphia 33, Pa., effective 11-9-50 to 5-8-51; eight learners for expansion purposes (men's and boy's jackets).

Shutzer Manufacturing Co., Inc., 113 Munroe Street, Lynn, Mass., effective 11-9-50 to 11-8-51; 10 percent normal labor turnover (wool and rayon garments).

Shutzer Manufacturing Co., Inc., 113 Munroe Street, Lynn, Mass., effective 11-9-50 to 5-8-51; 10 learners for expansion purposes (wool and rayon garments).

Stardust, Inc., 17 Crannell Street, Poughkeepsie, N. Y., effective 11-10-50 to 5-9-51; 47 learners for expansion purposes (brassieres, slips and panties).

Stardust, Inc., 17 Crannell Street, Poughkeepsie, N. Y., effective 11-10-50 to 11-9-51; 10 percent normal labor turnover (brassieres, slips and panties).

Sterling Shirt Corp., 147 New Brunswick Avenue, Hopelawn, Perth Amboy, N. J., effective 11-7-50 to 11-6-51; 10 percent normal labor turnover (shirts).

I. Taitel & Son, 111 West Cherry Street, Scottsburg, Ind., effective 11-7-50 to 5-6-51; 18 learners for expansion purposes (pants, sport ensembles).

Temple Sportswear, Inc., 4432 Kutstown Road, Temple, Pa., effective 11-9-50 to 11-8-51; 10 percent normal labor turnover (ladies' apparel).

Temple Sportswear, Inc., 4432 Kutstown Road, Temple, Pa., effective 11-9-50 to 5-8-51; 15 learners for expansion purposes (ladies' apparel).

Totsapparel Manufacturing Co., 3039 East Ninety-second Street, Chicago, Ill., effective 11-14-50 to 4-30-51; 10 learners for expansion purposes (boy's and men's shirts and pajamas) (supplemental certificate).

Trimble Manufacturing Co., Trimble, Tenn., effective 11-14-50 to 11-13-51; 10 percent normal labor turnover (boys' and men's zipper jackets).

Trimble Manufacturing Co., Trimble, Tenn., effective 11-14-50 to 5-13-51; 15 learners for expansion purposes (boys' and men's zipper jackets).

Trostle's Dress Manufacturing Co., 39 Queen Street, Gettysburg, Pa., effective 11-7-50 to 11-6-51; 10 percent normal labor turnover (pajamas and dresses).

The Van Wert Manufacturing Co., Corner Main and Market Streets, Van Wert, Ohio, effective 11-16-50 to 11-15-51; 10 percent normal labor turnover (men's dress pants and work clothing).

Walhalla Garment Co., Inc., Walhalla, S. C., effective 11-9-50 to 11-8-51; 10 percent normal labor turnover (dresses).

Walhalla Garment Co., Inc., Walhalla, S. C., effective 11-9-50 to 5-8-51; 29 learners for expansion purposes (dresses).

Hosiery Learner Regulations (29 CFR 522.40 to 522.51; as revised January 25, 1950 (15 F. R. 283).)

Austin Hosiery Mills, Inc., Albemarle, N. C., effective 11-13-50 to 11-12-51; five learners.

The Batesville Co., Batesville, Miss., effective 11-13-50 to 7-12-51; 40 learners for expansion purposes (supplemental certificate).

Glenn Hosiery Co., High Point, N. C., effective 11-7-50 to 11-6-51; 5 percent normal labor turnover.

H. R. H. Silk Hosiery Mills, Inc., Quincy, Ill., effective 11-7-50 to 11-6-51; five learners.

Villa Rica Hosiery Mills, Villa Rica, Ga., effective 11-8-50 to 1-7-51; 5 percent normal labor turnover.

Winchester Hosiery Corp., Winchester, Va., effective 11-13-50 to 7-12-51; 55 learners for expansion purposes.

Independent Telephone Learner Regulations (29 CFR 522.82 to 522.93; as amended January 25, 1950 (15 F. R. 398).)

C. T. & N. Telephone Co., Casey, Ill., effective 11-10-50 to 11-9-51.

The Cass County Telephone Co., Harrisonville, Mo., effective 11-10-50 to 11-9-51.

Citizens Telephone Co., Higginsville, Mo., effective 11-13-50 to 11-12-51.

Clarke County Telephone Co., Osceola, Iowa, effective 11-10-50 to 11-9-51.

West Branch Telephone Co., West Branch, Iowa, effective 11-10-50 to 11-9-51.

West Iowa Telephone Co., Ramson, Iowa, effective 11-10-50 to 11-9-51.

West Jersey Telephone Co., Belvidere, N. J., effective 11-13-50 to 11-12-51.

Cigar Learner Regulations (29 CFR 522.201 to 522.211; as amended January 25, 1950 (15 F. R. 400).)

General Cigar Co., Inc., 1301-11 Seventh Avenue, Huntington, W. Va., 10 percent learners; effective 11-13-50 to 11-12-51, cigar machine operating, 320 hours, 60 cents per hour; packing (cigars retailing for more than 6 cents), 320 hours, 60 cents per hour; machine stripping, 160 hours, 60 cents per hour; hand stripping, 160 hours, 60 cents per hour.

