I summon all citizens to make a united effort for the security and well-being of our beloved country and to place its needs foremost in thought and action that the full moral and material strength of the Nation may be readied for the dangers which threaten us.

I summon our farmers, our workers in industry, and our businessmen to make a mighty production effort to meet the defense requirements of the Nation and to this end to eliminate all waste and inefficiency and to subordinate all lesser interests to the common good.

I summon every person and every community to make, with a spirit of neighborhood, whatever sacrifices are necessary for the welfare of the Nation.

I summon all State and local leaders and officials to cooperate fully with the military and civilian defense agencies of the United States in the national defense program.

I summon all citizens to be loyal to the principles upon which our Nation is founded, to keep faith with our friends and allies, and to be firm in our devotion to the peaceful purposes for which the United Nations was founded.

I am confident that we will meet the dangers that confront us with courage and determination, strong in the faith that we can thereby "secure the Blessings of Liberty to ourselves and our Posterity."

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

DONE at the City of Washington this 16th day of December (10:20 a.m.) in the year of our Lord nineteen hundred and fifty, and of the Independence of the United States of America the one hundred and seventy-fifth.

HARRY S. TRUMAN

By the President:

DEAN AGEEHON,
Secretary of State.

[5 R. Dec. 50-5103; Filed, Dec. 16, 1950; 12:45 p.m.]

EXECUTIVE ORDER 10192

AMENDMENT OF EXECUTIVE ORDER No. 10129: OF JUNE 3, 1950, ENTITLED "ESTABLISHING THE PRESIDENT'S COMMISSION ON MIGRATORY LABOR"

By virtue of the authority vested in me as President of the United States, it

*15 F. R. 8499.

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THE PRESIDENT

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

Part 303—COOPERATIVE SUPPRESSION OF PLANT DISEASES AND INSECT PESTS SUBSECTION: GOLDEN NEMATODE SUPPRESSIVE PROGRAM, 1950 SEASON

Pursuant to the authority vested by section 6 of the Golden Nematode Act (7 U.S.C., Sup. 3, 1950; 62 Stat. 442), and having determined that the State of New York, through legislation, appropriations, and quarantine regulations has taken action and provided funds and means to carry out effectively a cooperative program to suppress, control, and prevent the spread of the known infestation of the golden nematode in potatoes, and as Commander-In-Chief of the armed forces, it is hereby ordered as follows:

1. There is hereby established in the Executive Office of the President the Office of Defense Mobilization. There shall be at the head of such Office a Director of Defense Mobilization, hereinafter called the Director, who shall be appointed by the President by and with the advice and consent of the Senate and who shall receive compensation at the rate of $22,500 per annum.
2. The Director shall, on behalf of the President, issue directives, and coordinate all mobilization activities of the Executive Branch of the Government, including but not limited to production, procurement, manpower, stabilization, and transport activities.
3. All functions delegated or assigned by or pursuant to the provisions of Executive Orders Nos. 10161 of September 9, 1950 and 10172 of October 12, 1950 shall be performed by the respective officers concerned, subject to the direction and control of the Director.
4. In carrying out the functions conferred upon him by this order, the Director shall from time to time report to the President concerning his operations under this order and issue such directives, consistent with law, on policy and operations to the Federal agencies and departments as may be necessary to carry out the programs developed, the policies established, and the decisions made by the Director. It shall be the duty of all such officers and departments to execute these directives and to make to the Director such progress and other reports as may be required.
5. The Director may perform the functions conferred upon him by the provisions of this order through such officers and such agencies and in such manner as he shall, consistent with law and the provisions of this order, determine.
6. Within the limitations of funds which may be made available, the Director may employ necessary personnel, and make provision for supplies, facilities, and services necessary to discharge his responsibilities.
7. To the extent that any provision of any prior Executive order or directive is inconsistent with the provisions of this order, the latter shall control.

Harry S. Truman


[FR Doc. 50-11961; Filed, Dec. 15, 1950]

EXECUTIVE ORDER 10193

PROVIDING FOR THE CONDUCT OF THE MOBILIZATION EFFORT OF THE GOVERNMENT

By virtue of the authority vested in me by the Constitution and statutes, including the Defense Production Act of 1950, and as President of the United States and as Commander-in-Chief of the armed forces, it is hereby ordered as follows:

1. There is hereby established in the Executive Office of the President the Office of Defense Mobilization. There shall be at the head of such Office a Director of Defense Mobilization, hereinafter called the Director, who shall be appointed by the President by and with the advice and consent of the Senate and who shall receive compensation at the rate of $22,500 per annum.
2. The Director shall, on behalf of the President, issue directives, and coordinate all mobilization activities of the Executive Branch of the Government, including but not limited to production, procurement, manpower, stabilization, and transport activities.
3. All functions delegated or assigned by or pursuant to the provisions of Executive Orders Nos. 10161 of September 9, 1950 and 10172 of October 12, 1950 shall be performed by the respective officers concerned, subject to the direction and control of the Director.
4. In carrying out the functions conferred upon him by this order, the Director shall from time to time report to the President concerning his operations under this order and issue such directives, consistent with law, on policy and operations to the Federal agencies and departments as may be necessary to carry out the programs developed, the policies established, and the decisions made by the Director. It shall be the duty of all such officers and departments to execute these directives and to make to the Director such progress and other reports as may be required.
5. The Director may perform the functions conferred upon him by the provisions of this order through such officers and such agencies and in such manner as he shall, consistent with law and the provisions of this order, determine.
6. Within the limitations of funds which may be made available, the Director may employ necessary personnel, and make provision for supplies, facilities, and services necessary to discharge his responsibilities.
7. To the extent that any provision of any prior Executive order or directive is inconsistent with the provisions of this order, the latter shall control.

Harry S. Truman


[FR Doc. 50-12012; Filed, Dec. 16, 1950; 12:47 p.m.]
§ 303.3 Compensation to owner-operators—(a) Apportionment of losses. Losses to owner-operators of lands infested by or exposed to the golden nematode who refrained from growing potatoes shall be borne by the United States Department of Agriculture, the Department of Agriculture and Markets of the State of New York, and the owner-operator.

(b) Joint payments “by Federal and other governments.” The full and uniform compensation paid jointly by the United States Department of Agriculture and the Department of Agriculture and Markets of the State of New York to each owner-operator of lands infested by or exposed to the golden nematode shall be at the rate of $120 per acre, divided equally between the two named agencies. The payment of $120 will be made only to those owners who have complied in good faith with all regulations concerning the golden nematode promulgated by the United States Department of Agriculture and Markets of the State of New York.

(c) Computation of payments. It has been determined that, based on (1) the average cost of producing potatoes in Nassau County, Long Island, New York, (2) the average annual yield of potatoes in said Nassau County, and (4) the value of potatoes produced in that area, the joint compensation of $120 per acre will not be more than two-thirds of the total loss accruing to the owner-operator.

§ 303.4 Agreement and voucher forms. As a condition of payment each owner-operator shall enter into an agreement and a certificate by a responsible officer of the Department of Agriculture and Markets of the State of New York, both of which shall be substantially in the form appended hereto, shall be attached to and made a part of each voucher (Standard Form 1634) executed by a grower seeking the compensation from the United States Department of Agriculture. The purpose of the voucher shall be stated substantially as follows:

One-half of compensation for refraining from planting potatoes on the affected land infected by or exposed to the golden nematode.

Agency designated to act for Federal Government. The Bureau of Entomology and Plant Quarantine of the United States Department of Agriculture is hereby authorized to carry out, on behalf of the Federal Government, the cooperative program to suppress, control, and prevent the spread of the golden nematode.

Agent of Secretary of Agriculture to determine eligibility for payment. Harry L. Smith, In Charge, Division of Golden Nematode Control, Hicksville, Long Island, New York, working under the direction of the Chief of the Bureau of Entomology and Plant Quarantine of the United States Department of Agriculture, is hereby designated as the authorized agent of the Secretary of Agriculture in determining eligibility for compensation under the regulations in this subpart and approving the amount of compensation to be provided by the United States Department of Agriculture to any owner-operator who refrained from planting potatoes during 1949.

Enabling legislation by the State of New York authorizing State cooperation, required by section 4 of the Golden Nematode Act as a requisite for Federal participation, was approved March 28, 1949, and regulations pertaining to the cooperative program to suppress the golden nematode for the 1949 season became effective September 7, 1949.

§ 303.11 Payment of $120 will be made only to those growers who refrained from planting potatoes on land which was infested or exposed to infestation by the golden nematode and which was not owned by such growers within the limitations imposed by the provisions of Chapter 321 of the Laws of 1949, of the State of New York.
PART 410—COTTON CROP INSURANCE
SUBPART—REGULATIONS FOR THE 1951 AND SUCCEEDING CROP YEARS

The Cotton Crop Insurance Regulations for the 1951 and Succeeding Crop Years (15 F. R. 6740), are amended as follows:

1. Section 419.14, The commodity coverage policy, is amended to change section 14 (a) thereof to read:

(a) "Harvest" means the removal of seed cotton from the open cotton boll or the severance of the open cotton boll from the stalk by either manual or mechanical means. For the purpose of determining the stage of production, any acreage shall be considered as harvested if the production of lint cotton actually harvested therefrom equals ten percent or more of the coverage for such acreage in the fourth stage of production, unless the acreage is determined by the Corporation to have been destroyed or substantially destroyed in an earlier stage, as defined in section 14.

(1) "Partially destroyed" means that it has been so badly damaged that there is less than 10 percent of what the crop would normally yield. Also, the cotton crop on acreage which reaches the third stage of production and from which some production is harvested may be released by the Corporation.

(2) "Substantially destroyed" means that it has been so badly damaged that farmers generally in the area where the land is located and on whose farms similar damage occurred would not further care for the crop or harvest any portion thereof. Also, the cotton crop on acreage which reaches the third stage of production and from which some production is harvested may be released by the Corporation.

2. Section 419.14, The commodity coverage policy, is further amended to change paragraph (h) of section 29 to read:

(h) "Harvest" means the removal of seed cotton from the open cotton boll or the severance of the open cotton boll from the stalk by either manual or mechanical means. For the purpose of determining the stage of production, any acreage shall be considered as harvested if the production of lint cotton actually harvested therefrom equals ten percent or more of the coverage for such acreage in the fourth stage of production, unless the acreage is determined by the Corporation to have been destroyed or substantially destroyed in an earlier stage, as defined in section 14.

3. Section 419.15, The monetary coverage policy, is amended to change section 14 (a) thereof to read:

(a) "Harvest" means the removal of seed cotton from the open cotton boll or the severance of the open cotton boll from the stalk by either manual or mechanical means. For the purpose of determining the stage of production, any acreage shall be considered as harvested if the production of lint cotton actually harvested therefrom equals ten percent or more of the coverage for such acreage in the fourth stage of production, unless the acreage is determined by the Corporation to have been destroyed or substantially destroyed in an earlier stage, as defined in section 14.

4. Section 419.15, The monetary coverage policy, is further amended to change paragraph (i) of section 29 to read:

(i) "Harvest" means the removal of seed cotton from the open cotton boll or the severance of the open cotton boll from the stalk by either manual or mechanical means. For the purpose of determining the stage of production, any acreage shall be considered as harvested if the production of lint cotton actually harvested therefrom equals ten percent or more of the coverage for such acreage in the fourth stage of production, unless the acreage is determined by the Corporation to have been destroyed or substantially destroyed in an earlier stage, as defined in section 14.

FEDERAL REGISTER
9033
State and county Closing date
Colorado: .......... Mar. 31
Morgan: .......... Mar. 30
Otero: .......... Mar. 31
Weld: .......... Mar. 30

close this window
PART 421—DRY EDIBLE BEAN CROP INSURANCE

SUBPART—REGULATIONS FOR 1950 AND SUCCESSING CROP YEARS

The above-identified regulations, as amended, are hereby amended to provide that beans insured for the 1951 and succeeding crop years shall be valued for the 1950 crop year on the basis of the applicable price below:

2. Section 1 of § 421.32 is amended to read as follows:

1. Class or classes of beans insured. The class or classes of beans insured shall be those specified on the attached rider.

3. Section 29 of § 421.32 is amended by adding the following paragraph:

The insured's annual premium for any year may be reduced 25 percent if he has had seven consecutively insured bean crops (immediately preceding the current crop year) without a loss for which an indemnity was paid. If the insured is not eligible for the above premium reduction, his annual premium may be reduced in any year not to exceed 25 percent if it is determined by the Corporation that his accumulated balance, expressed in dollars, of premiums over indemnities on consecutively insured crops exceeds his total coverage (computed on the basis of the coverage applicable to thresher acreage). Nothing in this paragraph shall create in the insured any right to a reduced premium.

4. The following section is hereby added:

§ 421.23 Reduction of premium based on good experience. The insured's annual premium for any year may be reduced 25 percent if he has had seven consecutively insured bean crops (immediately preceding the current crop year) without a loss for which an indemnity was paid. The insured is not eligible for the above premium reduction, his annual premium for any year may be reduced not to exceed 25 percent if it is determined by the Corporation that his accumulated balance, expressed in dollars, of premiums over indemnities on consecutively insured bean crops (ending with the current crop year) exceeds his total coverage (computed on the basis of the coverage applicable to thresher acreage). As used in this section, "consecutively insured crops" means bean crops insured in consecutive years during which insurance was available. Failure to apply for insurance for any year when insurance is offered in the county in which the insured's farm is located shall break the insured's continuity of consecutively insured crops as of such year, even though insurance may not be provided in the county during such year because of failure to meet the minimum participation requirement: Provided, however, that failure to apply for insurance for any year will not break the continuity of consecutively insured crops, if (a) the failure to apply for insurance was due to service in active military or naval service of the United States, or (b) the insured establishes to the satisfaction of the Corporation, that failure to apply for insurance was due to the fact that beans were not planted in that year. Nothing in this section shall create in the insured any right to a reduced premium.

PART 422—CITRUS CROP INSURANCE

SUBPART—REGULATIONS FOR ANNUAL CONTRACTS FOR 1951 CROP YEAR

By virtue of the authority contained in the Federal Crop Insurance Act, as amended, these regulations are hereby published and precribed to be in force and effect, with respect to citrus crop insurance contracts for the 1951 crop year, until amended or superseded by regulations hereafter made.

Sec. 422.21 Availability of citrus crop insurance.

(a) Citrus crop insurance will be provided for experimental purposes in Indian River, Lake, and Polk Counties, Florida.

(b) Insurance will not be provided pursuant to applications for citrus insurance filed in a county unless written applications cover the minimum number of farms prescribed by the Federal Crop Insurance Act, as amended. For this purpose an insurance unit shall be counted as one farm.

§ 422.22 Coverages per acre. The Corporation shall establish coverages per acre which shall be in excess of the maximum limitations prescribed by the Federal Crop Insurance Act, as amended, or (b) apply to acreage having a potential production for the 1951 crop year of less than 100 standard field boxes per acre. The coverages established by the Corporation shall be shown on the county actuarial table which shall be on file in the county office.

§ 422.23 Premium. (a) The Corporation shall establish participation requirements for all acreage for which coverages are established and such rates shall be those deemed adequate to cover claims for citrus crop losses and to provide a reasonable return against unforeseen losses. Premium rates so established shall be shown on the county actuarial table which shall be on file in the county office.

(b) The premium shall be paid or on or before April 30, 1951, except that such date may be extended to August 31, 1951, upon the insured making arrangements satisfactory to the Corporation to insure payment of the premium.

§ 422.24 Application for insurance. Application for insurance on a Corporation form entitled "Application for Citrus Crop Insurance" may be made by any person to cover his personal, owner-operator, or tenant in a citrus crop. Applications shall be submitted to the county office on or before April 30, 1951.

§ 422.25 The contract. Upon acceptance of an application for insurance by the Corporation, the contract shall be in effect and shall consist of the application and policy shown in § 422.31.

§ 422.26 Reduction of premium based on good experience. The insured's annual premium may be reduced 25 percent if he has had seven consecutively insured citrus crops (immediately preceding the current crop year) without a loss for which an indemnity was paid. As used in this section, "consecutively insured crops" means the citrus crops insured in consecutive years during which insurance was available. Failure to apply for insurance in any year when insurance is offered in the county in which the insured's grove is located shall break the insured's continuity of consecutively insured crops prior to such year, even though insurance may not be provided in the county during such year because of failure to meet the minimum participation requirement: Provided, however, that failure to apply for insurance for any year will not break the continuity of consecutively insured crops, if (a) the failure to apply for insurance was due to service in active military or naval service of the United States, or (b) the insured establishes to the satisfaction of the Corporation, that failure to apply for insurance was due to the fact that the insured had no insurable interest in a citrus crop in that year. Nothing in this section shall create in the insured any right to a reduced premium.

§ 422.27 Public notice of indemnities paid. Refund of excess premium payments. Refund of any excess premium payment will be made only to the person who made such payment, except...
that where a person who is entitled to a refund of any premium because an insured has died, has been judicially declared incompetent, or has disappeared, the provisions of the policy with reference to the payment of indemnities in any such case shall be applicable in the determination of the right to any benefits under the contract.

§ 422.29 Credits. An interest in an insured citrus crop existing by virtue of a debt, lien, mortgage, garnishment, levy, execution, bankruptcy, or any involuntary transfer shall not entitle any holder of any such interest to any benefits under the contract.

§ 422.30 Rounding of fractional units. The premium and the total coverage shall be rounded to cents. Fractions of acres shall be rounded to tenths of acres. The percent of damage shall be rounded to tenths of a percent. Computations shall be carried one digit beyond the digit that is to be rounded. If the last digit is 5, 6, or 9, the rounding shall be upward. If the last digit is 0, 1, 2, 3, or 4, the rounding shall be downward.

§ 422.31 The policy. The provisions of the citrus crop insurance policy for the 1951 crop year are as follows:

In consideration of the representations and provisions in the application upon which this policy is issued, which application is made a part of the contract, and subject to the terms and conditions set forth or referred to herein, the Federal Crop Insurance Corporation (hereinafter designated as the "Corporation") does hereby insure

_____,_____________ ______________Florida

May 1, 1951, and his expected interest in each

The policy.

The premium.

The coverage per acre.

5. Insured interest. The insured interest in the citrus crops covered by the contract shall be the insurance interest on May 1, 1951, as reported in the insurable acreage of citrus in which the policy is issued.

6. Coverage per acre. The coverage per acre shall be based upon the percent of damage for all citrus crops on any insurance unit involved, as determined by the Corporation for the county in which the insured acreage is located and is shown on the county actuarial table on file in the county office.

7. Insurance period. Insurance shall attach on May 1, 1951, and shall cease with respect to any portion of a citrus crop covered by the contract upon harvest but in no event shall the insurance remain in effect after June 30, 1952, unless such time is extended in writing by the Corporation.

8. Causes of loss not insured against. The contract shall not cover loss caused by (a) failure to follow recognized good grower practices, (b) failure properly and without undue, unnecessary, or unreasonably delay to care for, harvest, salvage, or market the insured crops, (c) failure of a marketing agency or buyer to accept delivery of marketable fruit, (d) flood, (e) lightning, (f) fire, (g) excessive rain, (h) wildlife, (i) insect infestation, (j) disease, (k) the average percent of damage, (l) neglect or mismanagement of the insured or of any person in his household or employment, or造成的 care as cause-taker, tenant or wage hand, or (m) any cause of loss other than freeze, hail, hurricane, or tornado, nor shall it cover damage to bonsai or any other citrus crop which will not mature by June 30, 1952.

9. Notice of loss and proof of loss. If a loss under the contract is probable, notice in writing (unless otherwise provided by the Corporation) shall be given to the Federal Crop Insurance Corporation, and shall be confirmed in writing by the insured or by the Corporation before June 30, 1952.

10. Payment of indemnity. Indemnity shall be payable at the rate of 50 percent of the coverage per acre for each kind of fruit, per box, or per unit of measurement, as the Corporation shall elect. For the purpose of determining the percentage of damage for all citrus crops on any insurance unit involved, as determined by the Corporation for the county in which the insured acreage is located and is shown on the county actuarial table on file in the county office.

11. Proof of loss. If a loss is claimed, the insured shall file with the Corporation, on a Corporation form entitled "Statement in Proof of Loss for Citrus", such information regarding the date, extent, and cause of the loss, as may be required by the Corporation. This form containing such information shall be filed by the insured within thirty days after the time of damage, or as soon thereafter as reasonably possible, so as to constitute the insured's report of his citrus acreage and his interest in said crop. The Corporation reserves the right to reject any claim for indemnity. The insured shall give notice of loss in writing to the Corporation within thirty days after a loss is incurred, or as soon thereafter as reasonably possible, so as to constitute the insured's report of his citrus acreage and his interest in said crop.

12. Insurance unit. Losses shall be determined on the basis of the causes of loss not insured against the contract.

13. Amount of loss. The amount of loss for any citrus crop on any insurance unit involved shall be based upon the percent of damage to each kind of fruit on the unit and the insured acreage in each such kind.

14. Payment of indemnity. Indemnity shall be paid in such form and in such manner as to be satisfactory to the Corporation, and shall be paid when the amount of indemnity is payable within thirty days after a satisfactory proof of loss is submitted to the Corporation. The payment for such indemnity is delayed for any reason the Corporation shall not be liable for interest or damage to the extent of any amount of indemnity that has been paid.
(c) Any indemnity payable under the contract shall not be subject to attachment, levy, garnishment, or any other legal process before any payment is made on account of any person (s) as may be entitled thereto under the provisions of the contract.

15. Payment of indemnity. The payment of an indemnity is returned undeliverable at the last known address of the payee, and if such payee or other person entitled to the indemnity shall die within two years after the issuance of the check, said claim shall not thereafter be payable except upon application to the Corporation for the recovery of such payment, before the time of loss, records of the harvesting, storage, shipment, sale or other disposition of all citrus produced on each insurance unit covered by the contract or any part thereof. The payment of indemnity shall be made by the Corporation at the time and in the manner prescribed.

16. Death, incompetence or disappearance of insured. (a) The contract and any assignment or subrogation thereof shall automatically terminate if the insured dies. Any indemnity thereon shall bind and apply to the benefit of the insured's heir (s), administrator, executor, guardian, or conservator. (b) If the insured dies, judicially declared incompetent or disappears, the payment of indemnity shall be made to the legal representative of the estate. Should no such representative be named and if the indemnity exceeds $500.00 the Corporation may withhold payment until a legal representative of the estate is qualified. In such case, and in any other case where an indemnity is claimed by a person (s) other than the original insured or diverse interests appear with respect to any insurance unit, the determination of the Corporation shall be final and conclusive.

17. Collateral assignment. The original insured may assign his right to an indemnity under the contract by executing a Corporation form entitled “Collateral Assignment” and delivering it to the Corporation. The Corporation has the interest of the assignee will be recognized, and the assignee shall have the right to notice and forms and forms as required by the contract if the insured neglects or refuses to take such action.

18. Right to a refund. For the purpose of enforcing the Corporation to determine any loss that may have occurred under the contract, the insured shall keep, or the Corporation be entitled to keep for two years after the time of loss, records of the harvesting, storage, shipment, sale or other disposition of all citrus produced on each insurance unit covered by the contract, and on any uninsured acreage in which he has an interest. As of the time of loss, records of any person (s) designated by the Corporation shall have access to such records and the produce thereof without waiving any right or remedy, including the right to collect the amount of the premium, if (a) at any time, either before or after loss, the insured has concealed or misrepresented any material fact or committed any fraud relating to the contract, or (b) the insured shall neglect to use all reasonable means to care for, save or salvage the citrus crop after or before the time of loss, such damage has occurred, or (c) the insured fails to give any notice, or otherwise fails to comply, with any of the terms of the contract, or to cause the Corporation from asserting any right or power under such contract, nor shall the terms of such contract be deemed to have been waived or changed except as authorized in writing by a duly authorized officer or representative of the Corporation; nor shall any provision or condition of the contract or any forfeiture be held to be waived by any delay or omission by the Corporation in exercising its rights and powers thereunder or by any act, or proceeding on the part of the Corporation or of the Commission in the absence of prior notice, or to any examination herein provided for.