H. N. Heusner & Son, Inc., 228-30 High Street, Hanover, Pa., 10 percent learners; effective 11-10-50 to 11-9-51, cigar machine operating, 320 hours, 60 cents per hour; machine stripping, 160 hours, 60 cents per hour; cigar packing (cigars retailing for 6 cents or less), 160 hours, 60 cents per hour.

John Swisher & Son, Inc., Jacksonville, Fla., 10 percent learners; effective 11-10-50 to 11-9-51, cigar machine operating, 320 hours, 60 cents per hour; cigar packing (cigars retailing for over 6 cents), 320 hours, 60 cents per hour; cigar packing (cigars retailing for 6 cents or less), 160 hours, 60 cents per hour; machine stripping, 160 hours, 60 cents per hour.

Wolf Bros. & Co., 25-27 Pine Street, Red Lion, Pa., effective 11-13-50 to 11-12-51; 10 percent learners, cigar machine operating, 320 hours, 60 cents per hour; machine stripping, 160 hours, 60 cents per hour; cigar packing (cigars retailing for 6 cents or less), 160 hours, 60 cents per hour.

Glove Learner Regulations (29 CFR 522.220 to 522.231; as amended October 26, 1950 (15 F. R. 6888).)

Churchill-Swanson Manufacturing Co., Centralia, Wash., effective 11-10-50 to 5-10-51; 10 learners for expansion purposes (supplemental certificate).

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

A. & H. Sportswear Co., Pen Argyl, Pa., effective 11-13-50 to 11-12-51; five learners.

Knothe Bros. Co., Inc., Charlottesville, Va., effective 11-10-50 to 11-9-51; five learners.

Knothe Bros. Co., Inc., Charlottesville, Va., effective 11-10-50 to 5-9-51; 10 learners for expansion purposes.

Mifflin Knitting Mills, Inc., Mifflinville, Pa., effective 11-13-50 to 11-12-51; five learners.

The Reidler Corp., Hazleton, Pa., effective 11-8-50 to 11-7-51; 5 percent normal labor turnover.

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

Harry Gross, 1421 Wallace Street, Philadelphia, Pa., effective 11-8-50 to 11-7-51; 7 percent normal labor turnover; hand sewers, 480 hours, 60 cents an hour for the first 240 hours and 65 cents an hour for the remaining 240 hours (men's vests).

Hutt & Wasserman Felt Hat Co., Allentown, Pa., effective 11-9-50 to 5-8-51; 10 percent normal labor turnover; machine operator (except cutting), presser, and hand sewing in the manufacture of men's fur-felt hats and linings only, 160 hours, 65 cents (hat linings and hat boxes).

Jacobson Candy Co., Inc., Des Moines, Iowa, effective 11-9-50 to 5-8-51; five learners; candy dippers, 240 hours, 60 cents (candy).

Levine Bros. Bag Co., 42-46 Mill Street, Kingston, N. Y., effective 11-14-50 to 5-13-51; two learners; sewing machine operators, 160 hours, 60 cents (cotton and burlap bags).

George McArthur & Sons, Inc., Baraboo, Wis., effective 11-8-50 to 5-7-51; three learners; hammock stringers and machine operators, tenders, fixers, and jobs immediately incidental thereto, 240 hours, 60 cents (hammock manufacturing).

Modern Food Service, Inc., Louisville, Ky., effective 11-13-50 to 5-12-51; 3 learners, fish breaders, 160 hours, oyster rollers, 160 hours, 60 cents (food products).

Monticello Charm Tred Mills, Inc., Monticello, Ark., effective 11-15-50 to 5-14-51; 8 learners; machine operators, 240 hours, 60 cents an hour for the first 160 hours and not less than 65 cents an hour for the remaining 80 hours (cotton rugs and bath mats).

Royersford Needle Works, Inc., Royersford, Pa., effective 11-13-50 to 5-12-51; 20 learners; various needles trades, rates not less than 68½ cents for the first 240 hours, 71½ cents for the next 240 hours and 74½ cents for the remainder of the learning period (spring beard needles).

Seasonal Neckwear Co., Inc., 585 Broad Street, Newark, N. J., effective 11-14-50 to 11-13-51; 5 percent normal labor turnover; machine operating, 320 hours, 60 cents (men's ties).

Siler City Mills, Inc., Siler City, N. C., effective 11-13-50 to 5-12-51; six learners; batch machine operators, 320 hours, crushing machine operators, 320 hours, 65 cents (manufacturers of mixed feeds).

Simpson Reneedling Works, New Bedford, Mass., effective 11-10-50 to 5-9-51; one learner; filler, 480 hours, 60 cents per hour for the first 320 hours and 65 cents an hour for the remaining 160 hours (comber reneedling).