19. Voidance of contract. The Corporation may void the contract and declare the premium paid thereon without waiving any right or remedy, including the right to collect.
on Cuban raw sugar on that day, for
the period on which settlement is based,
except that, if the Director of the Sugar
Branch deems that it is expedient for raw
sugar period such average price does not reflect
the true market value of raw sugar, be-
cause of inadequate volume or other fac-
tors, the Director may designate the
average price to be effective under this
determination. Average prices of raw
sugar for successive settlement periods
shall be computed from (1) December 4,
1950, to the end of such period; (2) the two-week
period; and (3) December 1, 1950,
in the case of a fortnight or more:
Provided, That if the commencement or
ending of the period at the mill does not
coincide with the beginning or the ending
of a regular settlement period, the aver-
age price for such period shall be
computed (1) on the full settle-
ment period, if grinding commenced
during the first one-half or ended dur-
ing the last one-half of such period; or
(2) on the last one-half of the full set-
tlement period, if grinding commenced
during the last one-half of such period;
or (3) the first one-half of the full set-
tlement period if grinding ended during
the first one-half of such period.
(5) "F. o. b. mill price" means the
amount of the raw sugar minus selling
and delivery expenses (converted to a
pound unit) actually incurred by the
processor-producer for raw sugar sold
in customary bags, or by the payment to
the sugarcane of each producer.
(6) "Inferior varieties of sugarcane" means
sugarcane of the Saccharum
Spontaneum or Saccharum Sinense
varieties (including sugarcane of
Japanese, Uvaria, Karangierie, Zuinga,
Caladonia, or Coimbatore varieties).
(7) "Yield of raw sugar" means (1) for
varieties other than inferior varie-
ties of sugarcane, the yield of raw
sugar per 100 pounds of sugarcane
determined for each settlement period in
accordance with whichever of the
following formulas is agreed upon be-
tween the producer and the processor-
producer:
\[
R = 0.053B \times F
\]
where:
\( R \) = Recoverable sugar yield, 96° polariza-
tion
\( S \) = Polarization of the crusher juice ob-
tained from the sugarcane of each
producer.
\( B \) = Brix of the crusher juice obtained from
the aggregate of all raw sugar.
\( F \) = Factor obtained from the fraction whose
numerator is the average yield of
sugar of 96° polarization obtained from
the aggregate grinding during each
settlement period in which the
sugarcane of the producer has been
ground and whose denominator is the
average polarization of the
juice obtained from the aggregate
ground during the settlement period.

Intermediate points within the above scale
are to be calculated to the nearest one-tenth
point.

1. For the purpose of subdivision (1) of this
subparagraph, the portion of the producer's share of
raw sugar within and not within the mar-
ting allotment of the processor-pro-
ducer shall be calculated on the settle-
ment period, subject to adjustment after
final data are available. Such portions
shall be determined by applying to the
producer's share of raw sugar produced
from all sugarcane during the settlement
period the percentages obtained by divid-
ing the quantities of raw sugar within and
not within, respectively, the market-
ing allotment of the processor-produc-
er by the total quantity of raw sugar pro-
duced by the processor-producer. For
the purpose of subdivision (ii) of this
subparagraph, the portion of the
producer's share of such raw sugar within
an increase in the marketing allotment of
the processor-producer occurring after
the termination of grinding of all 1950-51
crop sugar cane in Puerto Rico shall be
determined by applying to the producer's
share of raw sugar produced from
his sugarcane during the settlement
period the percentages obtained by divid-
ing the quantities of raw sugar within and
not within, respectively, the market-
ing allotment of the processor-produc-
er by the total quantity of raw sugar pro-
duced by the processor-producer.

2. Notwithstanding the provisions of
subdivisions (i), (ii), (iii) and (iv) of
this subparagraph, if the processor-
producer agrees to make settle-
ment for the producer's share of raw
sugar produced from all sugarcane
delivered by the producer during the set-
tlement period or, within such period
or within such extension of such
period as may be approved by the Di-
rector Caribbean Area Office, the proc-es-
or-producer shall be deemed to have
met the requirements of this subpara-
graph. In such case the f. o. b. mill price
shall be calculated on the basis of
selling and delivery expenses as approved
by the Caribbean Area Office, PMA, San
Juan, Puerto Rico.
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(c) Molasses payment. For each ton of sugarcane delivered, the processor-producer shall pay to the producer an amount equal to the product of (1) 66 percent of the net proceeds per gallon of blackstrap molasses of the 1950-51 crop in excess of five cents per gallon and (2) the average production of blackstrap molasses per ton of sugarcane of the 1950-51 crop processed at the mill.

(d) The sugarcane delivered to the processor-producer in the name of a person other than the producer thereof (commonly referred to as "purchasing agent") shall be processed by the processor-producer with payment to the producer of such sugarcane in accordance with the provisions of this determination.

(2) When payment is made to the producer by the delivery of raw sugar, the processor-producer shall store and insure (or agree to store and insure) all such raw sugar delivered to the producer free of charge to the producer: Provided, That the producer shall bear any charges arising out of the necessity of utilizing outside storage facilities for such sugar prior to payment.

(3) When payment is made to the producer by the delivery of raw sugar, the processor-producer shall share (or agree to share) with the producers on a pro rata basis all ocean shipping facilities available to the processor-producer.

(4) Allowances made to producers or costs absorbed by the processor-producer for services and transportation in the 1949-50 crop shall be borne by the processor-producer for the 1950-51 crop: Provided, That, nothing in this subparagraph shall be construed as prohibiting the processor-producer from charging for services which may be considered necessary. Any change in allowances relating to the sugar industry in Puerto Rico will be referred to as "price determination", identified by the crop year for which effective.

(b) Requirements of the act. The act requires that the determination of fair and reasonable prices be held and investigations made. Accordingly, on October 5 and 6, 1930, a public hearing was held in San Juan, Puerto Rico, at which time interested persons presented testimony with respect to fair and reasonable prices for the 1950-51 crop of sugarcane. In addition, investigations have been made of conditions relating to the sugar industry in Puerto Rico. In this price determination consideration has been given to testimony presented at the hearing and to information resulting from the investigations.

(c) Background. Determinations of fair and reasonable prices for sugarcane of the 1950-51 crop in Puerto Rico have been issued for each crop beginning with the 1938-39 crop.

The first price determination provided for a sharing ratio of 63 percent for producers and 37 percent for processors of the raw sugar, or the value of raw sugar which when received was 9 pounds or more per one hundred pounds of sugarcane. This ratio remained at 63 percent for producers and 37 percent for processors when the average raw sugar price prevailing during the period the crop was grown was $5.00 per one hundred pounds or less, the sharing ratio varied from 63-1/2 percent for sugarcane yielding 9 pounds or more of raw sugar to 63-3/4 percent for sugarcane yielding 12 pounds or more of raw sugar. In the 1944-47 price determination the producers' share of raw sugar from such sugarcane was to be the percentage agreed upon in prior contracts plus 1/2 percent if the New York price of raw sugar was in excess of $5.00 per one hundred pounds for the settlement period.

Price determinations for each crop have been issued for the producers' share of raw sugar from sugarcane yielding less than 9 pounds of raw sugar per one hundred pounds of sugarcane and for certain inferior varieties of sugarcane which were to be that agreed upon between producers and processors in prior contracts. In the 1946-47 price determination the producers' share of raw sugar from such sugarcane was to be the percentage agreed upon in prior contracts plus 1/2 percent if the New York price of raw sugar was in excess of $5.00 per one hundred pounds for the settlement period. This provision was revised in the 1947-48 price determination to require settlements for such sugarcane on the basis of agreements between processors and producers.

In the 1941-42 price determination provision was made for producers to share in the proceeds from the sale of molasses because the price of molasses had risen to a point where it became a significant factor in the total income of the industry. The provision has been continued each year except for the 1942-43 crop when it was eliminated primarily because of the lack of shipping facilities.

In the 1948-49 price determination provision was made for an optional method of settlement for sugarcane from which was made the producers' share of carry-over sugar in the event that marketing allocations were established during 1948. The option provided that settlements could be based on the average raw sugar price prevailing during the period the crop was grown. This provision was not applied in 1949-50 when the price was $5.00 per one hundred pounds or less, the sharing ratio varied from 63-1/2 percent for sugarcane yielding 9 pounds or more of raw sugar to 63-3/4 percent for sugarcane yielding 12 pounds or more of raw sugar. In the 1947-48 price determination the producers' share of raw sugar from such sugarcane replaced the "flat" sharing scale for sugarcane yielding 9 pounds or more of raw sugar. This scale became effective when the average price of raw sugar (duty-paid basis, delivered) exceeded $5.00 per one hundred pounds during a settlement period.

In the 1947-48 price determination a sliding settlement scale based upon the yield of raw sugar from sugarcane replaced the flat sharing scale for sugarcane yielding 9 pounds or more of raw sugar. This scale became effective when the average price of raw sugar (duty-paid basis, delivered) exceeded $5.00 per one hundred pounds and provided for a base sharing ratio of 63.5 percent for producers and 36.5 percent for processors for sugarcane yielding 9 pounds or more of raw sugar per one hundred pounds of sugarcane. The producers' percentage sharing increased 1 percent for each additional one-pound yield interval above the 9 to 9.99 pound interval up to a maximum of 67.5 percent for sugarcane yielding 13 pounds or more of raw sugar. The sliding settlement scale of payment has been continuing for each crop since the 1947-48 price determination. The processors' share at all such levels of recoveries was correspondingly decreased. When the average price of raw sugar was less than one hundred pounds or less, the sharing ratio remained at 63-3/7 percent for sugarcane yielding from 9 to 12 pounds of raw sugar and 63-3/7 percent for sugarcane yielding 12 pounds or more of sugar. In the 1949-50 price determination the sharing ratios applicable at raw sugar prices of $5.00 per one hundred pounds or less were eliminated. Changes made in the sharing ratio since the 1937-38 crop have brought the producers' share of total proceeds from sugar more in line with the share of total revenue.
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New York price of raw sugar, the 1949–50 price determination was amended to provide for settlements based on the actual price received for such sugar, converted to the f. o. b. mill price. Later in 1950 marketing allotments were revised to provide for the sharing of the excess of the last effective marketing allotments. Unusual conditions which affected the marketing of raw sugar during this period resulted in raw sugar prices being higher than those prevailing during the settlement period in which the sugar was delivered. To provide for equitable settlements for sugar recovered from such excess sugar was made, the determination again was amended to provide that settlements for such sugar were to be made on the basis of the average price of raw sugar for the marketing days within the 30-day period immediately following the effective date of the amendment.

Price determination. The 1950–51 price determination continues the terms and conditions of the 1949–50 price determination, as amended, except for the following changes:

1. The method of settlement for sugar recovered from blackstrap molasses has been revised to provide for sharing percentages at each one-tenth pound of sugar recovered per 100 pounds of sugar cane from 6 to 13 pounds. This will largely eliminate the anomalies present over the 1949–50 price determination scale where disproportionate sharing relationships existed at the upper and lower limits of the scale.

2. The sharing of sugar recoveries between producers and processors is not materially altered.

3. The basis for sharing net returns from the blackstrap molasses has been changed to provide that producers receive 66 percent of such net returns in excess of five cents per gallon, instead of 50 percent of such net returns in excess of five cents per gallon. The view of present and prospective high prices of blackstrap molasses, this change is necessary to maintain between producers and processors the basic sharing relationship established by the 1949–50 price determination.

4. Admissible items of selling and delivery expenses are set forth in a separate schedule and made a part of this determination in an effort to clarify the definition of the f. o. b. mill price of raw sugar.

5. The method of settlement for inferior varieties of sugarcane and for sugarcane yielding less than 9 pounds of raw sugar per 100 pounds of sugarcane is no longer applicable whereas in previous determinations settlements for such sugarcane were to be as agreed upon between the producer and the processor. This change incorporates into the determination for settlements methods of settlement for inferior varieties of sugarcane and low sugar yielding sugarcane.

6. Separate methods are prescribed for making cash settlements for sugarcane from which was made the producers' share of (a) raw sugar within the marketing allotment of the processor during the calendar year 1950. These settlements, based on the termination of the settlement period for the processors' share of raw sugar delivered by the producer during the settlement period of the 1950–51 crop. This option is included for use in those cases where the processor prefers to receive immediate cash within 14 days after the end of the settlement period for the producers' share of raw sugar delivered by the processor during the settlement period of the 1950–51 crop. This provision incorporates into the determination those allowances or absorptions for services and transportation which are an integral part of the sharing relationship of producers and processors.

At the public hearing representatives of both producers and processors expressed concern with the division of sugar proceeds as provided by the application of the settlement scale of the 1949–50 price determination. In both instances, the surge in market prices, together with the general rise in selling and delivery expenses, would have resulted in drastic changes in the sharing of sugar returns to benefit either the producers or the processors. An examination of available data shows that economic changes have not been such as to indicate the need for a revision of the basic sharing relationship established in the 1949–50 price determination. This determination with the indicated changes maintains for the 1950–51 crop substantially the same sharing relationship established for 1949–50 and is, therefore, deemed to provide fair and reasonable prices for sugarcane of the 1950–51 crop.

Accordingly, I hereby find and conclude that the foregoing price determination will effectuate the price provisions of the Sugar Act of 1948.

SEC. 403, 61 STAT. 1152; 7 U.S.C. SUP., 1135, INTERPRETATION OF PRICE, SECTION 320, 61 STAT. 1152; 7 U.S.C. SUP., 1135

Issued this 13th day of December 1950.

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

Schedule A—Admissible Selling and Delivery Expenses

Shipping and selling expenses shall be those expenses actually incurred by the processor-producer in the delivery and selling of the 1949–50 crop sugar. Such expenses shall commence with the unstacking of raw sugar at the warehouse and shall include such expenses incurred thereafter incident to the delivery of the raw sugar to the purchaser.

Expenses shall be either actual payments to contractors for services rendered or the purchase of commodities to be purchased or the costs incurred by the processor producers in furnishing necessary services. Following is a list of such services considered admissible for settlement of the 1950–51 crop:

1. Necessary outside storage.
2. Unstacking, tallying and loading, limited, however, to the last storage place from which sugar is moved to ships.
3. Freight from warehouse to dock, including covering cars when necessary.
4. Handling at dock, including unloading, storing, and tallying.
5. Wharfage, lightage, and dock warehousing incurred if incurred as an item separate from wharfage.
6. Shore risk insurance from warehouse to ship and marine and war risk insurance.
7. Tan freight.
8. Rebaging and mending labor whenever and wherever incurred.
9. Ice.
11. Weighing, testing, sampling, mending and tarring at destination.
12. Freight demurrage resulting from causes beyond the control of the shipper.
13. Dispatch earned, or other offsetting credits arising from selling and delivery services, shall be treated as offsetting credits against expense.

When any of the necessary services are furnished by the processor-producer, costs incurred shall include for each of the services rendered:

1. Direct and immediate supervisory labor.
2. Taxes and insurance assessed or charged to the processor-producer on such labor and a proportionate share of retirement and pension, bonuses and vacation expenses properly allocable to such labor.
3. Direct supplies.
4. Maintenance labor and supplies required for the facilities used in processing.
5. Depreciation (at rates allowed by the tax authorities), property taxes, and property insurance on the buildings and equipment used in the business.
6. Administrative expenses and interest shall be excluded from such costs.

In the event that facilities used in processing the necessary services are also used for other purposes by the processor-producer, only that portion of the maintenance, depreciation, property taxes, and property insurance of such facilities properly allocable to the necessary service shall be allowed.

The Director, F.M.A Caribbean Area Office, may, if he determines, on the administrative interpretation, permit the use of the lowest rate charged by a public utility or carrier for comparable service in lieu of the costs incurred by the processor-producer in furnishing the necessary service in the event that the costs incurred therefor cannot be accurately determined.

In determining the f. o. b. mill price of raw sugar sold or processed in Puerto Rico, equivalent selling and delivery expenses as approved by the Director, Caribbean Area Office, shall be added to the f. o. b. mill price and shall be allowed in lieu of expenses actually incurred.

The following certification shall be made on statements submitted to the Caribbean Area Office, F.M.A., San Juan, Puerto Rico:
(b) No license or authorization con-
tained in or issued pursuant to this chap-
ter shall be deemed to authorize any trans-
action to the extent that it is pro-
hibited by reason of the provisions of any law or any statute other than section
5 (b) of the Trading With the Enemy Act, as amended, or any proclamation,
order or regulation other than those
contained in or issued pursuant to this chapter.

SUBPART E—PROHIBITIONS
§ 500.201 Transactions involving des-
ignated foreign countries or their na-
tionals; effective date. (a) All of the
following transactions are prohibited, ex-
cpt as specifically authorized by the
Secretary of the Treasury (or any per-
son, agency, or instrumentality design-
ated by him) by means of regulations,
rulings, instructions, licenses, or other-
wise, if either such transactions are by,
or on behalf of, or pursuant to the direc-
tion of any designated foreign country,
or any national thereof, or such trans-
actions involve property in which any
designated foreign country, or any na-
tional thereof, has at any time or since
the effective date of this section had any
interest of any nature whatsoever, direct or
indirect:
(1) All transfers of credit and all pay-
ments between, by, through, or to any
banking institution or banking institu-
tions wherever located, with respect to
any property subject to the jurisdic-
tion of the United States or by any per-
son (including a banking institution)
subject to the jurisdiction of the United
States;
(2) All transactions in foreign ex-
change by any person within the United
States; and
(3) The exportation or withdrawal from
the United States of gold or silver
coin or bullion, currency or securities,
or the earmarking of any such property,
with respect to any country and for
any other purpose for which an "effec-
tive date" is not otherwise provided the
"effective date" shall be December 17,
1950.
§ 500.202 Transactions with respect to
securities registered or inscribed in the
name of a designated national. Unless
authorized by a license expressly refer-
ing to this section, the acquisition,
transfer (including the transfer on the
books of any issuer or agent thereof),
disposition, impartation, surrender,
expiration, or withdrawal of, or the
endorsement or guaranty of signatures on,
or otherwise dealing in any security (or
or the recevance, endorsement or inscrip-
tion or recognition of any interest in,
the name of any designated national
is prohibited irrespective of the fact that
at any time (either prior to, on, or subse-
quent to the "effective date") the regis-
tered or inscribed owner thereof may
have, or appears to have, assigned, trans-
ferred or otherwise disposed of any such
security.
§ 500.203 Effect of transfers violat-
ing the provisions of this chapter. (a)
Any transfer after the "effective date"
which is in violation of any provision of
this chapter or any regulation, ruling,
instruction, license, or other direction or
authorization thereunder and involves
or indirect:
(1) All transfers of credit and all pay-
ments between, by, through, or to any
banking institution or banking institu-
tions wherever located, with respect to
any property subject to the jurisdic-
tion of the United States or by any per-
son (including a banking institution)
subject to the jurisdiction of the United
States;
(2) All transactions in foreign ex-
change by any person within the United
States; and
(3) The exportation or withdrawal from
the United States of gold or silver
coin or bullion, currency or securities,
or the earmarking of any such property,
with respect to any country and for
any other purpose for which an "effec-
tive date" is not otherwise provided the
"effective date" shall be December 17,
1950.
§ 500.202 Transactions with respect to
securities registered or inscribed in the
name of a designated national. Unless
authorized by a license expressly refer-
ing to this section, the acquisition,
transfer (including the transfer on the
books of any issuer or agent thereof),
disposition, impartation, surrender,
expiration, or withdrawal of, or the
endorsement or guaranty of signatures on,
or otherwise dealing in any security (or
security in view of all the facts and circum-
stances relating to such property.
(1) Unless otherwise provided, an ap-
propriate license or other authorization
issued by or pursuant to the direction
or authorization of the Secretary of the
Treasury before, during or after a trans-
fer shall validate such transfer or re-
nder it enforceable to the same extent as
it would be recognized enforceable but for
the provisions of section 5 (b) of the
Trading With the Enemy Act, as
amended, and this chapter and any rul-
ing, order, regulation, direction or in-
struction issued thereunder.
§ 500.301 Foreign country. The term
"foreign country" also includes, but not
by way of limitation:
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(a) The state and the government of any country, the date or before which any such event shall be the "effective date" as well as any political subdivision, agency, or institution thereof or any territory, dependency, colony, protectorate, mandate, dominion, possession, or place subject to the jurisdiction thereof.

(b) Any other government (including any political subdivision, agency, or instrumentality) to the extent and authority, jurisdiction or sovereignty thereof which on the "effective date" constituted such foreign country or territory, or part thereof, to the extent and authority, jurisdiction or sovereignty thereof, to the extent and authority, jurisdiction or sovereignty thereof.

(c) Any person to the extent that such person is, or has been, since the "effective date", acting or purporting to act directly or indirectly for the benefit or on behalf of any of the foregoing, and

(d) Any territory which on or since the "effective date" is controlled or occupied by the military, naval or police forces or other authority of such foreign country.

§ 500.300 Nationals. (a) The term "national" shall include:

(1) A subject or citizen of any person who has been domiciled or resident in a foreign country at any time or since the "effective date." (2) Any partnership, association, corporation, or other organization, organized under the laws of, or which on or since the "effective date" had or has had its principal place of business in any foreign country, or which on or since such effective date was or has been controlled by, or a substantial part of the stock, shares, bonds, debentures, notes, drafts, or other securities or obligations of which, was or has been owned or controlled by, directly or indirectly, a foreign country and/or one or more nationals thereof as defined in this section.

(3) Any person to the extent that such person is, or has been, since the "effective date," acting or purporting to act directly or indirectly for the benefit or on behalf of any national of any foreign country.

(4) Any other person who has resided in a "national" as defined herein.

(b) The Secretary of the Treasury retains full power to determine that any person is or shall be deemed to be a "national" within the meaning of this section, and to specify the foreign country of which such person is or shall be deemed to be a national.

§ 500.302 National or more than one foreign country. (a) Any person who, by virtue of any provision in this chapter, is or becomes an owner or beneficial owner of any foreign country shall be deemed to be a national of each of such foreign countries.

(b) In any case in which a person is a national of two or more designated foreign countries, if there are one or more interests of each in such foreign countries shall be deemed to be a national of each of such foreign countries.

§ 500.304 Designated national. The term "designated national" shall mean any country designated in § 500.201 and any national thereof including any person who is a specially designated national.

§ 500.306 Specially designated national. The term "specially designated national" shall mean:

(1) Any person who is determined by the Secretary of the Treasury to be a specially designated national.

(2) Any person who, on or since the "effective date" has been determined to be a national of a foreign country or by any specially designated national.

§ 500.307 Unblocked national. Any person licensed as an "unblocked national" shall, without limitation, be deemed a person who is determined by the Secretary of the Treasury to be a specially designated national, to be a national of any country designated in § 500.201 and any national thereof, or any other person who is or shall be deemed to be a national of the United States, and the purpose, intent, or effect of whose activities is to evade, alter, directly or indirectly, any right, remedy, power, privilege, or interest with respect to any property and which is, or has been, sufficient in the aggregate or in the judgment of the Secretary of the Treasury, to create, confer, or authorize the exercise of any power of appointment, power of attorney, or other power.

§ 500.310 Transfers. The term "transfer" shall mean any actual or purported act or transaction, whether or not evidenced by writing, and whether or not done or performed within the United States, the purpose, intent, or effect of which is to evade, alter, directly or indirectly, any right, remedy, power, privilege, or interest with respect to any property and which is, or has been, sufficient in the aggregate or in the judgment of the Secretary of the Treasury, to create, confer, or authorize the exercise of any power of appointment, power of attorney, or other power.

§ 500.311 Property: property interests. Except as defined in § 500.203 (f) for the purposes of that section the term "property" shall include, but not by way of limitation, money, checks, drafts, bullion, bank deposits, savings accounts, any debts, indebtedness, securities, negotiable instruments, trade acceptances, royalties, book accounts, accounts payable, judgments, patents, trademarks, copyrights, contracts or licenses affecting or involving patents, trademarks or copyrights, insurance policies, safe deposit boxes and their contents, annuities, pooling agreements, contracts of any nature whatsoever, and any other property, real, personal, or mixed, tangible or intangible, or interest or interests therein, present, future, or contingent.

§ 500.312 Interest. The term "interest" as used with respect to property, shall mean an interest of any nature whatsoever, direct or indirect.

§ 500.313 Property subject to the jurisdiction of the United States. (a) The phrase "property subject to the jurisdiction of the United States" includes, without limitation, any property described in paragraphs (b) and (c) below, whether registered or bearer, issued by:

(1) The United States or any State, district, territory, possession, county,
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municipality, or any other subdivision or agency or instrumentality of any there­
of; or
(2) Any person within the United States whether the certificate which evid­ences such property or interest is phys­ically located within or outside the United States.
(b) The phrase "property subject to the jurisdiction or authority there­of" includes the Panama Canal Zone and means the United States and all areas
posed of this definition or for the pur­
der of the Treasury may also authorize
any other banking institution to be
United States or of any state, territory
or banker subject to supervision and ex­
der the banking laws of the United States
of any designated foreign country: any
nationals.

The term "blocked account" shall not be
ition or license authorizing such action.
other dealings may not be made or ef­
in which any designated national has an
set forth in this chapter.
issued pursuant to this chapter but not
the terms of which are set forth in this

§ 500.319 Blocked account. The term
"blocked account" shall mean an account
in which any designated national has an
interest, with respect to which account
affect any act done or omitted to be done,
the Treasury pursuant to sections 3 (a)
or any suit or proceeding had or com­
act, as amended, shall not unless other­
prohibited by section 500.201 of this
chapter to the same extent as if the

The term "continental United States" means the states of the United States, the
District of Columbia, and the Territ­
ory of Alaska.

§ 500.322 Authorized trade territory; member of the authorized trade terri­tory.
(1) North, South, and Central Amer­i­ca, including the Caribbean region;
(2) Africa;
(3) Oceania, including Indonesia and the Philippines;
(4) Andorra, Austria, Belgium, Den­mark, Eire, the Federal Republic of

Germany and the Western sectors of
Berlin, Finland, France (including
Monaco), Greece, Iceland, Italy, Liech­
tenstein, Luxembourg, the Nether­lands,
Norway, Portugal, San Marino, Spain,
Sweden, Switzerland, Turkey, the United
Kingdom and Yugoslavia;
(5) Afghanistan, Bhutan, British Mal­
ay, Burma, Ceylon, Formosa, the French
Protectorates; in India, Hong Kong,
Korea, Indo-China, Iran, Iraq, Israel,
Japan, Kuwait, Lebanon, Macao,
Nepal, Oman, Pakistan, Portuguese
India, Saudi Arabia, South Korea, Syria,
Thailand, and Yemen;
(6) Any colony, territory, possession,
or protectorate of any country included
within this paragraph but the term shall
not include the United States.
(b) The term "member of the author­
ized trade territory" shall mean any of
the foreign countries or political subdi­
visions comprising the authorized trade
territory.