Snower White Goods Manufacturing Co., 1825 Baltimore Avenue, Kansas City, Mo., effective 11-9-50 to 11-8-51; 10 percent normal labor turnover; machine operating (except cutting), 480 hours, 57 cents an hour for the first 320 hours and not less than 65 cents an hour for the remaining 160 hours (sheets, towels and pillow cases).

Taylor Bag. Co., Coffeyville, Kans., effective 11-8-50 to 5-7-51; two learners; sewing machine operators, 160 hours, 60 cents (used bag cleaning and repairing).

Tru-Art Lamp Shade Co., Inc., Chicago, Ill., effective 11-8-50 to 5-7-51; two learners; hand sewers, 120 hours, 60 cents (lamp shades).

Woodcraftery Shops, Inc., 308 Second Avenue, Wayland, N. Y., effective 11-10-50 to 5-9-51; two learners; hand decorators, 320 hours, 60 cents for the first 160 hours and 65 cents for the remaining 160 hours (wood products).

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. 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 17th day of November 1950.

ISABEL FERGUSON,
Authorized Representative of the Administrator.

[F. R. Doc. 50-10652; Filed, Nov. 24, 1950; 8:46 a. m.]

ATOMIC ENERGY COMMISSION

PERSONNEL SECURITY CLEARANCE

CRITERIA FOR DETERMINING ELIGIBILITY

NOTE: This statement of criteria adopted by the Atomic Energy Commission for determining eligibility for personnel security clearance revises a statement previously published by the Commission in the FEDERAL REGISTER on January 5, 1949 (14 F. R. 42).

The United States Atomic Energy Commission has adopted basic criteria for the guidance of the responsible officers of the Commission in determining eligibility for personnel security clearance. These criteria are subject to continuing review, and may be revised from time to time in order to insure the most effective application of policies designed to maintain the security of the atomic energy program in a manner consistent with traditional American concepts of justice and rights of citizenship.

The Commission, on the 19th day of September 1950, issued its procedure for the administrative review of those cases in which questions have arisen concerning an individual's eligibility for security clearance. This procedure is published in the FEDERAL REGISTER (15 F. R. 6241). This procedure places considerable responsibility on the Managers of Operations and it is to provide uniform standards for their use that the Commission has adopted the Criteria described herein.

Under the Atomic Energy Act of 1946, it is the responsibility of the Atomic Energy Commission to determine whether the common defense or security will be endangered by granting security clearance to individuals either employed by the Commission or permitted access to restricted data. As an administrative precaution, the Commission also requires that at certain locations there be a local investigation, or check, on individuals employed by contractors on work not involving access to restricted data. (Commission authorization to be so employed is termed "security approval.")

Under the act, the Federal Bureau of Investigation has the responsibility for making an investigation and report to the Commission on the character, associations and loyalty of individuals who are to be permitted to have access to restricted data. In determining any individual's eligibility for security clearance other information available to the Commission should also be considered, such as whether the individual will have direct access to restricted data or work in proximity to exclusion areas, his past association with the Atomic Energy program, and the nature of the job he is expected to perform. The facts of each case must be carefully weighed and determination made in the light of all the information presented whether favorable or unfavorable. The judgment of responsible persons as to the integrity of the individuals should be considered. The decision as to security clearance is an over-all, common-sense judgment, made after consideration of all the relevant information as to whether or not there is risk that the granting of security clearance would endanger the common defense or security. If it is determined that the common defense or

security will not be endangered, security clearance will be granted; otherwise, security clearance will be denied.

Cases must be carefully weighed in the light of all the information, and a determination must be reached which gives due recognition to the favorable as well as unfavorable information concerning the individual and which balances the cost to the program of not having his services against any possible risks involved. In making such practical determination, the mature viewpoint and responsible judgment of Commission staff members, and of the contractor concerned are available for consideration by the General Manager.

To assist in making these determinations, on the basis of all the information in a particular case, there are set forth below a number of specific types of derogatory information. The list is not exhaustive, but it contains the principal types of derogatory information which indicate a security risk. It will be observed that the criteria are divided into two groups, Category (A) and Category (B).

Category (A) includes those classes of derogatory information which establish a presumption of security risk. In cases falling under this category the Manager of Operations must refer the cases to the Director of Security in Washington.

Category (B) includes those classes of derogatory information where the extent of activities, the attitudes, or convictions of the individual must be weighed in determining whether a presumption of risk exists. In these cases, the Manager of Operations must refer them to the Director of Security in Washington.

Category (A). Category (A) includes those cases in which there are grounds sufficient to establish a reasonable belief that the individual or his spouse has:

1. Committed or attempted to commit, or aided or abetted another who committed or attempted to commit, any act of sabotage, espionage, treason, or sedition;

2. Establish an association with espionage agents of a foreign nation; with individuals reliably reported as suspected of espionage; with representatives of foreign nations whose interests may be inimical to the interests of the United States. (Ordinarily this would not include chance or casual meetings; nor contacts limited to normal business or official relations.)