§ 500.323 Occupied area. The term
"occupied area" shall mean any territory
occupied by a designated foreign coun­
try which was not occupied by such
country prior to June 25, 1950.

§ 500.324 [Reserved.]

§ 500.325 National securities ex­
change. The term "national securities ex­
change" shall mean an exchange reg­
istered as a national securities exchange
under section 6 of the Securities Ex­
change Act of 1934 (48 Stat. 685, 15

§ 500.326 Custody of safe deposit boxes. Safe deposit boxes shall be
deemed to be in the "custody" not only
of all persons having access thereto but
also of the lessors of such boxes whether
or not such lessors have access to such
boxes. The foregoing shall not in any
way be regarded as a limitation upon the
meaning of the word "custody".

§ 500.327 Blocked estate of a dece­
dent. The term "blocked estate of a dece­
dent" shall mean any decedent's estate
which a designated national has an interest.
A person shall be deemed to have an interest in a dece­
dent's estate if he (a) was the decedent;
(b) is a personal representative; or (c)
is a creditor, heir, legatee, devisee, dis­
tributee, or beneficiary.

§ 500.328 Status of the recognized
governments of China and Korea and of
the diplomatic and consular representa­tives
of China and Korea. (a) Those portions
of China and Korea which are under
the control of the governments of
China and Korea which are recognized
by the United States are not included
within the term designated foreign
country.
(b) The diplomatic and consular rep­
resentatives of the Governments of
China and Korea which are recognized
by the United States are not deemed to be
acting or purporting to act directly or
indirectly for the account or behalf
of any designated foreign country.

SUBPART D—INTERPRETATIONS

§ 500.401 Reference to amended sec­tions. Reference to any section of this
chapter or to any regulation, ruling,
or instruction, direction or license
authorized to issue pursuant to this chapter shall be
deemed to refer to the same as currently
amended unless otherwise so specified.

§ 500.402 Effect of amendment of
sections of this chapter or of other
orders, etc. Any amendment, modifica­
tion, or revocation of any section of this
chapter or of any order, regulation, rul­ing,
instruction, or license issued by or
under the direction of the Secretary of
the Treasury pursuant to sections 3 (a)
or any order of the Treasury Security
Act, as amended, shall not unless other­
wise specifically provided be deemed to
affect any act done or omitted to be done,
or any suit or proceeding had or com­
enced in any civil or criminal cause,
prior to such amendment, modification,
or revocation, and all penalties, for­
soitures, and liabilities under any such
sections or order, regulations, inst­
structions or licenses shall continue and
may be enforced as if such amendment,
modification, or revocation had not been
made.

§ 500.403 Reference to amended sec­tions of this chapter. (a) Except as provided in
§ 500.325, whenever a transaction licensed or au­
thorized by or pursuant to this chapter
exists in such property an interest of a
designated national, the transfer of
property (including any property
interest) is transferred to a designated
national, the transfer of which has not been
effected pursuant to license or other authorization.

(b) Unless otherwise specifically pro­
vided in a license or authorization con­
tained in or issued pursuant to this chapter
or property (including any property
interest) is transferred to a designated
national such property shall be deemed to
be property in which there exists the
interest of a designated national.

§ 500.404 Transactions between prin­
cipal and agent. A transaction between
principal and agent, or any suit or proceeding
against, or any action or proceeding for,
any principal, agent, home office, branch,
or correspondent, outside the United
States of such person is a transaction
prohibited by section 500.201 of this
chapter or to the same extent as if the
parties to the transaction were in no way
affiliated or associated with each other.

§ 500.405 Exportation of securities,
etc., to designated foreign countries.
Section 500.201 of this chapter prohibits
the exportation of certificates of deposit,
drafts and promissory notes to
designated foreign countries.
curing actual notice or constructive notice thereof.

§ 500.504 Certain judicial proceedings with respect to property of designated nationals. (a) Subject to the limitations of paragraphs (b), (c), and (d) of this section judicial proceedings are authorized with respect to property in which on or since the “effective date” there has existed the interest of a designated national.

§ 500.507 Administration of blocked estates of decedents. Section 500.201 prohibits all transactions incident to the administration of the blocked estate of a decedent, including the appointment and qualification of personal representatives, the collection and liquidation of assets, the payment of claims, and distribution of estates. Authorization is directed to § 500.523 which authorizes certain transactions in connection with the administration of blocked estates of decedents.

§ 500.508 Access to certain safe deposit boxes prohibited. Section 500.201 prohibits access to any safe deposit box within the United States in the custody of any designated national or containing any property in which any designated national has any interest. Access is directed to § 500.523 which authorizes access to such safe deposit boxes under certain conditions.

§ 500.513 Certain payments to designated foreign countries and nationals through third countries. Section 500.201 prohibits all transfers of credit, or payment of an obligation, expressed in terms of the currency of any foreign country. Authorization is directed to § 500.523 which authorizes certain transactions in connection with the payment or transfer of credit, or payment of an obligation, expressed in terms of the currency of any foreign country.
Tuesday, December 19, 1950

FEDERAL REGISTER

§ 500.510 Payments to the United States, States and political subdivisions. (a) The payment from any blocked account to the United States or any agency or instrumentality thereof or to any State, city, county, municipality, or other political subdivision of the United States, of customs duties, account carrying charges, postage costs, customs reference books, photostats, credit reports, transcripts of statements, registered mail insurance, stationery and supplies, check books, and other similar items is hereby authorized.

§ 500.511 Transactions by certain business enterprises. (a) Except as provided in paragraphs (b), (c), and (d) of this section any partnership, association, corporation or other organization which on the "effective date" was actually engaged in a commercial, banking or financial business within the United States and which is a national or a designated foreign country and the making and reimbursement of normal service charges owed to such banking institution or, by the owner of such blocked account, and the sale of blocked property in satisfaction of liens for customs duties, taxes, and fees payable thereof by the owner of such blocked account is hereby authorized.

(b) This section also authorizes transactions incident to the payment of customs duties, taxes, and fees from blocked accounts for the levying of assessments, the creation and enforcement of liens, and the sale of blocked property in satisfaction of liens for customs duties, taxes, and fees.

§ 500.512 Transactions incident to trade with members of the authorized trade territory. (a) All transactions ordinarily incident to the importing and exporting of goods, wares and merchandise between the United States and any of the members of the authorized trade territory or between the members of the authorized trade territory are hereby authorized provided the following terms and conditions are complied with:

(1) Such transaction shall not be by, or on behalf of, or pursuant to the direction of any national not within the authorized trade territory.

(b) Any transaction which involves any property to which the "effective date" had any interest; or which has or which since the "effective date" had or has had a principal place of business in a designated foreign country or which on or since such effective date was or has been controlled by, or a substantial part of the stock, shares, bonds, debentures, or other securities or obligations of which, was or has been owned or controlled by, directly or indirectly, such designated foreign country or one or more nationals thereof not within the authorized trade territory is hereby authorized.

§ 500.513 Purchase and sale of certain securities. (a) The bona fide purchase and sale of securities by a designated foreign country or one or more of its nationals not within the authorized trade territory, or by a national or a designated foreign country or one or more of its nationals not within the authorized trade territory, to the same extent, and under the terms and conditions prescribed in this section, is hereby authorized.

(b) The section does not authorize the crediting of the proceeds of the sales of securities held in a blocked account to a blocked account or to a sub-account thereof, to a blocked account or sub-account under any name or designation which differs from the name or designation of the specific blocked account in which such securities were held.

(c) Securities issued or guaranteed by the Government of the United States or the State, territory, municipality, or other political subdivision thereof (including agencies and instrumentalities thereof) need not be purchased or sold on a national securities exchange, but purchases and sales of such securities at market value and pursuant to all other terms and conditions prescribed in this section.
§ 500.514 Payment of dividends and interest on and redemption and collection of securities. (a) The payment to, and receipt by, a banking institution within the United States of funds or other property representing dividends and interest or credited to a blocked account or sub-account therein may be made by a banking institution in a blocked account is hereby authorized provided the funds or other property are credited to or deposited in the blocked account in such banking institution in the name of the national for whose account the securities were held. Notwithstanding § 500.202, this paragraph authorizes the foregoing transactions although such securities are registered or inscribed in the name of any designated national and although the national in whose name the securities are registered or inscribed may not be the owner of such blocked account.

(b) The payment to, and receipt by, a banking institution within the United States of funds or other property are credited to or deposited in a blocked account in such banking institution in the name of any designated national and which access is had in which any designated national has an interest. The payment to any person to a blocked account in the name of any designated national and which access is had in which any designated national has an interest, and the deposit therein or removal therefrom of any property is hereby authorized, provided the following terms and conditions are complied with:

(1) Access shall be permitted only in the presence of an authorized representative of the lessor of such box; and

(2) In the event that any property in which any designated national has any interest is to be removed from such box, access shall be permitted only in the presence of an authorized representative of a banking institution within the United States, which may be the lessor of such box, which shall receive such property and deliver it to its custody immediately upon removal from such box and which shall hold the same in a blocked account under an appropriate designation indicating the interest therein of designated nationals.

The terms and conditions set forth in paragraph (a) of this section shall not apply to access granted to a representative of the Office of Alien Property pursuant to any rule, regulation or order of such office.

(c) The lessee or other person granted access to any safe deposit box pursuant to this section shall not, without the consent of the account owner or representative of the Office of Alien Property, furnish to the lessor a certificate in triplicate that he has filed or will promptly file a report on Form TFR-603 with respect to such box, if leased to a designated national and with respect to all property contained in the box to which access is had in which any designated national has an interest. The lessor shall transmit two copies of such certificate to the Treasury Department, Washington, D.C. The certificate is required only on the first access to the box. In case a report, on Form TFR-603 has not been made on or before January 31, 1951, a report is hereby required to be filed on Form TFR-603 in accordance with the provisions of § 500.603. When no other date is applicable, the effective date of reporting shall be the date of access. All reports on Form TFR-603 made pursuant to this section shall bear on their face or have securely attached to them a statement reading, "This report is filed pursuant to § 31 CFR 500.517."
who is within any foreign country are hereby authorized on the following terms and conditions:

(1) Such remittances are made only for the necessary living expenses of the payee and his household and do not exceed $100 in any one calendar month to any one household;

(2) Such remittances are not made from an account other than from an account in a banking institution within the United States in the name of, or in which the beneficial interest is held by the payee or members of his household;

(3) Such remittances are not made from a blocked account which is blocked pursuant to Executive Order No. 8389, as amended;

(4) If the payee is within any designated foreign country, such remittances must be made through a domestic bank and any domestic bank is authorized to effect such remittances which, however, may be effected only by the payment of the dollar amount of the remittance to a domestic bank for credit to a blocked account in the name of a banking institution within such country.

(b) This section does not authorize any remittance to an individual for the purpose of defraying the expenses of a person not constituting part of his household.

(c) As used in this section, the term "household" shall mean:

(1) Those individuals sharing a common dwelling as family; or

(2) Any individual not sharing a common dwelling with others as a family.

§ 500.523 Transactions incident to the administration of decedent's estates.

(a) The following transactions are authorized in connection with the administration of decedent's estates in the United States of any blocked estate of a decedent:

(1) The appointment and qualification of a personal representative;

(2) The collection and preservation of such assets by such personal representative and the payment of all costs, fees and charges in connection therewith; and

(3) The payment by such personal representative of funeral expenses and expenses of the last illness.

(b) In addition to the authorization contained in paragraph (a)(3) of this section, all other transactions incident to the administration of assets situated in the United States of any blocked estate of a decedent are hereby authorized:

(1) The decedent was not a national of a designated foreign country at the time of his death; or

(2) The decedent was a citizen of the United States and a national of a designated foreign country at the time of his death solely by reason of his presence in a designated foreign country as a result of his services with the United States Government; or

(3) The gross value of the assets within the United States does not exceed $5,000.

§ 500.524 Payment from, and transactions in the administration of certain trusts and estates. (a) Any bank or company incorporated under the laws of the United States, or of any State, Territory, or District of the United States, or any private bank subject to supervision and examination under the banking laws of any State, or the United States, acting as trustee, co-trustee, or co-representative of any estate, is hereby authorized to engage in the following transactions:

(1) Payments of distributive shares of principal or income to any person who is the ultimate beneficiary thereof or who is otherwise entitled thereto upon the condition prescribed in paragraph (b) of this section.

(2) Any payment or distribution of any funds, securities or other choses in action to a designated national to act as the trustee or legal representative to engage in any other transaction at the request, or upon the instructions of any designated national.

§ 500.525 Certain transfers by operation of law. (a) The following are hereby authorized:

(1) Any transfer of any dower, curtesy, community property, or other in-
The text contains a detailed description of regulations concerning the transfer of life insurance policies, particularly those involving blocked policies. It outlines the conditions under which such transfers are permissible or prohibited, including restrictions on transfers to specified individuals or entities. The text also discusses the authority granted by the Secretary of the Treasury and the implications of these regulations on the issuance of licenses or authorizations.

Key points include:
- Transfers to or from a designated national are subject to specific conditions.
- The regulations govern the issuance, servicing, and transfer of life insurance policies.
- The text specifies the fees associated with these transactions.
- It describes the procedures for filing and registering copyrights and trademarks.
- The regulations aim to prevent the misuse of blocked accounts for illegal purposes.

Overall, the document is a comprehensive set of rules designed to protect national interests while allowing for certain legitimate transfers and transactions.
The following transactions by any person who is not a designated national are hereby authorized:

(1) The filing and prosecution of any application for a blocked foreign patent, trademark, or copyright, or for the renewal thereof;

(2) The receipt of any blocked foreign patent, trademark, or copyright; and

(3) The conveyance, transfer, release, sale or other disposition of any property located in any designated foreign country in which such person has an interest; and

(4) The conveyance, transfer, release, sale or other disposition of any property located in any designated foreign country in which such person has an interest; and

(5) The payment of reasonable and customary fees currently due to the government of any foreign country, either directly or through an attorney or representative, in connection with any of the transactions authorized by paragraph (a) (1), (2), (3) or (4) of this section.

Payments effected pursuant to the terms of paragraph (a) (4) and (5) of this section may not be made from any blocked account. Such payments shall be made in the manner and under the conditions specified in § 500.522 (a) (3) if the payee is within any designated foreign country.

As used in this section the term "blocked foreign patent, trademark, or copyright" shall mean any patent, petty patent, design patent, trademark, or copyright issued by any foreign country, in which a designated foreign country or national thereof has an interest, including any patent, petty patent, design patent, trademark, or copyright issued by a designated foreign country.

§ 500.529 Powers of attorney. (a) No power of attorney, whether granted before or after the "effective date" shall be valid by reason of any of the provisions of this chapter with respect to any transaction licensed by or pursuant to the provisions of this chapter.

This section does not authorize any transaction pursuant to a power of attorney if such transaction is prohibited by § 500.201 and is not otherwise licensed or authorized by or pursuant to this chapter.

This section does not authorize the creation of any power of attorney in favor of any person outside of the United States or the exportation from the United States of any power of attorney.

§ 500.530 Exportation of powers of attorney or instructions relating to certain types of transactions. (a) The exportation to any foreign country of powers of attorney or other instructions relating to certain types of transactions is hereby authorized if such transaction is conducted in a manner and under the conditions specified in § 500.531 and is not otherwise licensed by or pursuant to the provisions of this chapter.

This section does not authorize any transaction pursuant to a power of attorney if such transaction is prohibited by § 500.201 and is not otherwise licensed or authorized by or pursuant to this chapter.

The representation of the interest of such person in a decedent's estate which is being administered in any designated foreign country and the collection of the distributive share of such property in any such estate shall be authorized by any person located in a designated foreign country and the collection of the distributive share of such property in any such estate shall be authorized by any person located in a designated foreign country.

(2) The maintenance, preservation, supervision or management of any property located in any designated foreign country in which such person has an interest; and

(3) The conveyance, transfer, release, sale or other disposition of any property located in any designated foreign country in which such person has an interest; and

(4) The conveyance, transfer, release, sale or other disposition of any property located in any designated foreign country in which such person has an interest; and

(5) The payment of reasonable and customary fees currently due to the government of any foreign country, either directly or through an attorney or representative, in connection with any of the transactions authorized by paragraph (a) (1), (2), (3) or (4) of this section.

Payments effected pursuant to the terms of paragraph (a) (4) and (5) of this section may not be made from any blocked account. Such payments shall be made in the manner and under the conditions specified in § 500.522 (a) (3) if the payee is within any designated foreign country.

As used in this section the term "tangible personal property" shall not include cash, bullion, deposits, credits, securities, patents, trademarks, or copyrights.

§ 500.531 Payment of certain checks and drafts. (a) Any banking institution within the United States is hereby authorized to make payments from blocked accounts with such banking institution:

(1) Of the proceeds of a sale of personal property if the value of such property exceeds the sum of $5,000 or its equivalent in foreign currency, and

(2) Any transaction involving, directly or indirectly, property in which any such person has or has had an interest since the "effective date".

(b) Any transaction involving, directly or indirectly, property in which any designated national or in which any designated national or in which any designated national has an interest or which involves any property in which any such person has or has had an interest on or since the "effective date."
(b) An individual, wheresoever located, who, being a national of China or Korea, was on such date an employee, officer, or agent of, or who was associated with the United Nations on any of the organizations or bodies to which it becomes a party, or its Committees, Commissions, Subcommittees, and Specialized Agencies or any other International Organization which has been accepted by the United States under the United Nations Charter or has been accepted by the United States under International Organizations Immunities Act (Act of Dec. 29, 1945, c. 652, Title I, § 50, Stat. 669, 22 U.S. 228–230),

(2) No report is required to be filed with respect to the property of any partnership, association, corporation, or other organization in connection with which otherwise a report would be required solely by reason of the interest of a person exempted from the reporting requirement by subparagraph (1) of this paragraph. 

(c) Property which is not required to be reported. No reports are required with respect to the following types of property:

(1) Patents, trademarks, copyrights and inventions, but this exemption shall not constitute a waiver of any reporting requirement with respect to royalties due and unpaid.

(2) Interests in nonproducing oil and gas leases.

(3) Property of any person (other than any associated foreign person) which any one person would otherwise be required to report if the total value of all such property was less than $1,000 on the specified date. In arriving at the value of $1,000 in the United States, deduction shall be made for offsets, liens, or other deductions from gross value.

(d) Who must make report. Except as the exemptions provided in paragraphs (b) and (c) of this section are applicable, a report must be filed by:

(1) Every individual in the United States who is a national of China or Korea whose property subject to the jurisdiction of the United States on the specified date in which on that date he had any interest of any nature whatsoever, direct or indirect.

(2) Every person in the United States with respect to all property whatsoever held by him or his custody, control, or possession, directly or indirectly, in trust or otherwise, and all debts or other obligations whatsoever owed by or asserted against him, and all contracts of any nature whatsoever by which he was a party, subject to the jurisdiction of the United States on the specified date in which on that date China or Korea or any national of either thereof had any interest of any nature whatsoever, direct or indirect.

(3) Every person in the United States with respect to any safe deposit box the lessee of which China or Korea or any national thereof had on the specified date any interest of any nature whatsoever, direct or indirect.

(4) Every agent or representative in the United States for China or Korea or for any national of either thereof, having any information with respect to property subject to the jurisdiction of the United States on the specified date in which on that date the country or national thereof for which he was agent or representative had any interest of any nature whatsoever, direct or indirect, but such an agent or representative who files a report in behalf of the country or national thereof in which on that date he had any interest of any nature whatsoever, direct or indirect, may report for all.

(5) Such other persons or groups as classes of persons, and in such cases or kinds of cases, as the Secretary of the Treasury may in his discretion determine, shall be available for examination for such extended periods after the date of such transaction.

§ 500.603 Reports to be furnished on demand. Every person is required to furnish under oath, in the form of reports, or otherwise, from time to time after the date of such transaction, reports on Form TFR-603 are required to be furnished on demand by the Secretary of the Treasury or any person acting under his direction or authority, complete and in such form as such person may require for the purpose of any investigation or any other transaction or property such person may direct or require.

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(1) Except as provided in subparagraph (1) of this paragraph no person required to submit a report with respect to property pursuant to this section is excused from submitting such report by reason of the fact that another person has submitted a report with regard to the same property.

(2) No person otherwise required to file a report with respect to the property of a national (other than an associated foreign person or a specially designated national) need file such report if such person has actual knowledge that another person has filed a report with respect to the same interest in property of the United States on the specified date in which on that date the country or national thereof has any interest of any nature whatsoever, direct or indirect.

(3) Any other payments in which a foreign person or a specially designated national engaged in by him, regardless of whether any provision of this chapter or relative to any property subject to the jurisdiction of the United States on the specified date in which on that date China or Korea or any national thereof had on the specified date any interest of any nature whatsoever, direct or indirect, may report for all.

(4) No report is required to be filed with respect to the property of any person acting under his direction or authority, complete and in such form as such person may require for the purpose of any investigation or any other transaction or property such person may direct or require.

(5) Such other persons or groups as classes of persons, and in such cases or kinds of cases, as the Secretary of the Treasury may in his discretion determine, shall be available for examination for such extended periods after the date of such transaction.

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(2) No person otherwise required to file a report with respect to the property of a national (other than an associated foreign person or a specially designated national) need file such report if such person has actual knowledge that another person has filed a report with respect to the same interest in property of the United States on the specified date in which on that date the country or national thereof has any interest of any nature whatsoever, direct or indirect.

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(4) No report is required to be filed with respect to the property of any person acting under his direction or authority, complete and in such form as such person may require for the purpose of any investigation or any other transaction or property such person may direct or require.

(5) Such other persons or groups as classes of persons, and in such cases or kinds of cases, as the Secretary of the Treasury may in his discretion determine, shall be available for examination for such extended periods after the date of such transaction.

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(1) Except as provided in subparagraph (1) of this paragraph no person required to submit a report with respect to property pursuant to this section is excused from submitting such report by reason of the fact that another person has submitted a report with regard to the same property.

(2) No person otherwise required to file a report with respect to the property of a national (other than an associated foreign person or a specially designated national) need file such report if such person has actual knowledge that another person has filed a report with respect to the same interest in property of the United States on the specified date in which on that date the country or national thereof has any interest of any nature whatsoever, direct or indirect.

(3) Any other payments in which a foreign person or a specially designated national engaged in by him, regardless of whether any provision of this chapter or relative to any property subject to the jurisdiction of the United States on the specified date in which on that date China or Korea or any national thereof had on the specified date any interest of any nature whatsoever, direct or indirect, may report for all.

(4) No report is required to be filed with respect to the property of any person acting under his direction or authority, complete and in such form as such person may require for the purpose of any investigation or any other transaction or property such person may direct or require.

(5) Such other persons or groups as classes of persons, and in such cases or kinds of cases, as the Secretary of the Treasury may in his discretion determine, shall be available for examination for such extended periods after the date of such transaction.
person with respect to property of any associated foreign person or any specially designated national.

(1) Transactions not authorized. No transactions, other than those described in this chapter, shall be deemed a violation of the regulations promulgated by the Secretary of the Treasury to the United States, any person in China or Korea who, directly or indirectly, or through any other organization, has been an affiliate of such person, and (ii) any person in China or Korea having a branch or office subject to the jurisdiction of the United States.

When, within the meaning of the foregoing, with respect to any organization or its securities, control or ownership is held by a person in China or Korea in conjunction with one or more of its affiliates, such person and each of such affiliates in China or Korea shall be deemed to be an "associated foreign person".

The Secretary of the Treasury reserves the power to determine, in any case, that any person was or shall be deemed to have been an affiliate of such person, and (ii) it shall not include members of the armed forces of the United States who are within any foreign country or citizens of the United States who are within any foreign country in the course of their employment by the Government of the United States or of any organization acting on behalf of the Government of the United States.

(4) National. As used in this section the term "national" shall have the same meaning as specified in § 500.308 except that it shall also include any foreign government or any agency or subdivision thereof.

(5) Other terms defined in Subpart C of this part. As used in this section all definitions set forth in § 500.201 are defined in Subpart C of this part shall have the same meanings as specified therein. Particular attention is directed to the following definitions:

(i) "Foreign country" set forth in § 500.301.

(ii) "Nationals of more than one foreign country" set forth in § 500.202.

(iii) "Designated national" set forth in § 500.305.

(iv) "Specially designated national" set forth in § 500.206.

(v) "Property; property interests" set forth in § 500.311.

(vi) "Interests" set forth in § 500.312.

(vii) "Property subject to the jurisdiction of the United States" set forth in § 500.313.

(viii) "United States; continental United States", set forth in § 500.321.

Attention is directed to § 500.201 which specifies the countries which are designated foreign countries.