3. Held membership in or joined any organization which has been declared by the Attorney General to be Totalitarian, Fascist, Communist, subversive, or as having adopted a policy of advocating or approving the commission of acts of force or violence to deny others their rights under the Constitution of the United States, or as seeking to alter the form of government of the United States by unconstitutional means, provided the individual did not withdraw from such membership when the organization was so identified, or otherwise establish his rejection of its subversive aims; or, prior to the declaration by the Attorney General, participated in the activities of such an organization in a capacity where he should reasonably have had knowledge as to the subversive aims or purposes of the organization;

4. Publicly or privately advocated revolution by force or violence to alter the constitutional form of Government of the United States.

Category (A) also includes those cases in which there are grounds sufficient to establish a reasonable belief that the individual has:

5. Deliberately omitted significant information from or falsified a Personnel Security Questionnaire or Personal History Statement. In many cases, it may be fair to conclude that such omission or falsification was deliberate if the information omitted or misrepresented is unfavorable to the individual;

6. Violated or disregarded security regulations to a degree which would endanger the common defense or security;

7. Been adjudged insane, been legally committed to an insane asylum, or treated for serious mental or neourological disorder, without evidence of cure;

8. Been convicted of felonies indicating habitual criminal tendencies;

9. Been, or who is, addicted to the use of alcohol or drugs habitually and to excess, without adequate evidence of rehabilitation.

Category (B). Category (B) includes those cases in which there are grounds sufficient to establish a reasonable belief that with respect to the individual or his spouse there is:

1. Sympathetic interest in totalitarian, fascist, communist or other subversive political ideologies;

2. A sympathetic association established with members of the Communist Party; or with leading members of any organization set forth in Category (A), paragraph 3, above. (Ordinarily this will not include chance or casual meetings, nor contacts limited to normal business or official relations.)

3. Identification with an organization established as a front for otherwise subversive groups or interests when the personal views of the individual are sympathetic to or coincide with subversive "lines";

4. Identification with an organization known to be infiltrated with members of subversive groups when there is also information as to other activities of the individual which establishes the probability that he may be a part of or sympathetic to the infiltrating element, or when he has personal views which are sympathetic to or coincide with subversive "lines";

5. Residence of the individual's spouse, parent(s), brother(s), sister(s), or offspring in a nation whose interests may be inimical to the interests of the United States, or in satellites or occupied areas thereof, when the personal views or activities of the individual subject of investigation are sympathetic to or coincide with subversive "lines" (to be evaluated in the light of the risk that pressure applied through such close relatives could force the individual to reveal sensitive information or perform an act of sabotage);

6. Close continuing association with individuals, (friends, relatives or other associates), who have subversive interests and associations as defined in any of the foregoing types of derogatory information. A close continuing association may be deemed to exist if:

(i) Subject lives at the same premises with such individual;

(ii) Subject visits such individual frequently;

(iii) Subject communicates frequently with such individual by any means.

7. Association where the individuals have enjoyed a very close, continuing association such as is described above for some period of time, and then have been separated by distance; provided the circumstances indicate that a renewal of contact is probable;

Category (B) also includes those cases in which there are grounds sufficient to establish a reasonable belief that with respect to the individual there is:

8. Conscientious objection to service in the Armed Forces during time of war, when such objections cannot be clearly shown to be due to religious convictions;

9. Manifest tendencies demonstrating unreliability or inability to keep important matters confidential; wilful or gross carelessness in revealing or disclosing to any unauthorized person restricted data or other classified matter pertaining either to projects of the Atomic Energy Commission or of any other governmental agency; abuse of trust, dishonesty; or homosexuality.

The categories outlined hereinabove contain the criteria which will be applied in determining whether information disclosed in investigation reports shall be regarded as substantially derogatory. Determination that there is such information in the case of an individual establishes doubt as to his eligibility for security clearance.

The criteria outlined hereinabove are intended to serve as aids to the Manager of Operations in discharging his responsibility in the determination of an individual's eligibility for security clearance. While there must necessarily be an adherence to such criteria, the Manager of Operations is not limited thereto, nor precluded in exercising his judgment that information or facts in a case under his cognizance are derogatory although at variance with, or outside the scope of, the stated categories. The Manager of Operations upon whom the responsibility rests for the granting of security clearance, and for recommendation in cases referred to the Director of Security, should bear in mind at all times, that his action must be consistent with the common defense or security.

Dated at Washington, D. C., this 17th day of November 1950.

M. W. Boyer,
General Manager.

[F. R. Doc. 50-10584; Filed, Nov. 24, 1950; 8:45 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. 3854]

Modern Air Transport, Inc.

EXEMPTION APPLICATION; NOTICE OF HEARING

In the matter of the application of Modern Air Transport, Inc., for exemption from the provisions of section 401

(a) of the Civil Aeronautics Act of 1938, as amended, and the issuance of a Letter of Registration as a large irregular carrier, in accordance with the provisions of Part 291 of the Economic Regulations of the Civil Aeronautics Board.

Notice is hereby given pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 205 (a) and 1001 of said act that a hearing in the above entitled proceeding is assigned to be held on November 27, 1950, at 10 a. m., e. s. t., in Room 1011, Temporary Building No. 5, Sixteenth Street and Constitution Avenue NW., Washington, D. C., before Examiner William J. Madden.

Without limiting the scope of the issues presented by the application, particular attention will be directed to the following matters and questions:

1. Is the present enforcement of the requirements of Title IV of the Civil Aeronautics Act, as amended, or any provision thereof, or any rule, regulation, term, condition or limitation prescribed thereunder, as it affects Modern, an undue burden on that air carrier by reason of the limited extent of, or unusual circumstances affecting the operation of such carrier and not in the public interest?

2. Subsidiary issues to a determination of whether the enforcement of the requirements of Title IV of the act is not in the public interest are:

(a) Will the operation of the air service proposed by Modern meet the statutory standards of section 416 (b) of the Act and the tests in this respect set forth in an opinion of the Board issued on May 25, 1950, accompanying Orders, Serial Nos. E-4240 through E-4252?

(b) Is there a need for irregular air transportation by Modern?

(c) Do the past operations of Modern indicate that it can be trusted with the exemption authority sought and operate within such authority?

3. If the foregoing issues are determined in the affirmative, what is the proper scope of exemption of Modern from the requirements of Title IV of the act, and what terms, conditions and limitations should be imposed on such exemption.

Notice is further given that any person desiring to be heard in opposition to the application, other than parties of record, must file with the Board on or before November 27, 1950, a statement setting forth the issues of fact or law which he desires to controvert and such person may appear and participate at the hearing in accordance with § 285.6 (a) of the rules of practice under Title IV of the Civil Aeronautics Act of 1938, as amended.

For further details of the service proposed and the relief requested, interested parties are referred to the application on file with the Civil Aeronautics Board.

Dated at Washington, D. C., November 21, 1950.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 50-10692; Filed, Nov. 24, 1950; 8:51 a. m.]

FEDERAL POWER COMMISSION

[Docket No. E-6322]

KANSAS GAS AND ELECTRIC CO.

NOTICE OF ORDER AUTHORIZING ISSUANCE OF SECURITIES

NOVEMBER 21, 1950.

Notice is hereby given that, on November 20, 1950, the Federal Power Commission issued its order entered November 20, 1950, supplementing order of November 10, 1950, published in the FEDERAL REGISTER on November 17, 1950 (15 F. R. 7847), authorizing issuance of securities in the above-designated matter.

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

[F. R. Doc. 50-10658; Filed, Nov. 24, 1950; 8:47 a. m.]

[Docket No. E-6327]

MONTANA POWER CO.

NOTICE OF ORDER AUTHORIZING ISSUANCE OF SECURITIES

NOVEMBER 21, 1950.

Notice is hereby given that, on November 21, 1950, the Federal Power Commission issued its order entered November 20, 1950, authorizing issuance of securities in the above-designated matter.

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

[F. R. Doc. 50-10659; Filed, Nov. 24, 1950; 8:47 a. m.]

[Docket No. G-1463]

SOUTHERN NATURAL GAS CO.

NOTICE OF FINDINGS AND ORDER

NOVEMBER 21, 1950.

Notice is hereby given that, on November 21, 1950, the Federal Power Commission issued its findings and order entered November 20, 1950, omitting intermediate decision procedure and issuing certificate of public convenience and necessity in the above-designated matter.

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

[F. R. Doc. 50-10660; Filed, Nov. 24, 1950; 8:47 a. m.]

[Project No. 2058]

WASHINGTON WATER POWER CO.

NOTICE OF APPLICATION FOR LICENSE

NOVEMBER 20, 1950.

Public notice is hereby given that The Washington Water Power Company, of Spokane, Washington, has filed application under the Federal Power Act (16 U. S. C. 791a-825r) for license for proposed water-power Project No. 2058 to be located on Clark Fork River in Bonner County, Idaho, and Sanders County, Montana, exclusive of a transmission line which would extend from the plant to Spokane, Washington. The proposed project would consist of a reinforced-concrete arch dam with crest gates at the Cabinet Gorge site in Bonner County, Idaho, creating a reservoir approximately 20 miles long with area of about 1,200 acres and normal water surface at elevation 2,175 feet at the dam; intake works; four pressure tunnels each approximately 480 feet long; a powerhouse approximately 300 feet down-stream from the dam with provision for four units (three of which would be installed initially) each consisting of a turbine with capacity of about 70,500 horsepower and a generator with capacity of about 50,000 kilowatts; transformers, circuit breakers, and switching structures; a 230-kilovolt transmission line connecting the plant with the transmission system of the applicant at Spokane, Washington; and appurtenant facilities. This application was preceded by application for preliminary permit for the same project.

Any protest against the approval of this application or request for hearing thereon, with the reasons for such protest or request and the name and address of the party or parties so protesting or requesting, should be submitted before December 7, 1950, to the Federal Power Commission, Washington 25, D. C.