(6) Associated foreign person. As used in this section the terms "associated foreign person" or "foreign person associated with an organization" shall mean, with respect to any organization within the United States, any person in China or Korea who was a partner, whether general, special, limited, or other, or in conjunction with one or more of his affiliates, controlled such organization, or owned or controlled a substantial part of the stock, shares, bonds, debentures, notes, certificates of interest, or other voting securities, or comparable interests or obligations, of such organization. Without limitation of the foregoing, the terms shall in any event include (i) any person in China or Korea who owned or controlled, directly or indirectly, or in conjunction with one or more of his affiliates, 25 percent or more of the outstanding voting stock, shares, or other securities, or comparable ownership therein, of any organization subject to the jurisdiction of the United States, (ii) any person in China or Korea who was a partner, whether general, special, limited, or other, of a partnership subject to the jurisdiction of the United States, and (iii) any person in China or Korea having a branch or office subject to the jurisdiction of the United States.

(7) Definition. As used in this section the term "Korea" shall be deemed to mean Korea in its entirety, i.e., both north and south of the 38th parallel of North Latitude.

(8) Organization within the United States. As used in this section the term "organization within the United States" shall mean any partnership, trust, association, corporation or other organization organized or existing under the laws of the United States, state, district, territory, or possession, or of the continental United States, set forth in § 500.321.

(9) General instructions with respect to reporting on Form TFR-603. (1) Obtaining forms. Copies of these instructions or forms are obtainable from the Foreign Assets Control, Department of the Treasury, Washington 25, D. C., or the Federal Reserve Bank of New York.

(2) Number of copies. Reports on Form TFR-603 shall be prepared in quadruplicate.

(3) Separation of reports for different countries or nationals. A separate report shall be made with respect to each country or national having any interest in any property to be reported but all items of property of each such person shall be included in one report. For example, if the person reporting owed debts to five different nationals, he shall file five separate reports, entering the whole debt on each. If it is known or there is reasonable cause to believe that a national other than the national in whose name any property was carried in Part A of the report is in or adverse claim upon the property, the property must be shown on a report for each such national interested or adverse claimant as well as for the national in whose name it was carried. Any duplication in reporting the same property or debt on several reports, shall not exist except from rendering all reports required of him.

(i) Detailed instructions for filling out Form TFR-603. (1) Reading circu­lar. If you have not already read carefully the preceding paragraphs of this section, do so before going further.

(ii) Answers required. Each question on the report must be answered, and all the information required to be given. When there is nothing to report under any question or if information is lacking, state "No," "None," or "Unknown," as the case may be, with an explanation if required, except that in Part B spaces not needed for reporting should be left blank. If the space provided on the Form for answers should prove inadequate, the answer may be made or continued on a blank sheet of paper securely attached to the Form. No person is excused from furnishing any information he reasonably should have.

(3) Part A.—(1) Country of residence. Enter in the space provided in the upper right corner of the Form the name of the country in which the person whose property is being reported resided on December 17, 1950.

(ii) Name. If the national was an individual doing business under a trade name, give that name in addition to his actual name.

(1) Citizenship. If the national was not an individual, enter the name of the country, state, district, territory, or possession under the laws of which it is incorporated, or, if unincorporated, in which he had its principal place of busi­ness. When the national was a subject or citizen of more than one country, state the name of each country, including the United States when that is one of the countries.
1. In stating the values called for under property types 1 to 12, reporters should be careful to classify correctly the property which they are reporting. No property should be reported under type 12 if it constitutes property reportable under any other type.

2. Interests of associated foreign persons (type 7). The total value of the interests of associated foreign persons should be entered in the column opposite the type 7. No property required to be reported under this type is to be listed under any other type on Form TFR-603. Property of this type is to be reported in detail on Form TFR-604 as required by §600.904.

<table>
<thead>
<tr>
<th>Property Type</th>
<th>Principle</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bullion</td>
<td>Gold—$43 per ounce; silver—market value.</td>
</tr>
<tr>
<td>Currency and coin</td>
<td>Face value.</td>
</tr>
<tr>
<td>Deposits and cash balances</td>
<td>Balance of the account.</td>
</tr>
<tr>
<td>Securities</td>
<td>Market or estimated value.</td>
</tr>
<tr>
<td>Checks, drafts, acceptances, and notes</td>
<td>Face or estimated value.</td>
</tr>
<tr>
<td>Letters of credit</td>
<td>Available amount.</td>
</tr>
<tr>
<td>Deeds of conveyance, and demands</td>
<td>Face or estimated value.</td>
</tr>
<tr>
<td>Miscellaneous contracts</td>
<td>Value unknown.</td>
</tr>
<tr>
<td>Foreign exchange futures</td>
<td>Difference between market price of contract and price specified in contract.</td>
</tr>
<tr>
<td>Goods and merchandise and other personal property</td>
<td>Market or estimated value.</td>
</tr>
<tr>
<td>Land, buildings and mortgages on real estate</td>
<td>Normal monthly payment times 100.</td>
</tr>
<tr>
<td>Royalties, gas and oil</td>
<td>Value unknown.</td>
</tr>
<tr>
<td>Franchises and concessions</td>
<td>Actuarial values where appropriate.</td>
</tr>
<tr>
<td>Interests in estates and trusts</td>
<td>Present value of future payment.</td>
</tr>
<tr>
<td>Insurance policies</td>
<td>Cash surrender or paid-up value.</td>
</tr>
<tr>
<td>Annuity policies</td>
<td>Present value of future payment.</td>
</tr>
<tr>
<td>Life policies</td>
<td>Not reportable.</td>
</tr>
<tr>
<td>Pension contracts</td>
<td></td>
</tr>
<tr>
<td>Policies having no immediate value (fire, etc.)</td>
<td></td>
</tr>
<tr>
<td>Interests of associated foreign persons</td>
<td>(See subparagraph (vii)).</td>
</tr>
</tbody>
</table>

(v) Valuation date. Values shall be given as of the close of business on December 16, 1950.

(vi) Market or estimated values. Where market or estimated value is required, subparagraphe (vi) shall be entered the market price at the close of business on December 16, 1950, or, if such price is not available, the estimated value on that date. In estimating value the last sale price or bid, if reasonably close to December 16, 1950, may be used as a basis.

(vii) Value—interests of associated foreign persons (type 7). Enter in the valuation column opposite this property type the total value shown in Part B of Form TFR-604.

(viii) Values expressed in foreign currency. Property, the value of which is expressed in a foreign currency, or which is to be paid or liquidated in a foreign currency, shall be valued at the dollar value if dollar market value exists for such property itself; if not, the foreign currency value thereof shall be converted into dollar value, in accordance with the instructions relating to exchange rates given in paragraph (k) of this section and such dollar value shall be used in the report. In no case shall a value be entered upon the report in a foreign currency, but the fact that property was originally valued in a foreign currency should be clearly indicated in Part C, question 1.

(ix) Property of indeterminable value. In reporting property of indeterminable value, enter in the space opposite the appropriate property type and describe the property briefly in Part C, question 1. When both property of determinable value and property of indeterminable value are to be reported under any one property type, only the determinable value should be reported. However, in response to Part C, question 1, both kinds of property should be described and the property of indeterminable value should be so described.

(x) Part C—Brief description of the property set forth in Part B. The property, the value of which has been set forth in Part B, shall be briefly described in answer to question 1 of Part C, except that no description shall be given of property of indeterminable value (interests of associated persons). Breakdowns into specific property items and detailed descriptions are unnecessary. Property may be described in some general but reasonably descriptive manner, as, e.g., "silver bullion", "U.S. dollar currency", "Swiss franc currency", "bank deposit", "postal savings account", "miscellaneous portfolio of stocks and bonds", "bonds issued by the reporter", "Pound Sterling securities", "letters of credit", "goods and merchandise", "land", "mortgage", "life estate", "cash surrender value of insurance policy", etc.

(d) Part D—(i) Person reporting his own property. A person reporting his own property need not fill out Part D further than to enter his name in the appropriate space and to state, “Same person as national whose property is reportable. 

(i) Persons reporting property of others. A person reporting the property of another should state in Part D, as indicated in the margin thereof: (a) his name; (b) his address; and (c) his relationship to the national whose property is being reported, e. g., as agent, nominee, trustee, custodian, banker, etc. The information may be given by any method producing a readily legible impression.

(ii) Space provided for number. Persons submitting only one report may ignore the space provided for a number. Persons submitting more than one report who do not wish to use the separate certification provided for and described in paragraph (d) (vi) of this section, may likewise ignore the space provided for a number. Persons submitting more than one report who desire to use the separate certification should number their reports consecutively in the space provided on the Form starting with number 1.

(e) Part E. Certification. Any person who does not use the separate certification provided for and described herein shall execute on each copy of every report filed by him the certification set forth in Part E of Form TFR-603.

Any person executing more than one report and who has numbered each report consecutively, as provided for in paragraph (d) (i) (6) and (ii) of this section, may execute a separate certification in connection with such reports. Such separate certification shall be in the following form:

Certification

I, __________, certify that I am the person, or the firm, corporation, or other entity making this report, as indicated in the margin thereof: (a) my name; (b) my address; (c) my business; and (d) my relationship to the national whose property is being reported.

(State relationship of signatory to the person making this report)

Making the reports on Form TFR-603 consecutively numbered, to and attached hereto and made a part hereof, that I am authorized to make this certificate, and to the best of my knowledge and belief that the statements set forth in said report(s), including all schedules and thereto or filed therewith, are true and accurate and all material facts in connection with said report(s) have been disclosed.

(Signature)

(Address)

(Date)

This separate certification shall be prepared by the reporter and shall be
attached to the reports to which it relates and submitted together with such reports. Such a certification shall be prepared and submitted in quadruplicate.

Any deviation from the form of a separate certification set forth above shall render totally ineffective the reports to which such defective certification relates and shall require a new submission of such reports as not to constitute compliance with the reporting requirements of this section.

1. Manner in which Form TFR-604 should be filled. As indicated in paragraph (2) of this section, reports on Form TFR-604 shall be prepared in quadruplicate. All four copies shall be sent in a set, on or before January 31, 1951, to Unit 603, Foreign Assets Control, Treasury Department, Washington 25, D. C. (Reports covered by the same certification shall be transmitted together.)

2. Exchange rates are for use only in preparing reports on Form TFR-603, and are not intended to be used or relied upon in any other connection or for any other purpose whatsoever.

The exchange rates given in this table are for use only in preparing reports on Form TFR-603 and are not intended to be used or relied upon in any other connection or for any other purpose whatsoever.

### Table of exchange rates.

<table>
<thead>
<tr>
<th>Country</th>
<th>Monetary unit</th>
<th>U. S. cents per unit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Australia</td>
<td>Pound</td>
<td>284.00</td>
</tr>
<tr>
<td>Belgium</td>
<td>Franc</td>
<td>2.60</td>
</tr>
<tr>
<td>Burma</td>
<td>Cay aye</td>
<td>36.94</td>
</tr>
<tr>
<td>Canada</td>
<td>Canadian dollar</td>
<td>2.05</td>
</tr>
<tr>
<td>China</td>
<td>Chinese yuan</td>
<td>0.25</td>
</tr>
<tr>
<td>France</td>
<td>Franc</td>
<td>1.95</td>
</tr>
<tr>
<td>Hong Kong</td>
<td>Hong Kong dollar</td>
<td>2.90</td>
</tr>
<tr>
<td>India</td>
<td>Indian rupee</td>
<td>51.00</td>
</tr>
<tr>
<td>Indonesia</td>
<td>Indonesian rupiah</td>
<td>4.75</td>
</tr>
<tr>
<td>Japan</td>
<td>Yen</td>
<td>29.25</td>
</tr>
<tr>
<td>Korea, Republic of</td>
<td>Won</td>
<td>0.01</td>
</tr>
<tr>
<td>Malaysia</td>
<td>Malaysian dollar</td>
<td>3.25</td>
</tr>
<tr>
<td>New Zealand</td>
<td>Dollar</td>
<td>0.30</td>
</tr>
<tr>
<td>Pakistan</td>
<td>Rupee</td>
<td>30.00</td>
</tr>
<tr>
<td>Philippines</td>
<td>Peso</td>
<td>3.00</td>
</tr>
<tr>
<td>Portugal</td>
<td>Escudo</td>
<td>10.15</td>
</tr>
<tr>
<td>Sweden</td>
<td>Krona</td>
<td>28.55</td>
</tr>
<tr>
<td>Switzerland</td>
<td>Franc</td>
<td>12.85</td>
</tr>
<tr>
<td>Union of South Africa</td>
<td>Pound</td>
<td>0.25</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>Pound</td>
<td>0.25</td>
</tr>
</tbody>
</table>

**1500044 Reports on Form TFR-604 with regard to interests of associated foreign persons—(a) Requirement that reports be filed on Form TFR-604. Reports on Form TFR-604 are hereby required to be filed on or before January 31, 1951, with respect to interests on the opening of business on December 18, 1950, of the associated foreign organizations within the United States.**

(b) Who must make report. A report must be filed by every organization within the United States as to which on December 17, 1950, any person was an associated foreign person.

(c) General instructions with respect to reporting on Form TFR-604—(1) Obtaining forms. Copies of these instructions, and of related sections of 31 CFR, Parts A and B, are printed in this section, and copies of Form TFR-604 may be obtained from the Foreign Assets Control or from the Federal Reserve Bank of New York.

(2) Manner in which Form TFR-604 should be filled. Reports on Form TFR-604 shall be prepared in quadruplicate. On or before January 31, 1951, all four copies shall be sent in a set, with corresponding Form TFR-603, to Unit 603, Foreign Assets Control, Treasury Department, Washington 25, D. C.

(3) Separation of reports for different persons. Except as provided in subparagraph (4) of this paragraph, a separate report shall be made with respect to each associated foreign person. For example, if the person reporting is associated with three different foreign persons, three separate reports shall be filed, even if all three of such persons are jointly and equally interested in the same property or assets through which they are associated with the organization.

(4) Persons associated through another person—Direct beneficial interest. If a foreign person was associated with a reporting organization through a beneficial interest held through agents, nominees, or other persons not having a beneficial ownership interest, the report on Form TFR-604 shall be made as if the foreign associated organization held the interest directly, except that an appropriate description of the manner in which the interest is actually held shall be given in answer to question 6 in Part A of the Form.

(5) Persons associated through another person—Chain of beneficial interests. If several persons were associated with a reporting person through a chain of successive beneficial interests in foreign organization or corporations, the foreign organization or corporation X owned securities of the reporting organization and, in turn, corporation Y owned securities of X and corporation Z owned securities of Y, a report should be filed in answer to question 6 in Part A of the Form. However, the information required in Part B of Form TFR-604 need be given only with regard to the foreign person directly associated with the reporting person, i.e., in the foregoing example, corporation X. With respect to the other associated foreign persons only the information required in questions 1-5 and question 7 of Part A of the Form need be supplied. On each report the information specified in question 7 must be given in full exactly as it appears on the report in the name of the associated foreign person. In cases covered solely by this paragraph, question 6 in Part A should be disregarded, but circumstances may arise in which answers are required to both questions 6 and 7, for instance if, in the foregoing example, the interests of corporation X were held through a nominee.

If several persons in the United States were associated with a foreign person through a chain of successive ownership interests, as where securities of domestic corporation L were owned by domestic corporation M and securities of M were owned by foreign corporation N and securities of N were owned by foreign corporation O, a report on Form TFR-604 and 604 need be filed only by domestic corporation N. The other domestic persons need only submit reports showing the chain of the relationship to the associated foreign person through the reporting person. Such reports should give the information required under Part A, questions 1 and 2, of Form TFR-604, and the chain of the relationship to the associated foreign person should be fully specified in answer to Part A, question 5. On Form TFR-603, Part A should be filled in and an appropriate reference to this instruction should be given in lieu of all other information required on the Form.

(6) Detailed instructions for filling out Forms TFR-603 and TFR-604 required. Except as specifically indicated on the report form or in these instructions, each question on the report must be answered and each specific information required in the form must be given. When there is nothing to report under any question or if information is lacking, state "No," "None," or "Unknown," as the case may be, with an explanation if required, except that in Part B spaces not needed for reporting should be left blank. If the space provided on the Form for answers should be inadequate, the answer may be made or continued on a blank sheet of paper securely attached to the Form. No person is excused from furnishing any information he reasonably should have.

(7) Manner of a branch. Enter the English word denoting the type of person, e.g., "individual", "corporation", "association", "partnership", followed by the exact designation, unabridged, but translated into English, of the type of person, if other than an individual, in the laws of the jurisdiction under which the organization was created or organized. In the case of a branch, enter merely the English word "branch".

(ii) Question 4. Enter a brief but definite description of the business carried on by a foreign person—manufac­turing electric irons" or "general banking".

(3) Part B—(1) Percent owned. Show here the percentage owned by, or owed to, the associated foreign person of the total amount of property of each kind reported.

(ii) Value. With regard to securities traded in a recognized securities market fill out both column 3 and column 4. However, in the case of such securities only the value appearing in column 4 shall be included in the total to be reported on Form TFR-604. When a value is given in column 4 for common stock, not only the value in column 3 under "common stock" but also the reported value in column 4 as "surplus or deficit" and "surplus reserves" shall be omitted from the total.

(iii) Space insufficient. Whenever more than one item should be reported with respect to any space in the table, attach clearly labeled sheets showing the items and enter in the table merely the appropriate totals.
RULES AND REGULATIONS

Whoever, in any matter within the jurisdiction of any department or agency of the United States, knowingly and willfully falsifies, conceals or covers up by any trick, scheme, or device a material fact, or makes any false, fictitious or fraudulent statements or representations, or makes or uses any false writing or document knowing the same to contain any such false, fictitious, or fraudulent statement or entry, shall be fined not more than $10,000 or imprisoned not more than five years, or both.

SUBPART H—PROCEDURES

§ 500.801 Licensing—(a) General Licenses. General licenses have been issued authorizing under appropriate terms and conditions, many types of transactions which are subject to the prohibitions contained in Subpart B of this part. All such licenses are set forth in Subpart E of this part. It is the policy of Foreign Assets Control not to grant applications for specific licenses authorizing transactions which the provisions of an outstanding general license are applicable. Persons availing themselves of certain general licenses are required to file reports and statements in the form and in accordance with the instructions specified in the licenses.

(b) Specific licenses—(1) General course of procedure. Transactions subject to the prohibitions contained in Subpart B of this part which are not authorized by general license may be effected only under specific license. The specific licenses authorizing transactions to which the Secretary of the Treasury (Foreign Assets Control) are performed by the central organization and the Federal Reserve Bank of New York. When an unusual problem is presented, the proposed action is cleared with the Director of Foreign Assets Control or such person as he may designate.

(2) Applications for specific licenses. Applications for specific licenses to engage in any transaction prohibited by or pursuant to this chapter are to be filed in duplicate on Form TFAC-1 with the Federal Reserve Bank of New York. Any person having an interest in a transaction proposed to be authorized by any license or specific license is required to make an application to the Director of Foreign Assets Control. An application is entitled to be heard on the application. If the applicant desires a hearing arrangement should be made with Foreign Assets Control.

§ 500.803 Decision. Foreign Assets Control or the Federal Reserve Bank of New York will advise each applicant of the decision respecting applications filed by him. The decision of Foreign Assets Control acting on behalf of the Secretary of the Treasury with respect to an application shall be final.

§ 500.804 Records and reporting. Records are required to be kept by every person engaging in any transaction subject to the provisions of this chapter, as provided in § 500.801. Reports may be required from any person with respect to any transaction subject to the provisions of this chapter or relative to any property in which any foreign country or any national thereof has any interest, as provided in § 500.602. Section 500.603 requires the filing of specific reports relative to property in which any non-American country or any national thereof has an interest.

§ 500.805 Amendment, modification, or revocation. The provisions of this chapter and any rules, licenses, authorizations, instructions, orders, or forms issued thereunder may be amended, modified, or revoked at any time.

§ 500.806 Rule making. All rules and other public documents are issued by the Secretary of the Treasury upon recommendation of the Director of Foreign Assets Control. Except to the extent that there is involved any military, naval, or foreign affairs function of the party in interest may at any time request explanation of the reasons for a denial by correspondence or personal appearance.

(5) Reports under specific licenses. As a condition upon the issuance of any license, the licensee may be required to file reports with respect to the transactions covered by the license. In addition, they may be required at and at such times and places as may be prescribed in the license or otherwise.

(6) Issuance of license. Licenses will be issued by Foreign Assets Control acting on behalf of the Secretary of the Treasury or by the Federal Reserve Bank of New York, acting in accordance with such regulations, rulings and instructions as the Secretary of the Treasury or Foreign Assets Control may determine, or licenses may be issued by the Secretary of the Treasury acting directly or through any person, agency, or instrumentality designated by him.

§ 500.802 Unblocking. Any interest or property in a foreign country or any national thereof on the ground that no person having an interest in the property is a designated national may file such an application. Such application shall be filed in the manner prescribed in § 500.801 and shall contain full information in support of the administrative action requested.
Tuesday, December 19, 1950

United States or any matter relating to agency management or personnel or to public property, loans, grants, benefits, or contracts and except when interpretative rules, general statements of policy, or rules of agency organization, practice, or procedure are involved or when notice and public procedure are impracticable, unnecessary or contrary to the public interest, interested persons will be afforded an opportunity to participate in rule making through submission of written data, views, or argument, with oral presentation in the discretion of the Director. In general, rule making by Foreign Assets Control involves foreign affairs functions of the United States. Wherever possible, however, it is the practice to hold informal consultations with interested groups or persons before the issuance of any rule or other public document.

Any interested person may petition the Director of Foreign Assets Control in writing for the issuance, amendment or repeal of any rule.

§ 500.807 Delegation by the Secretary of the Treasury. Any action which the Secretary of the Treasury is authorized to take pursuant to the Trading With the Enemy Act may be taken by any person to whom the Secretary of the Treasury has delegated authority so to act.

[F. R. Doc. 50-12016; Filed, Dec. 18, 1950]

TITLE 32A—NATIONAL DEFENSE, APPENDIX
Chapter II—Economic Stabilization Agency

[Price Procedural Reg. 1]

PART 300—PRICE PROCEDURAL REGULATION

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.) and E. O. 10161, Sept. 9, 1950, 15 F. R. 6105, the following part is issued governing the promulgation of ceiling price regulations, applications for adjustment, petitions for amendment, protests and interpretations, and the effect thereof.

§ 300.1 Purpose.

§ 300.2 Interpretations of the regulation.

§ 300.3 Investigations prior to issuance.

§ 300.4 Notice of pre-issuance hearing.

§ 300.5 Requests for interpretations.

§ 300.6 Statement of considerations.

§ 300.7 Notice of provisions of a ceiling price regulation.

§ 300.8 Effective date.

SUBPART C—APPLICATIONS FOR ADJUSTMENT

§ 300.9 Right to apply for adjustment.

§ 300.10 Place of filing.

§ 300.11 Form of application.

§ 300.12 Applications must be signed.

§ 300.13 Joint applications; consolidation.

§ 300.14 Investigation of application.

FEDERAL REGISTER

Sec. 300.15 Action by the Administrator on applications for adjustment.

300.16 Protest of denial of application.

SUBPART D—PETITION FOR AMENDMENT

300.17 Right to file a petition.

300.18 Time and place for filing petitions.

300.19 Joint petitions for amendment.

300.20 Action by the Administrator on petitions.

SUBPART E—PROTESTS

Sec.

300.21 Right to protest.

300.22 Action by representative.

300.23 Time and place for filing protests.

300.24 Form of protest and number of copies.

300.25 Assignment of docket number.

300.26 Protest and evidential material not conforming to the requirements of this subpart.

300.27 Joint protests.

300.28 Consolidation of protests.

300.29 Amendment of protests and presentation of additional evidence.

300.30 Action by the Administrator on protests.

300.31 Basis for determination of protest.

CONTENTS OF PROTESTS AND SUPPORTING MATERIALS

300.32 Contents of protests.

300.33 Affidavits or other written evidence in support of protest.

300.34 Form of protest.

300.35 Submission of brief by protestant.

MATERIALS IN SUPPORT OF THE REGULATION

300.36 Statements of considerations.

300.37 Incorporation of material in the record by the Administrator.

300.38 Other written evidence in support of the ceiling price regulation.

300.39 Receipt of oral testimony in support of the regulation.

BOARDS OF REVIEW

300.40 Right to consideration by a board of review.

300.41 Composition of boards of review.

300.42 Where boards of review hear oral argument.

300.43 Notice of consideration by a board of review.

300.44 Waiver of right to consideration in whole or in part.

300.45 Hearing of oral argument.

300.46 Action by boards of review at the conclusion of their consideration of a protest.

300.47 Action by Administrator after receipt of board of review's recommendations.

DETERMINATION OF PROTEST

300.48 Order granting protest in whole.

300.49 Order denying protest in whole or in part.

300.50 Treatment of protest as petition for amendment or an application for adjustment.

300.51 Petitions for reconsideration.

SUBPART F—INTERPRETATIONS

300.52 Who may render official interpretations and the effect thereof.

300.53 Requests for interpretations: Form and content.

300.54 Revocation or modification of interpretations.

SUBPART G—MISCELLANEOUS PROVISIONS AND DEFINITIONS

300.55 Witness fees.

300.56 Contemptuous conduct.

Sec.