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

[F. R. Doc. 50-10647; Filed, Nov. 24, 1950; 8:45 a. m.]

FEDERAL SECURITY AGENCY

[Federal Security Agency Order 16-2, Amdt. 1]

OFFICE OF FIELD SERVICES

DIVISION OF SURPLUS PROPERTY UTILIZATION

There is hereby established in the Office of Field Services, under the direction and supervision of the Director, Office of Field Services, a Division of Surplus Property Utilization.

1. The Chief of the Division of Surplus Property Utilization, under the direction and supervision of the Director, Office of Field Services, shall be responsible for:

(a) Carrying out the functions, duties, and responsibilities vested in the Federal Security Agency and the Federal Security Administrator by sections 203 (j) and 203 (k) of the Federal Property and Administrative Services Act of 1949, as amended, and by the rules, regulations, and circulars issued by the Administrator of General Services to the extent that they affect such functions (hereinafter called Program) of the Federal Security Administrator and Federal Security Agency; and

(b) The organization, integration, coordination, evaluation, and direction of the Program.

2. The Division, in consultation with the Office of Education and the Public Health Service, shall:

(a) Develop, with the approval of the Director of the Office of Field Services, the policy and planning of all aspects of the Program;

(b) Serve as liaison with the General Services Administration and other interested Federal and State agencies, instrumentalities, organizations, and represen-

tatives, in connection with all aspects of the Program;

(c) Develop and promulgate, with the approval of the Director of the Office of Field Services, instructions and procedures relative to the operation of the Program; and

(d) Make determinations and allocations for health and educational purposes as authorized by section 203 (j) of the act as amended, and take such action as may be necessary in connection with the assignment, disposal, and utilization of surplus property for health and educational purposes pursuant to section 203 (k) of the act, except that any action which is required to be taken by the Administrator shall be prepared and submitted for his approval.

Dated: November 20, 1950.

[SEAL] OSCAR R. EWING,
Administrator.

[F. R. Doc. 50-10664; Filed, Nov. 24, 1950; 8:48 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 25587]

IRON AND STEEL ARTICLES FROM CINCINNATI, OHIO, AND NEWPORT, KY., TO MEMPHIS, TENN.

APPLICATION FOR RELIEF

NOVEMBER 21, 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. 920.

Commodities involved: Iron and steel articles, carloads.

From: Cincinnati, Ohio, and Newport, Ky.

To: Memphis, Tenn.

Grounds for relief: Circuitous routes.

Schedules filed containing proposed rates: C. A. Spaninger's tariff I. C. C. No. 920, Supp. 195.

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. 50-10653; Filed, Nov. 24, 1950; 8:46 a. m.]

[4th Sec. Application 25588]

ALCOHOL AND RELATED ARTICLES FROM BROWNSVILLE, TEX., TO WESTERN TRUNK-LINE AND ILLINOIS TERRITORIES

APPLICATION FOR RELIEF

NOVEMBER 21, 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: D. Q. Marsh, Agent, for and on behalf of carriers parties to his tariff I. C. C. No. 3721.

Commodities involved: Methanol, acetone, butyl alcohol, isopropanol, methyl ethyl ketone, proprietary anti-freeze preparations, and propyl alcohol, carloads.

From: Brownsville, Tex.

To: Points in western trunk-line and Illinois territories.

Grounds for relief: Competition with rail carriers.

Schedules filed containing proposed rates: D. Q. Marsh's tariff I. C. C. No. 3721, Supp. 163.

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. 50-10654; Filed, Nov. 24, 1950; 8:46 a. m.]

[4th Sec. Application 25589]

ACIDS AND OTHER COMMODITIES FROM SPECIFIED POINTS IN TRUNK-LINE AND NEW ENGLAND TERRITORIES TO SOUTH

APPLICATION FOR RELIEF

NOVEMBER 21, 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: C. W. Boin, Agent, for and on behalf of carriers parties to his tariff I. C. C. No. A-911 and Agent I. N. Doe's tariff I. C. C. No. 580 pursuant to fourth-section order No. 9800.

Commodities involved: Acids and various commodities, carloads.

From: Specified points in trunk-line and New England territories.

To: Certain points in southern territory.

Grounds for relief: Competition with rail carriers. Circuitous routes.

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. 50-10655; Filed, Nov. 24, 1950; 8:46 a. m.]

[4th Sec. Application 25590]

MAGAZINES AND OTHER COMMODITIES FROM POINTS IN TRUNK LINE AND NEW ENGLAND TERRITORIES TO CENTRAL TERRITORY

APPLICATION FOR RELIEF

NOVEMBER 21, 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: C. W. Boin and I. N. Doe, Agents for carriers parties to Agent Boin's tariff I. C. C. A-823 and Agent Doe's tariff I. C. C. 591 pursuant to fourth-section order No. 9800.

Commodities involved: Magazines and other commodities, carloads.

From: Points in trunk-line and New England territories.

To: Points in central territory.

Grounds for relief: Competition with rail carriers. Circuitous routes.

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. 50-10656; Filed, Nov. 24, 1950; 8:46 a. m.]

[Rev. S. O. 562, Kings I. C. C. Order 25, Amdt. 4]

DULUTH AND NORTHEASTERN RAILROAD CO.

REROUTING OR DIVERSION OF TRAFFIC

Upon further consideration of King's I. C. C. Order No. 25 and good cause appearing therefor: *It is ordered*, That:

King's I. C. C. Order No. 25, be, and it is hereby, amended by substituting the following paragraph (g) for paragraph (g) thereof:

(g) *Expiration date:* This order shall expire at 11:59 p. m., January 31, 1951, unless otherwise modified, changed, suspended or annulled.

It is further ordered, That this amendment shall become effective at 11:59 p. m., November 30, 1950, and that this order shall be served upon the Association of American Railroads, Car Service Division, as agent of all the railroads subscribing to the car service and per diem agreement under the terms of that agreement, and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., November 20, 1950.

INTERSTATE COMMERCE COMMISSION,
HOMER C. KING,
Agent.

[F. R. Doc. 50-10657; Filed, Nov. 24, 1950; 8:46 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-2503]

CENTRAL POWER AND LIGHT CO.

ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 20th day of November A. D. 1950.

Central Power and Light Company ("Central"), a public utility subsidiary of Central and South West Corporation, a registered holding company, having filed an application, and an amendment thereto, pursuant to the Public Utility Holding Company Act of 1935 ("act"), and having designated sections 9 (a) and 10 of the act as applicable to the following proposed transactions:

Central proposes to purchase from certain non-affiliated individuals, who are stated to be stockholders of the Jarbee Company, a Texas corporation, the electric utility assets presently owned by said company consisting of the electric generating station and distribution system located in and in the vicinity of the unincorporated town of Freer, Duval County, Texas, for a cash consideration of $460,000. There is excluded from such utility assets the premises and building housing the electric generating plant but the sellers have agreed to give Central the right to maintain and operate the plant at its present location for a period of five years, or until such earlier time as purchaser removes the plant. It is stated that the sellers will acquire title to such assets either by purchase from said corporation or by a partial liquidation of said corporation or by a complete liquidation of said corporation prior to the date for closing the sale.

The application states that the properties to be acquired are located in the service area of Central and that promptly upon the consummation of the transactions the properties will be interconnected with and operated as a part of the electric system of Central.

Applicant represents that no State Commission and no Federal Commission, other than this Commission, has jurisdiction over the proposed transactions.

Central estimates that its fees and expenses in connection with the proposed transactions will aggregate $3,500.

Said application having been filed on October 12, 1950, and the admendment thereto having been filed on November 8, 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 application, as amended, within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding with respect to said application, as amended, that the requirements of the applicable provisions of the act and rules thereunder are satisfied, that no adverse findings are necessary and deeming it appropriate in the public interest and in the interest of investors and consumers that said application, as amended, be granted, and also deeming it appropriate to grant applicant's request that the order herein become effective upon its issuance:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of said act and subject to the terms and conditions prescribed in Rule U-24, that said application, as amended, be and the same hereby is granted, and that this order shall become effective upon its issuance.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant Secretary.

[F. R. Doc. 50-10648; Filed, Nov. 24, 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 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 15513]

CHRISTIANA L. WACKER

In re: Estate of Christiana L. Wacker, deceased. File No. D-28-12799, E. & T. sec. 16973.

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 Carl Munzing, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the person named in subparagraph 1 hereof, in and to the estate of Christiana L. Wacker, is property payable or deliverable to, or claimed by the aforesaid national of a designated enemy country (Germany);

3. That such property is in process of administration by Louise Terhune, as executrix, acting under the judicial supervision of the Surrogate's Court, Bronx County, New York:

and it is hereby determined:

4. 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 treate l 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 November 3, 1950.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 50-10675; Filed, Nov. 24, 1950; 8:50 a. m.]

[Vesting Order 15534]

META HOLLINGS

In re: Estate of Meta Hollings, deceased. File No. 017-26567.

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 Anna Hollings, Martin Hollings, Luer Hollings, Marie Mangels, Gesine Matthai and Martin Hollings, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the persons named in subparagraph 1 hereof, in and to the Estate of Meta Hollings, Deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country;

3. That such property is in the process of administration by Phil C. Katz, Public Administrator, as administrator c. t. a., acting under the judicial supervision of the Superior Court, City and County of San Francisco, California;

and it is hereby determined:

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

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

There is hereby vested in the Attorney General of the United States the property described 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 November 8, 1950.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 50-10676; Filed, Nov. 24, 1950; 8:50 a. m.]

[Vesting Order 15608]

ANNA KLINDWORTH

In re: Rights of Anna Klindworth under insurance contract. File No. F-28-24814-H-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 Anna Klindworth, 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 a contract of insurance evidenced by policy No. 5 108 835, issued by The Prudential Insurance Company of America, Newark, New Jersey, to Anna Klindworth, 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 November 9, 1950.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 50-10677; Filed, Nov. 24, 1950; 8:50 a. m.]