300.57 Continuance or adjournment of hearings.

300.58 Subpoenas.

300.59 Service of papers.

300.60 Office hours.

300.61 Confidential information: Inspection of documents filed with the Administrator.

300.62 Definitions.

300.63 Amendment of this part.

AUTHORITY: §§ 300.1 to 300.53 issued under sec. 704, Pub. Law 774, 81st Cong.; or sec. 704, Act of 1950 (Pub. Law 774, 81st Cong.); hereinafter used shall refer to the Economic Stabilization Administrator in making various kinds of price determinations.

(a) Subpart B deals with the procedure of the Economic Stabilization Administrator in issuing ceiling price regulations.

(b) Subpart C deals with individual applications for adjustment of ceiling prices established by a ceiling price regulation. An adjustment ordinarily affects the prices of one particular seller or group of sellers who apply for a change in the prices established by the provisions of a ceiling price regulation. An adjustment can be granted only if the applicable ceiling price regulation contains specific provisions for making an adjustment, or where otherwise authorized by the Administrator.

(c) Subpart D deals with petitions for amendment. A petition for amendment may be filed by any person who is affected by a ceiling price regulation and who desires a change in general applicability of the provisions of the regulation itself. It is the appropriate document to be filed when a person does not wish to file a formal statutory protest or is not entitled to do so because he is not subject to the regulation as defined in § 300.21.

(d) Subpart E deals with protests. The nature and function of protests are set forth in general in the introduction to Subpart E (§ 300.39). Subpart F explains the way in which interpretations are rendered by the Economic Stabilization Administrator.

(e) Subpart G contains miscellaneous provisions and definitions.

(g) The term "Administrator" as hereinafter used shall refer to the Economic Stabilization Administrator.

SUBPART H—ISSUANCE OF CEILING PRICE REGULATIONS

§ 300.3 Investigation prior to issuance.

A ceiling price regulation may be issued by the Administrator after such studies and investigations as he deems necessary or proper. Before issuing a ceiling price regulation the Administrator shall, so far as is practicable, advise and consult with representatives of persons substantially affected by such regulation.

§ 300.4 Price hearing prior to issuance.

When the Administrator deems it necessary or proper that a price hearing be held prior to the issuance of
a ceiling price regulation, he may provide
for such hearing in accordance with § 300.4
§ 300.4 Notice of pre-issuance hear-
ing. (a) At least twenty days prior to the issuance of a ceiling price regulation shall be given by publication in such notice in the Federal Register, and notice may be given in any other appropriate manner. The notice shall state the time and place of the price hearing and shall contain an appropriate indication of the purposes of such hearing.

§ 300.5 Conduct of pre-issuance hearing. A price hearing held prior to the issuance of a ceiling price regulation shall be conducted in such manner, consistent with the need for expeditious action, as will permit the fullest possible presenta-
tion of evidence by such persons as are, in the judgment of the Administrator, best qualified to provide information with respect to matters considered at the hearing or most likely to be seriously af-
fected by action which may be taken as a result of the hearing.

§ 300.6 Statement of considerations. Every ceiling price regulation shall be accompanied by a statement of the con-
siderations involved in its issuance. Such statement may include economic data and other facts of which the Ad-
nistrator has taken official notice and facts found by the Administrator as a result of action taken under section 705 of the act.

§ 300.7 Notice of provisions of a ceil-
ing price regulation. Notice of the pro-
visions of a ceiling price regulation shall be given by filing such regulation with the Division of the Federal Register. As soon as possible after the filing of such regulation, the Administrator shall make copies thereof available to the press.

§ 300.8 Effective date. The effective date of a ceiling price regulation shall be the date specified in such regulation.

Subpart C—Applications for Adjustment

§ 300.9 Right to apply for adjustment. Unless otherwise provided, any person subject to a ceiling price regulation who seeks adjustment under an ad-
justment provision thereof, shall make application therefor pursuant to the provisions of this subpart.

§ 300.10 Place of filing. All applica-
tions shall be filed with the Economic Stabilization Administrator, Washington 25, D. C.

§ 300.11 Form of application. (a) Applications for adjustment shall be filed upon such forms as the Administrator shall from time to time prescribe. If no form has been designated for applica-
tions for the particular type of adjust-
ment sought, the application shall set forth the following:

(1) Name and post office address of the applicant, the nature of his business and the manner in which he is subject to the price regulation in question.

(2) A description of the provision for adjustment pursuant to which the application is filed.

(3) The information, if any, required by the terms of the applicable adjust-
ment provision.

(4) A clear and concise statement of the facts upon which applicant relies to qualify him for adjustment under the applicable adjustment provision, to the extent that such facts are not furnished under subparagraph (3) of this para-
graph.

(5) A statement of the specific adjust-
mint or other relief sought.

(6) Applications for adjustment and all accompanying documents shall be filed in duplicate.

§ 300.12 Applications must be signed. Any application for adjustment filed pur-
SUANT TO THIS SUBPART SHALL BE SIGNED
SUANT TO THIS SUBPART SHALL BE SIGNED

by each individual applicant. A protest may be based only upon evidence of such person personally, or if a partnership by a partner, or if a corpo-
ration or association by a duly authorized officer thereof.

§ 300.13 Joint applications; consoli-
dation. (a) Two or more persons may file a joint application for adjustments, where at least one ground is common to all persons joining therein. A joint application shall be signed by each appli-
cant in accordance with § 300.12 and shall be filed and determined in accordance with the rules governing the filing and determination of applications filed by one person. The Administrator deems it necessary or appropriate for the disposition of joint applications, he may treat joint applications separately or as one, as he deems necessary or appropriate for the disposition of joint applications. Such application may include economic data and other facts of which the Admin-
istrator has official notice.

(b) Whenever the Administrator deems it necessary or appropriate for the disposition of joint applications, he may treat joint applications separately or as one, as he deems necessary or appropriate for the disposition of joint applications. Such application may include economic data and other facts of which the Admin-
istrator has official notice.

§ 300.14 Investigation of application. Upon receipt of an application for ad-
justment, the Administrator may make such investigation as he deems necessary or appropriate for the disposition of the application. Such investigation may include an opportunity to present evidence or argument by each individual applicant.

§ 300.15 Action by the Administrator on applications for adjustment. Within a reasonable time after the filing of an applica-
tion for adjustment, the Adminis-
trator may either

(a) Dismiss any application for ad-
justment which fails substantially to comply with this subpart: or

(b) Grant or deny, in whole or in part, any application for adjustment which is properly presented to him. The applicant shall be informed in writing of the action so taken.

§ 300.16 Protest of denial of applica-
tion. Any applicant whose application for adjustment has been denied in whole or in part by the Administrator may file a protest against such order in accord-
ance with the provisions of Subpart E. The effective date of such order for the purpose of such protest shall be the date on which it was mailed to the applicant. Such protest may be based only upon grounds not included in the application for adjustment.

Subpart D—Petition for Amendment

§ 300.17 Right to file a petition. A petition for amendment may be filed at any time by any person subject to or affected by a provision of a ceiling price regulation. A petition for amendment shall propose an amendment of general applicability and shall be granted or de-

ned solely on the merits of the amend-
ment proposed. The denial of a petition for amendment is not subject to protest or judicial review under the act.

§ 300.18 Time and place for filing peti-
tions; form and contents. A petition for amendment shall be filed with the Economic Stabilization Administrator, Washington 25, D. C. Five copies of the petition and of all accompanying docu-
mets and briefs shall be filed. Each copy shall be printed, typewritten, mimeo-
cgraphed, or prepared by a similar proc-
cess, and shall be plainly legible. Copies shall be double spaced, except that quo-
tations shall be single spaced. Each petition shall contain, upon the first page thereof, the number and the date of issuance of the ceiling price regulation to which the petition relates, and shall be designated "Peti-
tion for Amendment"; shall state the name and address of the petitioner; shall state the manner in which the peti-
tioner is subject to or affected by the provision of the ceiling price regulation involved, and shall include a specific statement of the particular amendment desired and the facts which make that amendment necessary or appropriate. The petition shall be accompanied by statements setting forth the evidence upon which the petitioner relies in his petition.

§ 300.19 Joint petitions for amend-
tment. Two or more persons may file a joint petition for amendment. Joint petitions shall be filed and determined in accordance with the rules governing the filing and determination of applications filed by one person. A joint petition may be filed only where at least one ground is common to all persons joining it. Whenever the Administrator deems it necessary or appropriate for the disposition of joint petitions, he may treat such joint petitions as several and, in any event, he may require the filing of relevant material by each individual.

§ 300.20 Action by the Administrator on petition. In the consideration of any petition for amendment the Admin-
nistrator may afford to the petitioner and to other persons likely to have informa-
tion bearing upon such proposed amend-
ment, or likely to be affected thereby, an opportunity to present evidence or argu-
mation in support of, or in opposition to, such proposed amendment. Whenever necessary or appropriate for the full and expeditious determination of common questions raised by two or more petitions for amendment, the Administrator may consolidate such petitions.

Subpart E—Protests

§ 300.20a Introduction note. Subpart E deals with protests. A protest is the means provided by section 407 (a) of the
act for making formal objections to a regulation or order relating to price controls. Ordinarily, the filing of a protest is also a prerequisite to obtaining judicial review by the Emergency Court of Appeals except for such regulations or orders. The only other method of obtaining judicial review is the filing of a complaint in the Emergency Court of Appeals after obtaining special leave to do so in an enforcement proceeding pursuant to section 407 (e) of the act.

Subpart E also contains provisions for consideration of protests by boards of review in accordance with section 407 (e) of the act. A protestant is entitled to consideration of his objections by a board of review if he files a protest in accordance with the provisions of this subpart, making a specific request for consideration by a board of review in accordance with §300.32 (b).

GENERAL PROVISIONS

§300.21 Right to protest. Any person subject to any provision of a regulation or order relating to price controls may file a protest with the Administrator in the manner set forth in this subpart. A person is, for the purposes of this subpart, subject to a provision of a regulation or order relating to price controls only if such provision prohibits or requires action by him; Provided, however, That a producer of an agricultural commodity shall be considered to be subject to a ceiling price regulation for the purpose of asserting any right created by section 402 (d) (2) of the act for the benefit of producers of such an agricultural commodity. Any protestant not subject to the provision protested, or otherwise not in accordance with this subpart, may be dismissed by the Administrator.

§300.22 Action by representative. Any action taken by the Administrator under §§300.37 and 300.38; and 300.33; as a result of reports filed and studies and investigations made pursuant to section 705 of the act. including facts found by him as a result of reports filed and studies and investigations made pursuant to section 705 of the act.

§300.23 Time and place for filing protests. (a) A protest against a provision of a regulation or order relating to price controls may be filed at any time within six (6) months after the effective date of such regulation or order, or, in the case of new grounds arising after the effective date of such regulation or order, within six (6) months after such new grounds arise. In the latter case, the protest shall state the new grounds which are the basis for the delayed protest, and shall make clear when such new grounds arose and is after the expiration date upon the effective date of the regulation or order protested.

(b) Protests shall be filed with the Enforcement Section, Administrator, Washington 25, D. C., and shall be deemed filed on the date received by the Administrator.

§300.24 Form of protest and number of copies. Every protest shall con-tain upon the first page thereof a heading or title clearly designating it as a protest. The protest shall also contain on the first page thereof the number of the ceiling price regulation, or appropriate identification of such regulation or order, against which the protest is directed. Six copies of the protest and of all accompanying documents and briefs shall be filed with the Administrator under §§300.43; or

§300.25 Assignment of docket number. Upon receipt of a protest it shall be assigned a docket number, of which the protestant shall be notified, and all further papers in the proceedings shall contain on the first page thereof the docket number so assigned and the number of the ceiling price regulation, or appropriate identification of any other regulation or order, being protested.

§300.26 Protest and evidential material: materials. A protest may contain additional objections or to present evidential material from the record of the proceedings in connection with the protest.

§300.27 Joint protests. Two or more persons may file a joint protest. Joint protests shall be filed and determined in accordance with the rules governing the filing and determination of protests filed by one protestant. Joint protests shall be verified in accordance with §300.32 (a) (8) by each protestant. A Joint protest may be filed only where at least one person is common to all persons joining in it. Whenever the Administrator deems it to be necessary or appropriate for the disposition of joint protests, he may treat such joint protests as several, and in any event, he may require the filing of relevant materials by each individual protestant.

§300.28 Consolidation of protests. Whenever necessary or appropriate for the full and expeditious determination of common issues raised by two or more protests the Administrator may consolidate such protests.

§300.29 Amendment of protests and presentation of additional evidence. In general, all of the objections upon which a protestant intends to rely in the protest proceedings must be clearly stated in the protest when it is filed and all of the evidence which the protestant wishes to present in the protest must be filed at the same time. This rule does not apply to evidence not subject to protestant's control, dealt with in §300.31 (b), and the submission of oral testimony dealt with in §300.34. A protestant may, however, be granted permission to amend his protest so as to state additional objections or to present further objection or objection therewith upon a showing of reasonable excuse for failure to present such objections, or evidence, at the time the protest was first filed. The permission will be granted only if, in the discretion of the Administrator, it will not unduly delay the completion of the proceedings on the protest.

§300.30 Action by the Administrator on protest. (a) Within a reasonable time after the filing of any protest in accordance with this subpart, but in no event more than 120 days after such filing, the Administrator shall:

(1) Grant or deny such protest in whole or in part;

(2) Notice such protest for hearing of oral testimony in accordance with §§300.34 or 300.39;

(3) Notice such protest for hearing of oral argument by a board of review in accordance with §300.43; or

(4) Provide an opportunity to present further evidence in connection with such protest. Within a reasonable time after the presentation of such further evidence, the Administrator may notice such protest for hearing of oral testimony in accordance with subparagraph (2) of this paragraph, notice the protest for hearing of oral argument by a board of review in accordance with §300.43; or

§300.31 Basis for determination of protest.—(a) Record of the proceedings. The factual basis upon which a protest is determined is to be found in the record of the proceedings. This record shall contain the following:

(1) The protest and supporting evidential material properly filed with the Administrator, in accordance with §§300.32 and 300.36;

(2) Materials incorporated into the record of the proceedings by the Administrator under §§300.37 and 300.38;

(3) Oral testimony taken in the course of the proceedings in accordance with §§300.34 and 300.39;

(4) All orders and opinions issued in the course of the proceedings;

(b) Records of the Administrator has taken official notice. The record of the proceedings may also include statements of economic data and other facts which the Administrator has taken official notice under section 407 (b) of the act, including facts found by him as a result of reports filed and studies and investigations made pursuant to section 705 of the act.
RULES AND REGULATIONS

Contents of protests and supporting materials

§ 300.32 Contents of protests—(a) What each protest must contain. Every protest shall set forth the following:

(1) The name and the post office address of the protestant, the nature of his business, and the manner in which the protestant is subject to the provision of the regulation or order being protested;

(2) The name and post office address of any person filing the protest on behalf of the protestant and the name and post office address of the person to whom all communications from the Administrator relating to the protest shall be sent;

(3) A complete identification of the provision or provisions protested, citing the specific changes which he seeks to have made in the provision;

(4) Where the protest is filed more than fifteen (15) days after the effective date of a regulation or order, based on new grounds arising after such effective date, the delayed protest shall be justified as provided in § 300.26 (a).

(5) A clear and concise statement of all objections raised by the protestant against the provision or provisions protested, each such objection to be separately stated and numbered;

(6) A clear and concise statement of all facts alleged in support of each objection;

(7) A statement of the relief requested by the protestant, including, if the protestant requests modification of a provision of the regulation or order, the specific changes which he seeks to have made in the provision;

(8) A statement signed and sworn to (or affirmed) before an officer authorized to take oaths either by the protestant personally, or, if a partnership, by a duly authorized officer, that the protestant or the documents filed therewith are prepared in good faith and that the facts alleged are true to the best of his knowledge, information and belief.

The protestant shall specify which of the facts alleged are known to be true and which are alleged on information and belief.

§ 300.34 Receipt of oral testimony. (a) In most cases, evidence in protest proceedings shall be received only in written form. However, the protestant may request the receipt of oral testimony. Such request shall be accompanied by affidavits or other written evidence which shall be served upon the protestant, and the protestant shall have a reasonable opportunity to present evidence in rebuttal thereof.

(b) In the event that a protest has been, or is subsequently, filed to a provision of a ceiling price regulation in support of which a statement has been submitted, the Administrator may include in the record all such statements which will be incorporated in the record.
enable opportunity to present evidence in rebuttal thereof.

§ 300.39 Receipt of oral testimony in support of the regulation. Ordinarily, material in support of the ceiling price regulation, like material in support of protests, will be received in the protest proceeding only in written form. Where, however, the Administrator is satisfied that the receipt of oral testimony is necessary to the fair and expeditious disposition of the protest, he may, on his own motion, direct such testimony to be received. In that event, the oral testimony will be taken in the manner provided in § 300.34.

§ 300.40 Right to consideration by a board of review. Under section 407 (c) of the act, any properly filed protest must, upon the protestant's request, be considered by a board of review before it can be denied in whole or in part. Consideration of the record in a protest proceeding by a board of review is undertaken for the purpose of reconsidering the propriety of the proposed price regulation, or other regulation or order, protested and recommending action relative thereto to the Administrator. A board of review considers the protest on the basis of the record which has been developed in the proceeding. Protestant is accorded an opportunity to present oral argument to a board, upon the basis of the evidence in the record, and guided by the explanatory statement of the issues in the notice of consideration by a board of review. Section 300.32 (b) explains the nature of such a request and states the time within which it must be filed.

§ 300.41 Composition of boards of review. A board of review is composed of one or more officers or employees of the Economic Stabilization Agency designated by the Administrator to review the record of the proceedings on consideration or other regulation or order protested and recommending action to him as to its disposition. The number of members constituting a board will be determined in the light of the scope and complexity of the issues presented. When a board consists of more than one member, ordinarily at least one member shall be selected who has been directly responsible for the formulation or administration of the ceiling price regulation protested. The protestant will be advised of the membership of a board considering his protest, and, if the board consists of more than one member, of the member selected to preside, in the notice of consideration by a board provided for in § 300.43. When necessitated by incapacity of one or other good cause, the Administrator may make substitutions in the membership of the board as originally constituted.

§ 300.42 Where boards of review hear oral argument. A board of review consisting of more than one member will ordinarily hear oral argument at the office of the Economic Stabilization Administerator, Washington, D.C., and only in exceptional cases and for good cause shown will the full board hold hearings elsewhere. A board consisting of only one member may hold oral argument at any designated place. Where the protestant has requested that oral argument be heard at some other place than Washington, D.C., and where the board consists of more than one member, a subcommittee thereof may be designated to hear argument at the place requested or at some other convenient place.

§ 300.43 Notice of consideration by a board of review. Before denial of any protest in whole or in part in which the protestant has requested consideration by a board of review in accordance with § 300.32 (b) which has not subsequently been waived by the protestant, notice of consideration by a board of review will be sent by registered mail to the protestant. Sending of notice marks a close of the record for purposes of a protest proceeding. The notice will indicate the issues thought to be determinative of the case which may serve as a guide to the protestant and his argument.

The notice of consideration shall contain, or be accompanied by, the following items, as nearly as the circumstances permit:

(a) Information identifying the protest, including the ceiling price regulation or other regulation or order being protested and the docket number.

(b) A list of items comprising the record of the proceeding:

(c) A brief statement of the issues involved;

(d) A statement of the time (which shall not be less than seven (7) days from the date of the mailing of the notice) and place where a board of review or a subcommittee thereof will hear oral argument.

(e) A list of persons comprising the board of review.

§ 300.44 Waiver of right to consideration in whole or in part. A protestant who has properly requested consideration by a board of review in accordance with § 300.32 (b) may, if he so desires, waive his right to consideration by a board. If he chooses, he may have his protest considered by a board, waiving his right to oral argument before a board. Such waiver shall be in writing and shall constitute a part of the record of proceedings on the protest. Failure of a protestant to appear at a hearing of oral argument, which he has not waived in accordance with the foregoing, at the time and place specified in the notice of consideration, shall, unless a reasonable excuse is shown, also constitute waiver of his right to consideration by a board. Unexcused failure to appear at a hearing of oral argument shall be noted in the record of proceedings. A waiver by less than all of a group of joint protestants shall not affect the rights of a protestant who has made no waiver.

§ 300.45 Hearing of oral argument. (a) Argument before a board of review by a protestant shall ordinarily be limited to the basis of the protest.

(b) A stenographic report of all hearings of oral argument by boards of review shall submit its recommendations in writing to the Administrator as to disposition of the protest. The recommendations of a majority of a board shall constitute the recommendations of the board but the disagreement of any member with the recommendations shall be expressly noted. A board or subcommittee may refer the record of the proceedings to the Administrator in order that the Administrator may consider permitting the amendment of the protest or the receipt of additional evidence. Records will, however, be reopened only in exceptional circumstances and where the requirements of § 300.26 can be met.

§ 300.46 Action by boards of review at the conclusion of their consideration of a protest. Within a reasonable time after the hearing of oral argument or after the closing of the record, if such argument has been waived, a board of review shall submit its recommendations in writing to the Administrator as to disposition of the protest. The recommendations of a majority of a board shall constitute the recommendations of the board but the disagreement of any member with the recommendations shall be expressly noted. A board or subcommittee may authorize to recommend to the Administrator that the protest be granted or denied in whole or in part. If it is the opinion of the board that the record in the proceeding should be expanded, it may refer the record of the proceeding to the Administrator in order that the Administrator may consider permitting the amendment of the protest or the receipt of additional evidence. Records will, however, be reopened only in exceptional circumstances and where the requirements of § 300.26 can be met.

§ 300.47 Action by Administrator and provision of reports and recommendations. After receipt of a board of review's recommendations as to the disposition of the protest, the Administrator shall, within a reasonable time, grant or deny the protest in whole or in part.

§ 300.48 Order granting protest in whole. Where the Administrator grants a protest in whole, a copy of the order...
shall be sent to the protestant by registered mail. If the protest has been considered by a board of review, the protestant will be advised by the board of the decision of the board in an appendix to the Administrator's order.

§ 300.49 Opinion denying protest in whole or in part. In the event that the Administrator denies any protest in whole or in part, a copy of the Administrator's decision shall be sent to the protestant by registered mail. In such opinion the protestant shall be informed of the reasons or other facts of which the Administrator has taken official notice, the grounds upon which such decision is based, and (if the protest has been considered by a board of review) the recommendations of a board of review and, if any recommendation of such a board has been rejected, the reason for rejection.

§ 300.50 Treatment of protest as petition for amendment or an application for adjustment. Any protest filed against a regulation or order of the Administrator, or other regulation or order, may, in the discretion of the Administrator, be treated not only as a protest but also as a petition for amendment of the regulation or order protested or as an application for adjustment pursuant thereto, when the facts produced in connection with the protest justify such treatment.

§ 300.51 Petitions for reconsideration. An order denying a protest may include leave to file a petition for reconsideration within a specified period. If the order of denial does include leave to file a petition for reconsideration, the filing of such a petition within the time provided shall automatically vacate the order of denial and reopen the protest proceeding.

SUBPART C—MISCELLANEOUS PROVISIONS

§ 300.52 Who may render official interpretations, and the effect thereof.
(a) Action taken in reliance upon and in conformity with an official interpretation of a provision of any regulation or order relating to price controls will be regarded by the Economic Stabilization Agency as official only where issued by the Administrator, and shall be given only in writing. An official interpretation shall be applicable only with respect to the particular person to whom, and to the particular factual situation with respect to which, it is rendered, unless publicly announced as an interpretation of general application.

(b) Interpretations of regulations or orders relating to price controls will be regarded by the Economic Stabilization Agency as official only where issued by the Administrator, and shall be given only in writing. An official interpretation shall be applicable only with respect to the particular person to whom, and to the particular factual situation with respect to which, it is rendered, unless publicly announced as an interpretation of general application.

§ 300.53 Requests for interpretations: form and contents. Any person desiring an official interpretation of a regulation or order relating to price controls may request it in writing to the Administrator. Such request shall set forth in full the factual situation out of which the interpretative question arises and shall, so far as is practicable, state the names and post office addresses of the persons involved. If the interpretation relates to price controls located in more than one state, the request shall name the states in which the establishments are located.

No interpretation shall be requested or given with respect to any hypothetical situation or in response to any hypothetical question.

§ 300.54 Revocation or modification of interpretation. Any official interpretation of a regulation or order relating to price controls may be revoked or modified by publicly announced statement by the Administrator, or by a statement or notice by the Administrator published in the Federal Register. An official interpretation addressed to a particular person may also be revoked or modified at any time by a statement in writing mailed to such person and signed by the Administrator.

SUBPART F—INTERPRETATIONS

§ 300.55 Witness fees. Witnesses summoned to give testimony shall be paid the fees and mileage specified by section 705 (c) of the act. Witness fees and mileage shall be paid by the person at whose instance the witness appears.

§ 300.56 Contemptuous conduct. Contemptuous conduct at any hearing shall be ground for exclusion from the hearing.

§ 300.57 Continuance or adjournment of hearings. Any hearing may be continued or adjourned to a later date or different place by announcement at the hearing by the person who presides.

§ 300.58 Subpoenas. Subpoenas may require the production of documents or the attendance of witnesses at any designated place. Service of a subpoena upon a person named therein shall be made by serving a copy of the same upon such person or leaving a copy at his regular place of business or abode and by tendering to him the fees and mileage specified by section 705 of the act. When the subpoena is issued at the instance of the Administrator, fees and mileage need not be tendered. Any person 18 years of age or over may serve a subpoena. The person making the service shall make an affidavit thereof describing the manner in which service is made, and return such affidavit on or before returning the subpena to the Administrator. In case of failure to make service, the reasons for the failure should be stated on the original subpoena.

§ 300.59 Service of papers. Notices, telegraph orders and other process and papers may personally be served by leaving a copy thereof at the principal office or place of business of the person to be served; or by registered mail, or by telegraph. When service is made personally or by registered mail or by telegraph, the return post office receipt or telegraph receipt shall be proof of service. Where the protestant has filed a power of attorney authorizing any other person to represent him as provided in § 300.22, service upon such representative shall be deemed service upon the protestant.

§ 300.60 Office hours. The office of the Economic Stabilization Administrator, Washington, D.C., shall be open on working days, from 8:30 a.m. until 5:30 p.m. Any person desiring to file any papers, or to inspect any documents filed with the Administrator at any time other than during regular office hours, may file a written application with the Administrator requesting permission therefor.

§ 300.61 Confidential information; inspection of documents filed with the Administrator. Information obtained under section 705 of the act, which the Administrator deems confidential or with reference to which a request for confidential treatment is made, shall not be published or disclosed unless the Administrator determines that the withholding thereof is contrary to the interest of the national defense: Provided, however, That all protests and orders and opinions in connection therewith are open to inspection in the office of the Administrator, unless reasonable conditions as he may prescribe. Information submitted in a protest proceeding with a request for confidential treatment, and other confidential information furnished by the Administrator in a protest proceeding, shall be treated as confidential to the extent consistent with the proper conduct of the protest proceeding. In the event of a complaint being filed in the Emergency Court of Appeals, such information and such material will be included in the transcript of the protest proceeding to the extent that such material under the complaint. All letters denying petitions for amendment and all orders and opinions granting or denying amendments or orders for adjustment are open to inspection in the office of the Administrator, upon such reasonable conditions as he may prescribe. To the extent that this section provides for the disclosure of confidential information, it shall be deemed a determination by the Administrator, pursuant to section 705 (e) of the Defense Production Act of 1950, that the withholding of such information is contrary to the interest of the national defense.

§ 300.52 Definitions. As used in this part, unless the context otherwise requires, the term:
(a) "Act" means the Defense Production Act of 1950 (Pub. Law 77, 81st Cong.)
(b) "Administrator" means the "Federal Register" means the publication provided for by the act of July 26, 1933 (48 Stat. 500), as amended.
(c) "Ceiling price regulation" means a regulation or order establishing a ceiling on prices.
(d) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of the foregoing, and includes the United
Act of 1950 (Public Law 774, 81st Cong.) provided in this Ceiling Price Regulation, and after consultation with the Director of Price Stabilization, it is hereby ordered that such amendment or revocation shall be published in the Federal Register and shall take effect upon the date of its publication, unless otherwise specified therein.

This Price Procedural Regulation 1 (Part 300) shall become effective on December 18, 1950.

ALAN VALENTINE, Economic Stabilization Administrator.

[F. R. Doc. 50-12013; Filed, Dec. 18, 1950; 8:45 a.m.]

[Ceiling Price Reg. 1]

PART 311—NEW PASSENGER AUTOMOBILES

Pursuant to the Defense Production Act of 1950 (Pub. L. 774, 81st Cong.) and Executive Order 10181 (15 F. R. 6105), and after consultation with the Director of Price Stabilization, it is hereby ordered that such amendments to the sale of new passenger automobiles by manufacturers shall be effective as provided in this Ceiling Price Regulation 1.

Statement of Considerations

The menace of inflation. Prior to the outbreak in Korea, the American economy was operating on a relatively stable basis. The outbreak in Korea created an inflationary climate. The need to embark on a vastly increased defense program generated fears of general shortages and led to a heavy buying wave by both consumers and business. Under the pressure of these factors, the country has been beset by a continuing spiral in prices and wages. Well in advance of the actual large-scale impact of the expanded defense program, the usual phenomena of inflation have appeared: the scramble for goods, the rise in general price level, increased profits, wages and other incomes, a growing gap between the available supply of goods and the level of demand, and further waves of price and wage increases. Following the large-scale Chinese intervention, price increases have begun to accelerate. Moreover, the expanded defense program is now getting into high gear thus generating new inflationary pressures.

The outlook for the next several years foreshadows a high degree of inflationary pressure. The Federal budget will be expanded rapidly. The disposable income of the public, already at an all-time high, will increase rapidly as hours of work are lengthened and the labor force is expanded. Shifting many billions of dollars of resources to defense production will mean taking them largely from civilian uses, particularly in the durable goods area.

We are thus faced with the probability that we cannot expand the overall supply of consumer goods for the next few years and, indeed, in many important areas must substantially reduce their supply. At the same time, income in the hands of the public will continue to grow. Thus, the situation will be one of a growing gap between the supply of consumer goods and the demand for such goods. This spells increasing inflationary pressure.

To permit this upward spiral to continue would create havoc on the economic front. At a time when we are mobilizing our military strength against the threat of foreign aggression, we cannot afford to let the strength of our home front be sapped by the danger of inflation from its own way as it is a deadly threat as the threat of foreign aggression. It is a threat to our free enterprise system. Inflation destroys the values that underpin the incentive to save. It creates a mad scramble for goods. It causes a fiercely competitive race between prices and wages in which millions of people are the losers because their incomes do not keep pace with rising prices. It foments social and class strife. It adds hugely to the cost of the defense program and to the tax burden.

Congress recognized this danger when it passed the Defense Production Act of 1950 granting authority to take action when necessary to control prices and stabilize wages. In recognition of this danger, the President has repeatedly urged business, labor, farmers and consumers to exercise restraint in their buying and selling. In addition, the Government has acted to reduce the level of demand by increasing taxes, by imposing selective credit restrictions, and by controlling the flow of foreign and essential materials. In spite of all these measures, prices and wages have continued to rise. More direct action is now necessary.

The objective of stabilization. It is the firm policy of the Economic Stabilization Administrator to move as rapidly as possible to achieve stability and a firm balance between prices and wages which can be held for the duration. This will necessitate the imposition of controls wherever necessary to achieve this purpose. We cannot afford any longer to permit the upward spiral of prices and wages.

The automobile industry. At the first step in accomplishing the national stabilization program, the Economic Stabilization Agency is imposing a temporary freeze of the prices charged by manufacturers of new passenger automobiles. The Economic Stabilization Agency is imposing a temporary freeze of the prices charged by manufacturers of new passenger automobiles.

The automobile industry generally sells new passenger automobiles through dealers to consumers at retail prices suggested by the manufacturer plus transport, handling, and other charges largely shaped by the availability of cheap and efficient automobile transportation. Automobiles represent one of the most important single items purchased by the American public, having a relative importance of 2% percent in the Bureau of Labor Statistics Consumer's Price Index.

Thus far in 1950, the industry has produced over six million automobiles, the highest level of automobile production in the history of the industry. There are ten major manufacturers of automobiles in the United States. Over 85 percent of the automobiles produced thus far in 1950 have been made by three firms: General Motors Corporation, Ford Motor Company and Chrysler Corporation.

In May and June of 1950, wholesale prices of new automobiles were stable at levels which permitted the industry to earn what were up to that point record levels of profits. Since the outbreak in Korea and prior to the recent action of the largest manufacturers, the industry saw some price increases affecting a small part of the total output. Early in December 1950, the Ford Motor Company and General Motors Corporation announced price increases on their 1951 models ranging from 5 percent and up. On December 7, the Economic Stabilization Administrator requested these two companies to rescind their December increases. The companies have refused to do so. The Chrysler Corporation has refused to agree not to increase prices for its 1951 models, and has since announced substantial price increases. With few exceptions, the other companies also refused the request not to increase prices.

The automobile manufacturers defend these price increases on the ground that they have experienced increases in wage and in prices of raw materials. The Economic Stabilization Administrator has requested these companies to rescind these price increases in the light of the overall position of the industry. If the purpose of his request was to allow enough time until a comprehensive analysis could be made of the effects of the change in the overall position of the firms. This was an eminently reasonable request to make since currently available data shows that profits for the industry have been running at an all-time high. Profits for the third quarter of 1950 are higher than in any previous period even though many of the cost increases referred to by the companies are already absorbed by these companies.

The purpose of this temporary freeze on automobile prices is to make such an analysis and to ascertain whether, in fact, cost increases actually incurred require price increases in the light of the overall position of the industry. If the analysis should show this to be the case, the Economic Stabilization Agency is ready to make such changes in the ceiling prices as appear necessary. In the meantime, the level of profits in the industry warrants the conclusion that production will not be impeded by this regulation.

The automobile industry generally sells new passenger automobiles through dealers to consumers at retail prices suggested by the manufacturer plus transport, handling, and other charges.
and excise taxes. Margins for distributors and dealers are generally determined by the discounts which manufacturers apply to the suggested retail prices when they sell to wholesalers, and to dealers. Similar discounts are given to certain classes of purchasers such as government agencies and fleet purchasers. Thus, establishing ceiling prices to be charged by manufacturers should help in stabilizing dealers' prices to consumers. If it does not, consideration will be given to establishing ceiling prices for dealers.

Upon the basis of these facts and circumstances and other economic data, the Administrator finds that: (1) manufacturers' prices for passenger automobiles have risen and threaten to rise unreasonably above the prices prevailing during the period from May 24, 1950, to June 24, 1950; (2) such price increases will materially affect the production of the national defense (3) the imposition of the ceiling prices established by this regulation is necessary to effectuate the purposes of the Defense Production Act of 1950; (4) it is practicable and feasible to establish ceiling prices for manufacturers' sales of new automobiles; (5) such ceilings will be generally fair and equitable to sellers and buyers of new passenger automobiles and to buyers and sellers of related and competitive materials and services; and (6) the issuance of the regulation will help to effectuate the purposes of the National Defense Production Act of 1950.

In formulating this regulation the Administrator consulted with representatives of the industry to the extent practicable under the circumstances, and has given consideration to their recommendations.

Prior to the issuance of this regulation controlling manufacturers' prices of new automobiles, the ESA took steps to the end that wages shall be stabilized as nearly as practicable, whereupon the provisions of section 402 (b) (3) of the National Defense Production Act of 1950 which states that "Whenever a ceiling has been imposed with respect to a particular service and any employee shall stabilize wages, salaries, and other compensation in the industry or business producing the material or performing the service." To this end, there have been discussions and further conferences are planned with representatives of the labor groups affected to consult with them concerning the stabilization of wages in this industry.

What this regulation does. This regulation, ESA Ceiling Price Regulation No. 1, freezes the manufacturers' ceiling price for new passenger automobiles for a period ending March 1, 1951 unless otherwise modified, amended or extended prior to that date. Under the regulation, the ceiling price for the sale or delivery of a new automobile is established by the manufacturer is established as the net price (f. o. b. factory) charged by the manufacturer to the same class of purchasers as government agencies and fleet purchasers, for a period ending March 1, 1951, unless otherwise modified, amended or extended prior to that date. Under the regulation, the ceiling price for the sale or delivery of a new automobile is established by the manufacturer is established as the net price (f. o. b. factory) charged by the manufacturer to the same class of purchasers as government agencies and fleet purchasers. The provisions of this regulation and their effect upon business practices, cost practices, or methods, or means or aids to distribution in the industry have been carefully considered and it is believed that no changes in such practices or methods have been effected. To the extent, however, that the provisions of this regulation may operate to compel changes in such practices or methods, such provisions are necessary to prevent circumvention or evasion of the regulation and to effectuate the policies of the act.

sec. 311.1 Applicability of part.
311.2 Definitions.
311.3 Prohibition against selling or delivering new passenger automobiles at prices above the ceiling.
311.4 Ceiling prices.
311.5 Less than ceiling prices.
311.6 Evasion.
311.7 Reporting, invoicing and record-keeping requirements.
311.8 Petitions for amendment.

Authority: 4811.1 to 311.8 issued under sec. 706, Pub. L., 74, 71st Cong.-Interpret or apply E. O. 10161, Sept. 9, 1950, 15 F. R. 6105.

§311.1 Applicability of part. This part establishes ceiling prices for manufacturers' sales or deliveries of new passenger automobiles (herein referred to as "new automobiles") of the United States, the District of Columbia, and the Territories and possessions of the United States. It is also applicable to all sales or deliveries by manufacturers for export.

§311.2 Definitions. When used in this part, the term:
(a) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.
(b) "Manufacturer" means any person who produces any automobile or any person who sells any automobile under his own brand or trade name.
(c) "New passenger automobile" or "new automobile" means any automobile (designed primarily for the carriage of passengers, whether intended for private, commercial or other use), including its standard equipment, manufactured in the United States and having seating capacity of less than 11 persons.
(d) A model shall be deemed to be a "counterpart" of a new model if it is replaced in the manufacturer's line by the model. For example, a 1950 standard two-door sedan with standard equipment would be the counterpart of a 1951 standard two-door sedan of the same make, similarly equipped. On the other hand, a hard top convertible in the 1951 line would not find its counterpart in a 1950 soft top convertible.
(e) "Some class of purchasers" refers to the practices of a manufacturer in setting different prices for new passenger automobiles sold to different purchasers or kinds of purchasers (for example, Government agencies, public institutions, wholesalers, retail dealers), or for pur-
changers located in different areas, or for different quantities, or under different conditions of sale.

§ 311.3 Prohibition against selling or delivering new passenger automobiles at prices above the ceiling. On and after the 18th day of December 1950, regardless of any contract or other obligation:

(a) No manufacturer shall sell or deliver any new automobile at a price higher than the ceiling price established by this part;

(b) No person, in the regular course of business or trade, shall buy or receive any new automobile from a manufacturer at a price higher than the ceiling price established by this part;

(c) No person shall agree, offer, solicit, or attempt to do anything prohibited in paragraphs (a) and (b) of this section.

§ 311.4 Ceiling prices. (a) The ceiling price for the sale or delivery of new automobiles by a manufacturer shall be the net price (f. o. b. factory) charged by the manufacturer to the same class of purchaser on December 1, 1950, or to the counterpart model in the previous line. Whenever the manufacturer had a suggested retail price (f. o. b. factory) on December 1, 1950, his net price (f. o. b. factory) shall be determined by reducing such suggested retail price in effect on that date for the same make and model, or, if the manufacturer has brought out a new line since December 1, 1950, or brings out a new line hereafter, the net price (f. o. b. factory) charged by the manufacturer to the same class of purchaser on that date for the counterpart model in the previous line. Whenever the manufacturer had a suggested retail price (f. o. b. factory) on December 1, 1950, his net price (f. o. b. factory) shall be determined by reducing such suggested retail price in effect on that date for the same make and model, by the discounts in effect on that date for the same class of purchaser to whom the sale or delivery is to be made.

(b) (1) The ceiling price established by paragraph (a) of this section shall include all equipment that was standard for each such make and model on December 1, 1950, or the amounts to be charged by the manufacturer's standard charge to the same class of purchaser for such equipment on December 1, 1950.

(2) If a new automobile is sold with equipment additional to that which was standard on December 1, 1950, the ceiling price shall be increased by the manufacturer's standard charge to the same class of purchaser on December 1, 1950, for the same equipment, or if he did not offer the same equipment for sale, for the corresponding equipment offered for sale on that date; Provided, however, That it shall be a violation of this part for a manufacturer in any manner to require any purchaser of a new automobile, as a condition of the sale or delivery, to purchase any equipment which was not standard equipment for the same or counterpart make and model on December 1, 1950.

(c) In addition to the ceiling prices established by paragraphs (a) and (b) of this section, the manufacturer may make separate charges for transportation, Federal excise taxes, and handling and delivery, or other charges, in accordance with his normal practice on December 1, 1950, or if the manufacturer shall change the practices which he followed on December 1, 1950, with respect to the handling of transportation charges, finance charges, or other charges incident to the sale or delivery of a new automobile, where the effect of such change would be to increase the cost to the purchaser.

§ 311.5 Less than ceiling prices. Lower prices than those set forth in this part may be charged, demanded, paid, or offered.

§ 311.6 Evasion. It shall be a violation of this part to charge a price above the applicable ceiling price in connection with the sale or delivery of a new automobile either alone or in conjunction with any other material or service or by way of any commission, discount, service, transportation or other charge, or by tie-in agreement or other transacting, reducing such suggested retail price in effect on that date for the same make and model, by the discounts in effect on that date for the same class of purchaser to whom the sale or delivery is to be made.

§ 311.7 Reporting, invoicing and record-keeping requirements.—(a) Report. Each manufacturer of new automobiles shall file with the Economic Stabilization Administrator a report containing a description of each model and equipment or counterpart model of each make of new automobile on December 1, 1950, and the ceiling prices to each class of purchaser for such model and equipment as determined in § 311.4.

(2) If the manufacturer has brought out a new line since December 1, 1950, or brings out a new line hereafter, the report shall include a description of the new and counterpart models and the new and corresponding equipment, their list prices and the discounts which he had in effect on the effective date of such model and equipment, and a description of each such class of purchasers.

(3) This report shall be filed not later than 10 days after the date of the first sale of each model and equipment or, if after the effective date of this part, whichever date is later.

(4) Each report shall state with respect to each model and equipment the amounts of such equipment for handling and delivering operations and any other charges incidental to the sale or delivery of a new automobile, together with the amounts of such charges made by the manufacturer on December 1, 1950.

(b) Invoicing. Each manufacturer of new automobiles shall furnish to each person to whom he sells a new automobile an invoice stating the ceiling price established by this part separately from any other charge.

(c) Records. Each manufacturer of new automobiles shall preserve and keep available for inspection by the Economic Stabilization Administrator all records necessary to substantiate ceiling prices established under this part.

§ 311.8 Petitions for amendment. Any person seeking an amendment of any provision of this part may file a petition for amendment in accordance with Price Procedural Regulation 1 issued by the Economic Stabilization Administrator (Part 300 of this chapter).

This regulation shall be effective immediately for a period ending March 1, 1951, provided, however, that it may be modified, amended or extended prior to the expiration of such period.

Note: All record keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

ALAN VALENTINE,
Economic Stabilization Administrator.
December 18, 1950.

[F. R. Doc. 50-12014; Filed, Dec. 18, 1950; 8:45 a.m.]

Chapter IX—Under Secretary for Transportation, Department of Commerce

[Transportation Order T-1]

PART 1101—Shipping Restrictions; Sub-Group A, Hong Kong and Macao

EDITORIAL NOTE: Part 1101 appearing at 15 F. R. 8777 has been redesignated Part 1301 of this chapter and §§ 1101.1 to 1101.6 have been redesignated §§ 1301.1 to 1301.6 of this part. The subject heading of this part has been changed to read “Shipping Restrictions; Sub-Group A, Hong Kong and Macao.”

[Transportation Order T-2]

PART 1302—Shipping Restrictions; Communist China

This order is found necessary and appropriate to promote the national defense and is issued pursuant to the authority granted by section 101 of the Defense Production Act of 1950. Consultation with industry in advance of the issuance of this order has been considered impracticable by the need for immediate issuance.

Sec. 1302.1 Prohibition of movement of American-owned motor vehicles to Communist China.

1302.2 Prohibition on transportation of goods destined for Communist China.

1302.3 Persons affected.

1302.4 Reports.

1302.5 Records.
§1302.1 Prohibition of movement of American carriers to Communist China. No person shall sail, fly, navigate, or otherwise take any ship documented under the laws of the United States or any aircraft registered under the laws of the United States or any aircraft registered under the laws of the United States or any aircraft registered under the laws of the United States any material, commodity, or cargo of any kind if he knows or has reason to believe that the material, commodity, or cargo is destined, directly or indirectly, for Communist China. No person shall discharge from any ship documented under the laws of the United States or from any aircraft registered under the laws of the United States at any place other than the port where the cargo was loaded, or within territory under the jurisdiction of the United States, or in Japan, any material, commodity, or cargo of any kind which he knows or has reason to believe is destined for Communist China.

§1302.2 Persons affected. The prohibitions of this part apply to any person, including the master of the ship or aircraft, to the master of the ship or aircraft, and to any other officer, employee, or agent of the owner of the ship or aircraft or any other person who participates in the prohibited activities.

§1302.3 Reports. The owner of any ship documented under the laws of the United States or any aircraft registered under the laws of the United States which is making a voyage to Communist China at the time this part is issued, shall report this fact promptly to the Under Secretary for Transportation, Department of Commerce, pursuant to delegation previously made to him (15 F. R. 9739). This part shall take effect immediately, subject to section 7 of the Federal Register Act (49 Stat. 562, 44 U.S.C. sec. 397).

Note: The reporting requirements of this part have been approved by the Bureau of the Budget under the Federal Reports Act.

CHARLES C. W. SAWYER, Secretary of Commerce.

December 19, 1950.

[49 U.S.C. 357. Interprets or applies sec. 8, 11:01 a.m.]

TITLE 43—PUBLIC LANDS: INTERIOR

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

PART 67—INDEIANS AND ESKIMOS

POSSESORY CLAIMS TO LANDS AND WATERS OCCUPIED BY NATIVES OF ALASKA

Section 67.18a (a) is amended to read as follows:

§67.18a Rules of practice for hearings upon possessor claims to lands and waters used and occupied by natives of Alaska. (a) Petitions of native groups of Alaska concerning possessor claims to lands and waters based upon any of the foregoing statutes or upon use or occupancy maintained from aboriginal times to the present day, but not evidenced by formal patent, deed or Executive order, shall be filed with the Secretary of the Interior on or before December 31, 1952. No petition filed thereafter will be considered by the Department. A copy of any such petition shall be forthwith transmitted to the Commissioner of Indian Affairs and the Director of the Bureau of Land Management for preliminary investigations and reports, and such reports shall be made a part of the record at the hearing.
TITLE 46—SHIPPING
Chapter II—Federal Maritime Board, Maritime Administration, Department of Commerce
Subchapter C—Regulations Affecting Subsidized Vessels and Operators
[Gen. Order 73]
PART 277—DOMESTIC AND FOREIGN TRADE—INTERPRETATIONS
GUAM, MIDWAY AND WAKE
Whereas the Maritime Administrator on November 21, 1950, published in the Federal Register, (16 F. R. 7932) notice of a proposed rule relative to the status of Guam, Midway and Wake under section 805 (a), Merchant Marine Act, 1936; and
Whereas by said notice, interested persons were afforded opportunity to comment on the proposed rule on or before December 4, 1950; and
Whereas no objections to the proposed rule have been received by the Administrator,
Now, therefore, it is hereby ordered that the aforesaid proposed rule be and it is hereby adopted, as follows:
§ 277.1 Guam, Midway and Wake. Steamship service between ports of the United States mainland and ports in the islands of Guam, Midway and Wake is not “domestic intercoastal or coastwise service” within the meaning of section 805 (a) of the Merchant Marine Act, 1936. This interpretation is limited to Guam, Midway and Wake and does not extend the meaning of the words “applications which seek daytime or limited time operation” on United States I-A or I-B frequencies; and
It further appearing, that a certain confusion has arisen concerning the intended meaning of the words “applications which seek daytime or limited time operation”; and that the Commission’s past actions in interpreting and applying the policy announced in the said notice of proposed rule making may have been in certain respects inconsistent; and that therefore clarification and modification of that policy is necessary and desirable; and
It further appearing, that the purpose of said policy is to avoid the making of new daytime or limited time assignments on the clear channels which may not conform to the rules and regulations and Standards of Good Engineering Practice which may be adopted as a result of the Commission’s past actions; and
That, effective imme-
FEDERAL REGISTER
Tuesday, December 19, 1950
skywave transmissions of standard broadcast stations; and § 3.37(1) of its rules and regulations relating to the acceptance of applications; and
It is ordered, as to the said notice of proposed rule making the Commission announced that pending a decision in that proceeding “the Commission will defer action on all pending applications which seek daytime or limited time operation on United States I-A or I-B frequencies”; and
It further appearing, that a certain confusion has arisen concerning the intended meaning of the words “applications which seek daytime or limited time operation”; and that the Commission’s past actions in interpreting and applying the policy announced in the said notice of proposed rule making may have been in certain respects inconsistent; and that therefore clarification and modification of that policy is necessary and desirable; and
It further appearing, that the purpose of said policy is to avoid the making of new daytime or limited time assignments on the clear channels which may not conform to the rules and regulations and Standards of Good Engineering Practice which may be adopted as a result of the Commission’s past actions; and
That, effective imme-

TITLE 47—TELECOMMUNICATIONS
Chapter I—Federal Communications Commission
[Docket No. 8333]
PART 1—PRACTICE AND PROCEDURE
DAYTIME SKYWAVE TRANSMISSIONS OF STANDARD BROADCAST STATIONS AND ACCEPTANCE OF APPLICATIONS
At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 4th day of December, 1950.
The Commission having under consideration a notice of proposed rule making, adopted May 8, 1947, initiating a proceeding (Docket No. 8333) looking toward the promulgation of rules and regulations and Standards of Good Engineering Practice concerning daytime skycwave transmissions of standard broadcast stations; and § 3.37(1) of its rules and regulations relating to the acceptance of applications; and
It is ordered, as to the said notice of proposed rule making the Commission announced that pending a decision in that proceeding “the Commission will defer action on all pending applications which seek daytime or limited time operation on United States I-A or I-B frequencies”; and
It further appearing, that a certain confusion has arisen concerning the intended meaning of the words “applications which seek daytime or limited time operation”; and that the Commission’s past actions in interpreting and applying the policy announced in the said notice of proposed rule making may have been in certain respects inconsistent; and that therefore clarification and modification of that policy is necessary and desirable; and
It further appearing, that the purpose of said policy is to avoid the making of new daytime or limited time assignments on the clear channels which may not conform to the rules and regulations and Standards of Good Engineering Practice which may be adopted as a result of the Commission’s past actions; and
That, effective imme-

TITLE 49—TRANSPORTATION
Chapter I— Interstate Commerce Commission
PART 95—CAR SERVICE
SATURDAYS AND SUNDAYS TO BE INCLUDED IN COMPUTING DEMURRAGE ON ALL FREIGHT CARS
At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 4th day of December, 1950, and a copy be served upon the Secretary of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 4th day of December, 1950.
Upon further consideration of Service Order No. 950 (15 F. R. 5049, 5050), and good cause appearing therefor: It is ordered, that:
Section 39,956 Saturdays and Sundays to be included in computing demurrage on all freight cars of Service Order 956 be and it is hereby suspended until 7:00 a. m., April 1, 1951, only to the extent it applies to the free time on cars loaded with import, coastwise or intercoastal traffic at ports, and to the free time on unloading box cars containing export, coastwise or intercoastal traffic at ports, It is further ordered, that this amendment shall become effective at 7:00 a. m., December 15, 1950, and a copy be served upon the State railroad regulatory bodies of each State, and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of this agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C.,
RULES AND REGULATIONS

(d) Regulations suspended; announcement required. The operation of all rules and regulations insofar as they conflict with the provisions of this section is hereby suspended and each railroad subject to this section, or its agent, shall publish, file and post a supplement to each of its tariffs affected hereby, in substantial accordance with the provisions of Rule 9 (k) of the Commission's Tariff Circular No. 20 (§ 141.9 (k) of this chapter), announcing such suspension.