[Vesting Order 15609]

WALTER DIMMLER

In re: Rights of Walter Dimmler under insurance contract. File No. F-28-24696-H-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 Walter Dimmler, 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 a contract of insurance evidenced by policy No. 76 194 930, issued by the Metropolitan Life Insurance Company, New York, New York, to Walter Dimmler, 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 November 10, 1950.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 50-10678; Filed, Nov. 24, 1950; 8:50 a. m.]

[Vesting Order 15610]

ANNA DOBLER

In re: Rights of Anna Dobler under insurance contract. File No. D-28-10983-H-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 Anna Dobler, 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 a contract of insurance evidenced by policy No. 132390, issued by the Workmen's Benefit Fund, Brooklyn, New York, to Walter Dobler, 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 November 10, 1950.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 50-10679; Filed, Nov. 24, 1950; 8:50 a. m.]

[Vesting Order 15611]

RUDOLF ENGEL AND AMANDA LOCK ENGEL

In re: Rights of Rudolf Engel and Amanda Lock Engel under insurance contract. File No. D-28-10692-H-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 Rudolf Engel and Amanda Lock Engel, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the net proceeds due or to become due under a contract of insurance evidenced by policy No. 103 596, issued by the Pan-American Life Insurance Company, New Orleans, Louisiana, to Rudolf Engel, 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, Rudolf Engel or Amanda Lock Engel, the aforesaid nationals of a designated enemy country (Germany;

and it is hereby determined:

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

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

There is hereby vested in the Attorney General of the United States the property described 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 November 10, 1950.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 50-10680; Filed, Nov. 24, 1950; 8:50 a. m.]

[Vesting Order 15612]

MARGARET GOEBEL

In re: Rights of Margaret Goebel under insurance contract. File No. D-28-10958-H-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 Margaret Goebel, 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 a contract of insurance evidenced by policy No. GR-3380—Certificate 203888, issued by the Aetna Life Insurance Company, Hartford, Connecticut, to Henry J. Stampka, 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 November 10, 1950.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 50-10681; Filed, Nov. 24, 1950; 8:50 a. m.]

[Vesting Order 15613]

THERESA GOETZ

In re: Rights of Theresa Goetz under insurance contract. File No. F-28-24774-H-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 Theresa Goetz, 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 a contract of insurance evidenced by policy No. 5 282 880, issued by The Prudential Insurance Company of America, Newark, New Jersey, to Theresa Goetz, 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 November 10, 1950.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 50-10682; Filed, Nov. 24, 1950; 8:50 a. m.]

[Vesting Order 15614]

SUSUMU HASUIKE

In re: Rights of Susumu Hasuike, also known as George Susumu Hasuike and G. S. Hasuike and George Hasuike, under insurance contract. File No. D-39-3962-H-3.

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

1. That Susumu Hasuike, also known as George Susumu Hasuike, G. S. Hasuike and George Hasuike, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the net proceeds due or to become due under a contract of insurance evidenced by policy No. 7 993 175, issued by the New York Life Insurance Company, New York, New York, to Susumu Hasuike, also known as George Susumu Hasuike, G. S. Hasuike, and George Hasuike, 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 (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 November 10, 1950.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 50-10683; Filed, Nov. 24, 1950; 8:50 a. m.]

[Vesting Order 15615]

FRIEDRICH HAUG

In re: Rights of Friedrich Haug under insurance contract. File No. F-28-24831-H-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 Friedrich Haug, 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 a contract of insurance evidenced by policy No. 93 898 284, issued by the Metropolitan Life Insurance Company, New York, New York, to Friedrich Haug, 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 November 10, 1950.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 50-10684; Filed, Nov. 24, 1950; 8:50 a. m.]

[Vesting Order 15616]

EDITH MANCHER

In re: Rights of Edith Mancher under insurance contract. File No. F-28-24616-H-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 Edith Mancher, 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 a contract of insurance evidenced by policy No. 96393176, issued by the Metropolitan Life Insurance Company, New York, New York, to Edith Mancher, 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 November 10, 1950.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 50-10685; Filed, Nov. 24, 1950; 8:50 a. m.]

[Vesting Order 15621]

KONOSUKE AND TETSUTARO SHINTAKU

In re: Rights of Konosuke Shintaku and Tetsutaro Shintaku under insurance contract. File No. F-39-4497-H-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 Konosuke Shintaku and Tetsutaro Shintaku, whose last known address is Japan, are residents of Japan and nationals of a designated enemy country (Japan);

2. That the net proceeds due or to become due under a contract of insurance evidenced by policy No. 8 389 165, issued by the New York Life Insurance Company, New York, New York, to Konosuke Shintaku, 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, Konosuke Shintaku or Tetsutaro Shintaku, the aforesaid nationals of a designated enemy country (Japan);

and it is hereby determined:

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

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

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

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 November 10, 1950.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 50-10690; Filed, Nov. 24, 1950; 8:50 a. m.]