(e) Effective date. This section shall become effective at 7:00 a.m., December 15, 1950, and the provisions of this section shall apply to all cars on which the free time provided herein has not expired on the effective date and hour herein stated.

(f) Expiration date. This section shall expire at 7:00 a.m., April 1, 1951, unless otherwise modified, changed, suspended or annulled by order of this Commission.

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

By the Commission, Division 3.

[SEAL]  
W. P. Bartel,  
Secretary.

[FR Doc. 50-11824; Filed, Dec. 18, 1950; 8:47 a.m.]

[CRT. S. O. 870]  
PART 95—CAR SERVICE

FREE TIME ON FREIGHT CARS LOADED AT PORTS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 12th day of December A. D. 1950.

It appearing, that there is a critical shortage of freight cars, that freight cars are being delayed unduly in loading at ports, and that free time published in tariffs for loading such cars aggravates the shortage, impeding the use, control, supply, movement, distribution, exchange, interchange, and return of such cars; in the opinion of the Commission an emergency exists at all ports of the country requiring immediate action to promote the National Defense and car service in the interest of the public and the commerce of the people; it is ordered, that:

§ 95.870 Free time on freight cars loaded at ports. (a) No common carrier or carriers by railroad subject to the Interstate Commerce Act shall allow, grant or permit more than a combined total of 5 days free time on any freight car held for loading at the point of transshipment from vessel to storage or storage to vessel or when held out of such transfer point prior to the receipt of proper instructions to load such car or when held for loading at the point of transshipment from vessel or storage to car or when held out of such transfer point or when held for loading at the point of transshipment from vessel or storage to car and service in the interest of the public and the commerce of the people; it is ordered, that:

§ 95.871 Free time on unloading box cars at ports. (a) No common carrier or carriers by railroad subject to the Interstate Commerce Act shall allow, grant or permit more than a combined total of 7 days free time on any box car held for unloading at the point of transfer from car to vessel or storage or when held short of such transfer point prior to the time specified therein stated. The free time provided herein shall not be construed to require or permit the increase of any free time published in tariffs lawfully on file with this Commission and in effect on the effective date of this section.

(b) Computation of free time. (1) All Saturdays, Sundays and the holidays listed in Item 7 of Agent Jones' Demurrage Tariff 4-2, ICC No. 4257 and subsequent issues thereof shall be excluded in computing the free time provided in this section. (2) The free time provided in paragraph (a) of this section shall not be offset by credits earned under any average detention basis for settlement thereof.

(c) Definition of box cars. The term "box car" as used herein means freight equipment having a mechanical designation in the Official Railway Equipment Register prefixed by "X" or "V".

(d) Application. The provisions of this section shall apply to intrastate, interstate and foreign commerce, including commerce with insular possessions and the territories of Alaska and Hawaii.

(e) Regulations suspended; announcement required. The operation of all rules and regulations insofar as they conflict with the provisions of this section is hereby suspended and each railroad subject to this section, or its agent, shall publish, file and post a supplement to each of its tariffs affected hereby, in substantial accordance with the provisions of Rule 9 (k) of the Commission's Tariff Circular No. 20 (§ 141.9 (k) of this chapter), announcing such suspension.

(f) Effective date. This section shall become effective at 7:00 a.m., December 15, 1950, and the provisions of this section shall apply to all cars on which the free time provided herein has not expired on the effective date and hour herein stated.

(g) Expiration date. This section shall expire at 7:00 a.m., April 1, 1951, unless otherwise modified, changed, suspended or annulled by order of this Commission.

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

By the Commission, Division 3.

[SEAL]  
W. P. Bartel,  
Secretary.

[FR Doc. 50-11858; Filed, Dec. 18, 1950; 8:47 a.m.]
and by filing it with the Director, Division of the Federal Register, (Sec. 12, 24 Stat. 333, as amended; 49 U. S. C. 12, as amended; 49 U. S. C. 1) and by the Commission, Division 3.

By the Commission, Division 3.


[FR Doc. 50-11936; Filed, Dec. 16, 1950; 8:47 a. m.]

PART 120—ANNUAL, SPECIAL OR PERIODICAL REPORTS

RAILWAY LESSOR COMPANY ANNUAL REPORT

FORM E

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 8th day of December A. D. 1950.

The matter of Annual Reports from Lessors to Steam Railways being under consideration:

It is ordered, That the order of November 28, 1949, in the Matter of Annual Reports from Lessors to Steam Railway Companies, as amended (7 CFR 170.14) be, and it is hereby modified with respect to annual reports for the year ended December 31, 1950, and subsequent years, as follows:

§ 120.14 Form prescribed for lessors to steam railways. All lessors to Steam Railway Companies, subject to the provisions of section 29, Part 1 of the Interstate Commerce Act, shall file under oath an annual report for the year ended December 31, 1950, and for each succeeding year until further order, in accordance with Annual Report Form E (Railway Lessor Companies) which is hereby approved and made a part of this order. The annual report shall be filed, in duplicate, in the Bureau of Transport Economics and Statistics, Interstate Commerce Commission, Washington 25, D. C., on or before March 31 of the year following the one to which it relates.


Note: Budget Bureau No. 60-R1017.

By the Commission, Division 1.


[FR Doc. 50-11937; Filed, Dec. 16, 1950; 8:47 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

(7 CFR, Part 913)

[DOCKET: No. AO-20-A9]

HANDLING OF MILK IN GREATER KANSAS CITY MARKETING AREA

DECISION WITH RESPECT TO A PROPOSED MARKETING AGREEMENT AND A PROPOSED ORDER AMENDING THE ORDER, AS AMENDED

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and marketing orders (7 CFR Part 900), a public hearing was conducted at Kansas City, Missouri, on May 22-25, 1950, pursuant to notice thereof which was issued on May 11, 1950 (15 F. R. 2955).

Upon the basis of the evidence introduced at the hearing and the record thereof the Acting Assistant Administrator, Production and Marketing Administration, on November 9, 1950, filed with the Hearing Clerk, United States Department of Agriculture, his recommended conclusion and opinion to file written exceptions thereto was published in the Federal Register on November 14, 1950 (15 F. R. 7171).

The material issues and the findings and conclusions of the recommended decision (F. R. Doc. 50-10141, 15 F. R. 7713) are hereby approved and adopted as the findings and conclusions of this decision as if set forth in full herein subject to the following revision:

1. Add the following as the last sentence of the first paragraph in column 3, 15 F. R. 7714 (F. R. Doc. 50-10194):

"In lieu thereof provision is included for classification of cream shipped to distant markets as Class II milk if prior notice is given the market administration and such cream is labeled as 'Grade C for manufacturing only.'"

Ruling on exceptions. In arriving at the findings and conclusions included in this decision each of the exceptions received was carefully and fully considered in conjunction with the record evidence pertaining thereto. To the extent that the findings and conclusions herein are at variance with the exceptions, such exceptions are overruled.

General findings. (a) The proposed marketing agreement and the order, as amended, and as hereby proposed to be further amended, and all of the terms and conditions thereof will tend to effectuate the declared policy of the act:

(b) The parity prices of milk as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds and other economic conditions which affect market supply of and demand for milk in the marketing area, and the minimum prices specified in the proposed marketing agreement and in the order, as amended, and as hereby proposed to be further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk and be in the public interest; and

(c) The proposed marketing agreement and the order as amended and as hereby proposed to be further amended, will regulate the handling of milk in the same manner as, and are applicable only to persons in the respective classes of industrial and commercial activity specified in the said marketing agreement upon which a hearing has been held.

Determination of representative period. The month of October 1950 is hereby defined to be the representative period for the purpose of ascertaining whether the issuance of an order amending the order, as amended, regulating the handling of milk in the Greater Kansas City marketing area in the manner set forth in the attached amending order is approved or favored by producers who during such period were engaged in the production of milk for sale in the marketing area specified in such marketing order, as amended.

Annexed hereto are two documents entitled respectively "Marketing Agreement Regulating the Handling of Milk in the Greater Kansas City Marketing Area," and "Order Amending the Order, as Amended, Regulating the Handling of Milk in the Greater Kansas City Marketing Area," which have been decided upon as the detailed and appropriate means of effectuating the foregoing conclusions. These documents shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and orders have been met.

It is hereby ordered, That all of this decision, except the attached marketing agreement, be published in the Federal Register. The regulatory provisions of said marketing agreement are identical with those contained in the order, as amended, and as hereby proposed to be further amended by the attached order which will be published with this decision.

This decision filed at Washington, D. C., this 13th day of December 1950.


Order Amending the Order, as Amended, Regulating the Handling of Milk in the Greater Kansas City Marketing Area

§ 913.8 Findings and determinations. The findings and determinations hereinafter set forth are supplementary and

1 Filed as part of the original document.

2 This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and orders have been met.
in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and any amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) Findings upon the basis of the hearing record. Pursuant to the provision of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR Part 600), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the Greater Kansas City marketing area. Upon the basis of the evidence introduced at the public hearing and the record thereof, it is found that:

(1) The said order, as amended, and as hereby further amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act;

(2) The parity prices of milk as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feed and other economic conditions which affect market supplies of and demand for milk in the said marketing area, and the minimum prices specified in the order, as amended, and as hereby further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk and be in the public interest; and

(3) The said order, as amended, and as hereby further amended, regulates the handling of milk in the manner as and is applicable only to persons in the respective classes of industrial and commercial activity specified in a marketing agreement upon which a hearing has been held.

Order relative to handling. It is therefore ordered that on and after the effective date hereof the handling of milk in the Greater Kansas City marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended, and as hereby further amended, and the aforesaid order, as amended, is hereby further amended as follows:

DEFINITIONS


§ 913.2 Secretary. "Secretary" means the Secretary of Agriculture of the United States or any other officer or employee of the United States as is authorized to exercise the powers or to perform the duties of the said Secretary of Agriculture of the United States.

§ 913.3 Department. "Department" means the United States Department of Agriculture or such other Federal agency as is authorized to perform the price reporting functions specified herein.

§ 913.4 Person. "Person" means any individual, corporation, association or other business unit.

§ 913.5 Cooperative association. "Cooperative association" means any cooperative marketing association of producers as defined in § 913.7, the Secretary of Agriculture, after application by the association:

(a) Is qualified under the provisions of the Act of Congress of February 8, 1922, as amended, known as the "Capper-Ventura Act";

(b) Has its entire activities under the control of its members; and

(c) Has and is exercising full authority in the sale of milk of its members.

§ 913.6 Greater Kansas City marketing area. "Greater Kansas City marketing area" hereinafter called "marketing area" means all of the territory in Jackson County, Missouri; part of Clay County; and the line of Highways 92, beginning at the Platte County and Clay County line, east to the west section line of section 26 in Washington Township, north to the north section line of said section 26, east to the Clay County and Ray County line; Lee, Waldron, May and Pettis Townships in Platte County, Missouri; Wyandotte County, Kansas; and Delaware, Leavenworth, and that part of Kickapoo and High Prairie Townships east of the 86th principal meridian in Leavenworth County, Kansas.

§ 913.7 Producer. "Producer" means any person, other than a producer-handler, who (a) produces milk under a dairy farm permit or rating issued by the applicable health authority of the marketing area for the production of milk to be used for consumption as milk in the marketing area, or (b) is diverted from a pool plant to another approved plant from which milk is received from such pool plant as Class I milk on routes operated in the marketing area.

§ 913.8 Pool plant. "Pool plant" means an approved plant other than the plant of a producer-handler.

§ 913.9 Approved plant. "Approved plant" means such a route is operated in the marketing area, or (b) which is principally used to receive milk from dairy farmers who meet the requirements of delivery periods of March, April, May, June, July, August, regardless of the quantity of milk then disposed of to other pool plants, if a written request for pool plant status for such six months period is received before March 1.

If a handler operates more than one approved plant, the percentage requirements of this definition shall apply to the combined receipts and disposition of such multiple plant operation except that no plant which was not an approved plant during each of the preceding delivery periods of September through February shall be a pool plant as a part of such multiple plant operation during any of the delivery periods of March through August unless such multiple plant operation qualifies under paragraph (a) of this section for pool plant status for such delivery period.

§ 913.11 Handler. "Handler" means (a) the operator of an approved plant (whether or not such approved plant is a pool plant) in his capacity as such, or (b) any cooperative association with respect to the milk of any producer which such cooperative association causes to be diverted from a pool plant to another milk plant for the account of such cooperative association.
§ 913.12 Producer-handler. "Producer-handler" means any person who produces milk and operates an approved plant, but who receives no milk from producers.

§ 913.13 Producer milk. "Producer milk" means all milk, produced by a producer, which is received at a pool plant other directly from such producer or from other handlers.

§ 913.14 Other source milk. "Other source milk" means all skim milk and butterfat other than that contained in producer milk.

§ 913.15 Delivery period. "Delivery period" means a calendar month or the portion thereof during which this order or any amendment thereto is in effect.  

MARKET ADMINISTRATOR

§ 913.20 Designation. The agency for the administration of this rule shall be a market administrator, selected by the Secretary, who shall be entitled to such compensation as may be determined by, and shall be subject to removal at the discretion of, the Secretary.

§ 913.21 Powers. The market administrator shall have the following powers with respect to this order:

(a) To administer its terms and provisions;
(b) To receive, investigate, and report to the Secretary complaints of violations;
(c) To make rules and regulations to effectuate its terms and provisions; and
(d) To recommend amendments to the Secretary.

§ 913.22 Duties. The market administrator shall perform all duties necessary to administer the terms and provisions of this order, including but not limited to the following:

(a) Within 45 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 sureties thereon covering each employee who, within 10 days after the date upon which he is required to perform such acts, has not:

(1) Made reports pursuant to §§ 913.30 through 913.32;
(2) Maintained adequate records and facilities pursuant to §§ 913.33, or
(3) Made payments pursuant to §§ 913.30 through 913.37.

(b) To receive, investigate, and report to the Secretary complaints of violations;
(c) To make rules and regulations to effectuate its terms and provisions; and
(d) To recommend amendments to the Secretary.

§ 913.23 Reports, records, and facilities.

§ 913.30 Reports of receipts and utilization. On or before the 7th day after the end of each delivery period, each producer shall report to the market administrator at such time and place in his office and by such other means as he deems appropriate, the name of any person who, within 10 days after the date upon which he is required to perform such acts, has not:

(a) Made reports pursuant to §§ 913.30 through 913.32;
(b) Maintained adequate records and facilities pursuant to §§ 913.33, or
(c) Made payments pursuant to §§ 913.30 through 913.37.

§ 913.31 Payroll reports. On or before the 20th day of each delivery period, each handler operating a pool plant shall submit to the market administrator his producer payroll for receipts during the preceding delivery period, which shall show (a) the total pounds and average butterfat test of milk received from each producer and cooperative association, (b) the amount of payment to each producer and cooperative association, and (c) the nature and amount of any deductions or charges involved in such payments.

§ 913.32 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) Each handler who causes producer milk to be diverted to any plant shall report, prior to such diversion, to the market administrator and to the cooperative association of which such producer is a member, his intention to divert such milk, the proposed date or dates of such diversion and the plant to which such milk is to be diverted.

§ 913.33 Records and facilities. Each handler shall maintain and make available to the market administrator and 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 establish the correct data with respect to:

(a) The receipts of producer milk and other source milk and the utilization of such receipts;
(b) The weights and tests for butterfat and other content of all milk, skim milk, cream and milk products handled;
(c) Payments 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 handled.

§ 913.34 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
PROPOSED RULE MAKING

§ 913.40 Skim milk and butterfat to be classified. All skim milk and butterfat received within the delivery period by a handler which is required to be reported pursuant to § 913.30 shall be classified by the market administrator pursuant to the provisions of § 913.41 through 913.48.

§ 913.41 Classes of utilization. Subject to the conditions set forth in §§ 913.43 and 913.44, the classes of utilization shall be as follows:

(a) Class I milk shall be all skim milk and butterfat disposed of for consumption in the form of milk, skim milk, buttermilk, flavored milk, flavored milk drinks, cream (sweet or sour, including any mixture of cream and milk or skim milk containing less butterfat than the regular standard for cream), skim milk and butterfat used in creaming cottage cheese, cream for dessert, ice cream, frozen desserts, eggnog, aerated cream products with flavor or sweetening added in containers or dispensers under pressure, casein, margarine and cheese (including cheese for use in preparation of processed cheese, cottage cheese and related products), and all skim milk and butterfat not specifically accounted for under paragraph (b) of this section.

(b) Class II milk shall be all milk and butterfat. (1) Used to produce butter, plain or sweetened condensed or evaporated milk, spray or roller process nonfat dry milk solids, powdered whole milk, cream for dessert, ice cream, frozen desserts, eggnog, aerated cream products with flavor or sweetening added in containers or dispensers under pressure, casein, margarine and cheese (including cheese for use in preparation of processed cheese, cottage cheese and related products), and all skim milk and butterfat not specifically accounted for under paragraph (b) of this section.

(c) As Class I milk if transferred in the form of milk, skim milk, cream or butterfat to a nonpool plant located more than 150 miles from the pool plant by the shortest highway distance as determined by the market administrator or the producer-handler.

(d) As Class I milk, subject to such verification of alternate utilization as the market administrator determines, at the option of the producer-handler.

(e) As Class II milk, subject to such verification of alternate utilization as the market administrator determines, at the option of the producer-handler.

§ 913.42 Shrinkage. The market administrator shall prorate shrinkage of skim milk and butterfat classified as Class II milk on the basis of the receipts of skim milk and butterfat, respectively, in milk from producers and other source milk.

§ 913.43 Responsibility of handlers and classification of milk. (a) All skim milk and butterfat shall be Class I milk unless the handler who first receives such skim milk or butterfat can prove to the market administrator that noAlternateUtilization of milk and butterfat.

(b) Any skim milk or butterfat shall be reclassified if verification by the market administrator discloses that the original classification was incorrect.

§ 913.44 Transfers. Skim milk or butterfat transferred from a pool plant shall be classified:

(a) As Class I milk if transferred in the form of milk, skim milk, or cream, to the pool plant of another handler unless utilization in Class II is mutually indicated in writing to the market administrator.

(b) As Class II milk if transferred in the form of milk, skim milk or cream to a nonpool plant located less than 150 miles from the pool plant by the shortest highway distance as determined by the market administrator or the producer-handler.

§ 913.45 Computation of skim milk and butterfat in each class. For each delivery period, the market administrator shall determine the classification of milk received from producers at the pool plant(s) of 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.

§ 913.46 Allocation of skim milk and butterfat classified. After making the computations pursuant to § 913.45, the market administrator shall determine the classification of milk received from producers at the pool plant(s) of each handler 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 prorated to shrinkage in skim milk received from producers pursuant to §§ 913.43 and 913.44.

(b) Subtract from the pounds of skim milk remaining in Class II the pounds of skim milk in other source milk. Provided, That if the receipts of skim milk in other source milk are greater than the pounds of skim milk remaining in Class II, an amount equal to the difference shall be subtracted from the pounds of skim milk in Class II.

(c) Subtract from the pounds of skim milk remaining in Class I the pounds of skim milk received from other pools.

(d) Subtract from the pounds of skim milk remaining in Class II the pounds of skim milk and butterfat transferred to nonpool plants to the extent of the skim milk or butterfat so transferred.

(e) Subtract from the pounds of skim milk remaining in Class I the pounds of skim milk and butterfat transferred to nonpool plants.

(f) The remaining in Class I and Class II shall be prorated to shrinkage in skim milk and butterfat.

§ 913.47 Minimum prices. § 913.50 Basic formula price. The basic formula price to be used in determining the price per hundredweight of Class I milk for the delivery period shall be as higher of the prices computed pursuant to paragraphs (a) or (b) of this section.

(a) The average of the basic or field prices per hundredweight reported to have been paid or to be paid for milk of 3.5 percent butterfat or less by handlers from farmers during the delivery period at the following places or plants for which prices have been reported to the market administrator or to the Depart-
§913.51 Class prices. Subject to the provisions of §§913.52 and 913.53, the minimum prices per hundredweight to be paid by each handler for milk received at his plant from producers during each delivery period shall be as follows:

(a) Class I milk. The basic formula price for the preceding delivery period plus $1.50 during each of the delivery periods of March, April, May, June, July, August, and plus $1.49 during all other delivery periods: Provided, That for each of the delivery periods of October, November, and December of each year, such Class I price shall not be less than that for September of the same year, and that for each of the delivery periods of April, May, and June of each year such Class I price shall not be more than that for March of the same year.

(b) Class II milk. The basic formula price for the current delivery period plus the full value of such milk of any handler allocated pursuant to subparagraphs (1) and (2) of this paragraph:

(1) To the simple average, as computed by the market administrator, of the daily wholesale selling prices (using the midpoint of any price range as one price) of Grade A (92-score) bulk creamery butter per pound at Chicago as reported by the Department during the delivery period, and multiply by 3.8.

(2) To the simple average, as computed by the market administrator, of the weighted average prices of cents per pound of nonfat dry milk solids, spray and roller process, respectively, for delivery during each of the delivery periods of September through August, multiply the butterfat differential computed as follows:

(a) For Class I milk, multiply the butterfat specified in §913.50 (b) (1) by 1.3 and divide the result by 10.

(b) For Class II milk (2) during each of the delivery periods of September through August, multiply the butterfat specified in §913.50 (b) (1) by 1.15 and divide the result by 10.

§913.53 Location adjustments to Class II milk. For milk which is received from producers at pool plants located more than 50 miles by shortest highway distance, as determined by the market administrator, from the City Hall in Kansas City, Kansas, and which is classified as Class II milk the prices computed pursuant to §913.51 (a) shall be reduced by 4 cents, and multiplied by 7.8.

§913.60 Producer-handlers. Sections 913.40 through 913.45, 913.50 through 913.53, 913.60 through 913.70 shall not apply to a producer-handler.

§913.61 Handler operating an approved plant which is not a pool plant.

Each handler who operates an approved plant which is not a pool plant shall pay, with respect to all skim milk and butterfat other than that transferred to the pool plant of another handler, disposed of as Class I milk within the marketing area, an amount equal to the difference between the value of such skim milk and butterfat at the Class I price and their value at the Class II price. Payments pursuant to this section shall be made to the market administrator for the producer-settlement fund on or before the 12th day after the end of each delivery period.

§913.62 Handlers subject to other orders. In the case of any handler who has a greater portion of his milk as Class I milk in another marketing area regulated by another milk marketing order, he shall pay to the Secretary the provisions of such order which apply to such handler.

Each handler who operates a plant which is not a pool plant shall pay, with respect to all skim milk and butterfat other than that transferred to the pool plant of another handler, disposed of as Class I milk within the marketing area, an amount equal to the difference between the value of such skim milk and butterfat at the Class I price and their value at the Class II price. Payments pursuant to this section shall be made to the market administrator for the producer-settlement fund on or before the 12th day after the end of each delivery period.

§913.63 Diversion. (a) Milk diverted for the account of a handler from an approved plant of such handler to a milk plant which is not a pool plant shall be deemed to have been received by such handler at the approved plant from which such milk was received.

(b) Milk diverted for the account of a handler from an approved plant of such handler to a pool plant of another handler shall be deemed to have been received by such handler at the approved plant from which such milk was diverted.

(c) Milk diverted by a cooperative association that does not operate an approved plant, from a pool plant to another milk plant for the benefit of the handlers, shall be deemed to have been received by such cooperative association at a pool plant at the same location as the pool plant from which such milk was diverted.

APPLICATION OF PROVISIONS

§913.69 Producer-handlers. Sections 913.40 through 913.45, 913.50 through 913.53, 913.60 through 913.70 shall not apply to a producer-handler.

§913.61 Handler operating an approved plant which is not a pool plant.

The value of milk received during each delivery period...
by each handler from producers at pool plants shall be a sum of money computed as follows:

(a) Multiply the pounds of milk in each class pursuant to § 913.46 by the applicable respective class prices and add together the resulting amounts;

(b) Add an amount computed by multiplying the pounds of overage deducted from each class pursuant to § 913.46 by the applicable respective class prices and add together the resulting amounts;

(c) For any other source skim milk or butterfat subtracted from Class I milk pursuant to § 913.46 (a), (2) and (b), add an amount equal to the differences between the values of such skim milk and butterfat at the Class I price and the Class II price, unless the handler can prove to the satisfaction of the market administrator that such other source skim milk and butterfat was used only to the extent that producer milk was not available.

§ 913.71 Computation of uniform price. For each delivery period the market administrator shall compute the uniform price for each hundredweight of milk received from producers as follows:

(a) Combine in total the values computed pursuant to § 913.70 for all handlers, who reports read in § 913.30 and who made the payments pursuant to §§ 913.80 and 913.84 for the preceding delivery period;

(b) Add the aggregate of the values of allowable location differential adjustments to producers pursuant to § 913.81;

(c) For each of the delivery periods of May, June, and July, subtract an amount equal to 20 cents per hundredweight of the total amount of milk received by handlers from producers and included in these computations, to be retained in the producer-settlement fund for the purpose specified in § 913.88;

(d) Add an amount equal to one-half of the unobligated balance in the producer-settlement fund;

(e) For each one-tenth per cent by which the average butterfat content of the milk included in these computations is greater than 3.6 percent, or add for each one-tenth per cent that such average butterfat content is less than 3.6 percent, an amount computed by multiplying the butterfat differential computed pursuant to § 913.82 by the total hundredweight of such milk;

(f) Divide by the total hundredweight of milk included in these computations; and

(g) Subtract not less than 4 cents nor more than 6 cents. The resulting figure shall be the uniform price for the milk of 3.6 percent butterfat content received at pool plants located less than 80 miles from the City Hall in Kansas City, Missouri.

§ 913.30 Time and method of payment. Each handler operating a pool plant shall make payment to each producer not later than the 12th day after the end of each delivery period, to each producer for whom payment is not received from the handler pursuant to paragraph (c) of this section, at not less than the uniform price computed pursuant to § 913.71, adjusted by the butterfat differential computed pursuant to § 913.82, subject to the location adjustment pursuant to § 913.81 and less the amount of (1) the payment made pursuant to paragraph (b) of this section, (2) marketing service deductions pursuant to § 913.82, (3) deductions authorized by the producer: Provided, That if by such date such handler has not received full payment for each delivery period pursuant to § 913.84, he may reduce his total payments to all producers uniformly by not less than the amount of reduction in payments from the market administrator, the handler shall, however, complete such payments not later than the date for making such payments pursuant to this paragraph next following receipt of the balance from the market administrator.

(b) On or before the 25th day of each delivery period, to each producer for whom payment is not received from the handler by a cooperative association pursuant to paragraph (c) of this section, for the amount of milk received from him during the first 15 days of such delivery period, at the approximate value of such milk.

(c) On each day after the end of each delivery period and on or before the 23rd day of the delivery period, in lieu of payments pursuant to paragraphs (a) and (b) of this section, respectively, of this section, to a cooperative association which so requests, with respect to producers on whose milk such cooperative association is authorized to collect payments, an amount equal to the sum of the individual payments otherwise payable to such producers.

(d) In making payments to producers pursuant to paragraph (a) of this section, each handler shall furnish each producer with a supportive statement in such form that it may be retained by the producer, which shall show:

(1) The delivery period and the identity of the handler and of the producer;

(2) The pounds per shipment, the total pounds, and the average butterfat content of milk produced;

(3) The minimum rate or rates at which payment to the producer is required under the provisions of §§ 913.60, 913.61, and 913.62;

(4) The rate which is used in making the payment, if such rate is other than the applicable minimum rate;

(5) The amount or the rate per hundredweight of milk or butterfat content claimed by the handler, including any deduction claimed under paragraph (b) of this section and § 913.68 together with a description of the reasons; and

(6) The net amount of payment to the producer.

For each producer for whom payment is to be made to a cooperative association as provided in paragraph (c) of this section, shall furnish to the above information to the cooperative association on or before the 8th day after the end of the delivery period.

(e) Nothing in this section shall abrogate the right of a cooperative association to make payment to its member producers in accordance with the payment plan of such cooperative association.

§ 913.81 Location adjustment to producers. In making payments pursuant to § 913.80, there shall be added to or subtracted from the uniform price for each one-tenth of 1 percent that the average butterfat content of the milk received from the producer is above or below 3.8 percent, an amount computed by adding 4 cents to the butter price specified in § 913.50 (b) (1), dividing the resulting sum by 10, and rounding to the nearest one-tenth of a cent.

§ 913.82 Producer butterfat differential. In making payments pursuant to § 913.80, there shall be added to or subtracted from the uniform price for each one-tenth of 1 percent that the average butterfat content of the milk received from the producer is above or below 3.8 percent, an amount computed by adding 4 cents to the butter price specified in § 913.50 (b) (1), dividing the resulting sum by 10, and rounding to the nearest one-tenth of a cent.

§ 913.83 Producer-settlement fund. The market administrator shall establish and maintain a separate fund known as "producer-settlement fund," into which he shall deposit all payments made by handlers pursuant to §§ 913.61, 913.62, and 913.84 and all appropriate deductions pursuant to §§ 913.81, 913.82, and (b) authorized by the producer. Provided, That payments due to any handler shall be offset by payments due from such handler.

§ 913.84 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, if any, by which the value of the milk received by such handler from producers, during such delivery period as determined pursuant to § 913.70, is greater than the amount required to be paid producers by such handler pursuant to § 913.80 before deductions (a) for marketing services, pursuant to § 913.80 and (b) authorized by the producer.

§ 913.85 Payments out of the producer-settlement fund. On or before the 12th day after the end of each delivery period during which the milk was received, the market administrator shall pay to each handler, including a cooperative association which is a handler, the amount, if any, by which the value of the milk received by such handler from producers during such delivery period as determined pursuant to § 913.70 is less than the amount required to be paid producers by such handler pursuant to § 913.80 before deductions (a) for marketing services, pursuant to § 913.80 and (b) authorized by the producer.

§ 913.88 Location adjustment to producers. In making payments pursuant to § 913.80, there shall be added to or subtracted from the uniform price for each one-tenth of 1 percent that the average butterfat content of the milk received from the producer is above or below 3.8 percent, an amount computed by adding 4 cents to the butter price specified in § 913.50 (b) (1), dividing the resulting sum by 10, and rounding to the nearest one-tenth of a cent.
Fall incentive payment. On or before the 15th day after the end of each of the delivery periods of October, November, and December, the market administrator shall pay out of the producer-settlement fund to each producer an amount computed as follows, which amount shall be one-third of the total amount held pursuant to §913.71(e) by the hundredweight of producer milk received during the delivery period involved (October, November, or December, as applicable) and apply the resulting amount per hundredweight to the milk of each producer for such delivery period: Provided, That payment under this paragraph shall be made to the producer who has given authority to a cooperative association to receive payments for his milk shall be distributed to such cooperative association if the owner of a cooperative association requests receipt of such payment.

Adjustment of accounts. Whenever audit by the market administrator of any handler's reports, books, records, or accounts discloses errors resulting in moneys due such handler or a cooperative association or any producer or cooperative association from such handler, the market administrator shall promptly notify such handler of the amount due and payment therefor shall be made within 5 days if such amount is due the market administrator, or on or before the next date for making payments to producers or a cooperative association, whichever is later, if such amount is due them. Whenever such audit discloses errors resulting in moneys due such handler from the market administrator, payment shall be made within 5 days.

Marketing service—(a) Deductions. Except as set forth in (b) of this section, each handler in making payments to producers other than himself shall deduct 5 cents per hundredweight or such lesser amount as the Secretary may prescribe with respect to all milk received by such handler from producers during the delivery period 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 verify weights, samples, and tests of milk received from and to provide market information to such producers.

(b) Deductions with respect to members of a cooperative association. In the case of producers for whom a cooperative association is actually performing, as determined by the Secretary, the services set forth in paragraph (a) of this section, each handler shall, in lieu of the deductions specified in paragraph (a) of this section, make such deductions from the payments to be made directly to producers. Such deductions shall be made to the market administrator and shall be paid to him by the handler on or before the 12th day after the end of such delivery period, pay over such deductions to the market administrator, on the first day of the calendar month following the month during which all such books and records pertaining to such obligation are made available to the market administrator or his representative.

Termination of obligation. The provisions of this section shall apply to any obligation under this order for the payment of money.

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 handling 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 contain but need not be limited to, the following information:

1. The amount of the obligation;
2. The month(s) 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 a cooperative association of producers, the name of such producer(s) or association of producers, or if the obligation is payable to the market administrator, the account for which it is to be paid.

If a handler fails or refuses with respect to any obligation under this order, to make available to the market administrator or his representative all such books and records necessary to such disposition, on the part of the handler against whom the obligation is sought to be imposed.

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 be paid within 30 days 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 §913.107, a petition claiming such money.

Effective time, suspension or termination.

Suits by the market administrator. The Secretary may suspend or terminate this part or any provision of this part whenever he finds this part or any provision of this part obstructs or does not tend to effectuate the declared policy of the act. This part shall terminate in any event whenever the provisions of the act authorizing it cease to be in effect.

Continuing obligations. If, upon the suspension or termination of any or all provisions of this part, there are any obligations under this part 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.

Liquidation. Upon the suspension or termination of the provisions of this part, except this section, the market administrator, or such other liquidating agent as the Secretary may designate, 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 the 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.

Agents. The Secretary may, by designation in writing, name any officer or employee of the United States to act as his agent or representative in connection with any of the provisions hereof.

Separability of provisions. If any provision of this part, or its application to any person or circumstances, is held invalid, the application of this part or provisions of this part, to other persons or circumstances, shall not be affected thereby.

Tuesday, December 19, 1950
[7 CFR, Part 936]

HANDLING OF MILK IN GREATER KANSAS CITY MARKETING AREA

ORDER OF SECRETARY DIRECTING THAT REFERENDUM BE CONDUCTED AMONG PRODUCERS; DETERMINATION OF REPRESENTATIVE PERIOD; AND DESIGNATION OF AGENT TO CONDUCT SUCH REFERENDUM

Pursuant to section 8c (19) of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 666c (19)), it is hereby directed that a referendum be conducted among the producers (as defined in the proposed order regulating the handling of milk in the Greater Kansas City Marketing area), who, during the month of October 1949, were engaged in the production of milk for the purposes of marketing milk on behalf of both public and private handlers, or all of them. Said referendum shall be conducted in accordance with the provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and Order No. 36, as amended (7 CFR, Part 913), which period is hereby determined to be from the date this referendum order is issued, to the date this referendum order is issued, to the date this referendum order is issued.

Done at Washington, D. C., this 13th day of December 1949.

C. J. McCormick,
Acting Secretary of Agriculture.

[FOR OFFICIAL PUBLICATION: SEE 7 CFR, PART 936, SUPRA.]

[7 CFR, Part 936.1]

HANDLING OF BARTLETT PEARS, PLUMS, AND ELBERTA PEACHES GROWN IN CALIFORNIA

ORDER DIRECTING THAT REFERENDUM BE CONDUCTED; DESIGNATION OF REFERENDUM AGENTS TO CONDUCT SUCH REFERENDUM; AND DETERMINATION OF REPRESENTATIVE PERIOD

Pursuant to the applicable provisions of Marketing Agreement No. 93, as amended, and Order No. 36, as amended (7 CFR, Part 936), and the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 1122; 7 U. S. C. 601 et seq.), it is hereby directed that a referendum be conducted among the producers who, during the current marketing season beginning on March 1, 1950 (which period is hereby determined to be a representative period for the purpose of such referendum), were engaged in the State of California, in the production of Bartlett pears, plums, and Elberta peaches for shipment in fresh form to determine whether such producers favor the issuance of such ord^L which is filed simultaneously herewith

The referendum as herein set forth shall be conducted in accordance with the provisions of the aforementioned order to determine whether such producers favor the issuance of such order, which is filed simultaneously herewith.

The referendum as herein set forth shall be conducted in accordance with the procedures set forth in the aforementioned order to determine whether such producers favor the issuance of such order, which is filed simultaneously herewith.

(1) By conducting the time of commencement and termination of the period of the referendum, and by giving opportunity to each of the aforesaid producers to cast its ballot in the manner herein authorized, relative to the aforesaid termination of the amended marketing agreement and order, and on a copy of the appropriate ballot form.

(2) By conducting and concluding said referendum not later than January 1, 1951.

(3) By giving public notice as prescribed in (a) the time during which the referendum will be conducted, (b) that any ballot may be cast by mail, and (c) that all ballots so cast must be addressed to Harry J. Krade, Western Marketing Field Office, Fruit and Vegetable Branch, 100 Plaza Building, 921 Tenth Street, Sacramento 14, California, and the time prior to which such ballot must be postmarked.

(4) By giving public notice (i) by utilizing available agencies of public information (without advertising expense), including both press and radio facilities, for giving public notice of the referendum by mailing a notice thereof (including a copy of the appropriate ballot form) to each such cooperative association and to each producer who, at the time and place of such ballot, either in person or by proxy, is engaged in marketing fresh Bartlett pears, plums, or Elberta peaches grown in California, (ii) by mailing a notice thereof (including a certificate to the effect that the ballots cast in accordance with the referendum and its results; and shall forward to Harry J. Krade, Field Representative, Western Marketing Field Office, Fruit and Vegetable Branch, 100 Plaza Building, 921 Tenth Street, Sacramento 14, California, immediately after the close of the referendum, the following:

(i) A register containing the name and address of each producer from whom an executed ballot was received;

(ii) A statement showing when and where each notice of referendum posted by said agent was posted and, if the notice was mailed, the mailing list showing the names and addresses to which the notice was mailed and the time and place of such mailing, and

(iii) A detailed statement relating the manner used in giving publicity to such referendum.

(b) Upon receipt by Harry J. Krade of all ballots cast, in accordance with the provisions hereof, he shall canvass the ballots and prepare and submit to the Secretary a detailed report covering the results of the referendum, the manner in which the referendum was conducted, the existence and the form of the necessary public notice given, and all other information pertinent to the full analysis of the referendum and its results; and shall forward to him such reports, and such information and data, to the Secretary of Agriculture, are hereby designated as agents of the Secretary of Agriculture to perform, jointly or severally, the following functions in connection with the referendum:

(a) Conduct said referendum in the manner herein prescribed.

(b) By giving public notice of the time and place of each meeting authorized

hereunder by posting a notice thereof, at least two days in advance of each such meeting, at each such meeting place, and in two or more public places within the applicable area, and, if practicable, by giving additional notice in the manner prescribed in paragraph 1 (a) hereof.

(c) By appointing any farm adviser in charge of any county agricultural extension office, and by authorizing the chairman of the State Production and Marketing Administrative Committee to appoint any member of a PMA county committee, in the State of California, and by appointing any other persons deemed necessary or desirable, to assist the said referendum agents in performing their duties hereunder.

Each such person so appointed shall serve without compensation and may be authorized, by the said referendum agents, to assist the said referendum agents in performing their duties hereunder.

(5) By conducting meetings of producers and arranging for balloting at the meeting places, if said referendum agents or any of them determine that voting shall be at meetings.

(6) By giving public notice of the time and place of each meeting authorized

hereunder by posting a notice thereof, at least two days in advance of each such meeting, at each such meeting place, and in two or more public places within the applicable area, and, if practicable, by giving additional notice in the manner prescribed in paragraph 1 (a) hereof.

(d) By giving public notice of the time and place of each meeting authorized

hereunder by posting a notice thereof, at least two days in advance of each such meeting, at each such meeting place, and in two or more public places within the applicable area, and, if practicable, by giving additional notice in the manner prescribed in paragraph 1 (a) hereof.

(e) By giving public notice of the time and place of each meeting authorized

hereunder by posting a notice thereof, at least two days in advance of each such meeting, at each such meeting place, and in two or more public places within the applicable area, and, if practicable, by giving additional notice in the manner prescribed in paragraph 1 (a) hereof.

(f) By giving public notice of the time and place of each meeting authorized

hereunder by posting a notice thereof, at least two days in advance of each such meeting, at each such meeting place, and in two or more public places within the applicable area, and, if practicable, by giving additional notice in the manner prescribed in paragraph 1 (a) hereof.

(g) By giving public notice of the time and place of each meeting authorized

hereunder by posting a notice thereof, at least two days in advance of each such meeting, at each such meeting place, and in two or more public places within the applicable area, and, if practicable, by giving additional notice in the manner prescribed in paragraph 1 (a) hereof.

(h) By giving public notice of the time and place of each meeting authorized

hereunder by posting a notice thereof, at least two days in advance of each such meeting, at each such meeting place, and in two or more public places within the applicable area, and, if practicable, by giving additional notice in the manner prescribed in paragraph 1 (a) hereof.
Tuesday, December 19, 1950

FEDERAL REGISTER

for any reason, or if such ballot is challenged by any other person, said agent or appointee shall endorse above his signature, on the back of said ballot, a statement that such ballot was challenged, by whom challenged, and the reasons therefor; and the number of such challenged ballots shall be stated when they are forwarded as provided herein.

(d) All ballots shall be treated as confidential.

The Director of the Fruit and Vegetable Branch, Production and Marketing Administration, United States Department of Agriculture, is hereby authorized to prescribe additional instructions, not inconsistent with the provisions hereof, to govern the procedure to be followed by the said referendum agents and appointees in conducting said referendum.

Copies of the aforesaid marketing agreement and order may be examined in the Office of the Hearing Clerk, United States Department of Agriculture, Washington 25, D. C., and at the Western Marketing Field Office, Fruit and Vegetable Branch, Production and Marketing Administration, United States Department of Agriculture, 100 Plaza Building, 921 Tenth Street, Sacramento 14, California.

Ballots to be cast in the referendum may be obtained from any referendum agent or appointee hereunder.

Done at Washington, D. C., this 13th day of December 1950.

[C. J. McCormick, Acting Secretary of Agriculture.

No record of any proceedings in this matter was found.

[7 CFR, Part 974]

[Notice No. AO 176-A8]

Handling of Milk in Columbus, Ohio, Marketing Area

Notice of recommended decision and opportunity to file written exceptions with respect to proposed amendment to tentative marketing agreement, and to order, as amended

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of the filing with the Hearing Clerk of the recommendations of the Assistant Administrator, Production and Marketing Administration, United States Department of Agriculture, with respect to a proposed amendment to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the Columbus, Ohio, marketing area. Interested parties may file exceptions to this decision with the Hearing Clerk, United States Department of Agriculture, Washington 25, D. C., not later than the close of business the 7th day after publication of this decision in the Federal Register. Exceptions should be filed in quadruplicate.

Preliminary statement. The hearing, on the record of which the proposed amendment to the tentative marketing agreement and to the order, as amended, was formulated, was conducted at Columbus, Ohio, on October 10 and 11, 1950, pursuant to notice thereof which was issued on September 29, 1950 (15 F. R. 6672).

The material issue of record related to the amounts of the differentials to be added to the basic formula price in the determination of the prices for Class I milk and for Class II milk.

Findings and conclusions. Upon the basis of the evidence adduced at the hearing, it is hereby found and concluded that:

The differentials to be added to the basic formula price in the determination of the prices for Class I milk and for Class II milk should be increased by 10 cents during the months of August through March. Specifically, such differentials should be 75 cents for each of the months of April, May, June, and July and $1.10 for each of the other 8 months in the determination of the prices for Class I milk and 35 cents for each of the months of April, May, June, and July and 70 cents for each of the other 8 months in the determination of the prices for Class II milk.

Provision should be made for further increasing each of the above-specified differentials 10 cents if the percentage of the total receipts of milk from all producers in the marketing area in the respective months which was classified as Class I and Class II milk was greater than the percentage so classified in the same 4 months of the 12-month period ending on April 30, 1950.

The present order provides for differentials of 75 cents for the months of April, May, June, and July and $1.00 for the other 8 months in the determination of the Class I price and 35 cents for the months of April, May, June, and July and 60 cents for the other 8 months in the determination of the Class II price.

There is, in addition, a further 10 cents to be added to the Class I and Class II prices during each of the months of August through March each year.

In view of the above, some increase in the differentials appears desirable, particularly in the months of lower production when the supply of milk is reduced. Accordingly, the present seasonal changes in the differentials, a further increase of 10 cents should be provided if the supply of milk in relation to market requirements is less than in the year just prior to the effective date of the new milk regulations. In order to make this adjustment quite responsive to changes in market supply, the most recent 4 months should be used in determining the relationship of market supply and market requirements. Because of seasonal variation, these most recent 4 months should be compared with the same 4 months in the 12-month period May 1949 through April 1950. This additional 10-cent increase should be applied in any month if in the most recent 4 months for which information is available the percentage of all milk received from producers which was classified in Class I and Class II milk is greater than the corresponding percentage for the same 4 months in the 12-month period May 1948 through April 1950.

General findings. (a) The proposed marketing agreement and the order, as amended, and as herein amended, are reasonable in view of the price of feeds, available supplies of feeds and other economic conditions which affect market supply of and demand for milk in the marketing area and the minimum prices specified in the proposed marketing agreement and the order, as
amended, and as hereby proposed to be further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

The proposed order, as amended, and as hereby proposed to be further amended, will regulate the handling of milk in an efficient manner, and will be applicable only to persons in the respective classes of industrial and commercial activity specified in a marketing agreement upon which a hearing has been held.

Proposed Rule Making

Recommended marketing agreement and amendment to the order. The following amendment to the order is recommended as the detailed and appropriate establishment and maintenance of uniform rates, charges and practices for the establishment and maintenance of uniform rates, charges and practices for the transportation of cargo in the trade from the West Coast of India and Pakistan, Tucumcari/Karachi range inclusive, to United States Atlantic and Gulf ports. This agreement provides that the Conference may establish specific contract and non-contract rates. Formal protest against approval of this agreement has been received and has been assigned Docket No. 685.

1. Delete § 974.52 (a) and substitute therefor the following:

(a) Add to the basic formula price the following amount for the month indicated: April, May, June, and July, $0.75; and all others, $1.10: Provided, that there shall be added to the price of Class I milk so computed 10 cents for any month if the percentage of the total receipts of milk from producers by all handlers during the most recent 4 months for which such information is available which was classified in Classes I and II was greater than the percentage of the total receipts of milk from producers by all handlers during the same 4 months of the period May 1949 through April 1950 which was classified in Classes I and II, and III in months prior to January 1950: And provided further, That the price of Class I milk for any of the months of October through December, inclusive, shall not be lower than the arithmetical average of the prices computed for such class pursuant to this paragraph (prior to this proviso) for the 2 months immediately preceding and the price of Class I milk for any of the months of April through June, inclusive, shall not be higher than the arithmetical average of the prices computed for such class pursuant to this paragraph (prior to this proviso) for the 2 months immediately preceding.

2. Delete § 974.53 (a) and substitute therefor the following:

(a) Add to the basic formula price the following amount for the month indicated: April, May, June, and July, $0.35; and all others, $0.70: Provided, That there shall be added to the price of Class II milk so computed 10 cents for any month if the percentage of the total receipts of milk from producers by all handlers during the most recent 4 months for which such information is available which was classified in Classes I and II was greater than the percentage of the total receipts of milk from producers by all handlers during the same 4 months of the period May 1949 through April 1950 which was classified in Classes I and II, and III in months prior to January 1950.

File at Washington, D. C., this 14th day of December 1928.

[SEAL]

EARL R. GLOVER,
Acting Assistant Administrator.

[FR Doc. 50-11919; Filed, Dec. 18, 1950; 8:54 a.m.]
SOUTH ATLANTIC STEAMSHIP LINE, INC.
NOTICE OF HEARING ON APPLICATION FOR
BAREBOAT CHARTER

Pursuant to section 3, Public Law 501, 81st Congress, notice is hereby given that an informal public hearing will be held in Room 4821, Commerce Building, Washington, D. C., on January 5, 1951, at 10:00 a.m., before the Federal Maritime Board, upon application of South Atlantic Steamship Line, Inc., to bareboat charter the S. S. "Brigham Victory" for use between ports in the South Atlantic area, Hampton Roads, and the United Kingdom and continent of Europe.

The purpose of the hearing is to receive evidence with respect to whether the service for which such vessel is proposed to be chartered is required in the public interest and is not adequately served, and with respect to the availability of privately owned American-flag vessels for charter on reasonable conditions and at reasonable rates for use in such service.

All persons having an interest in such application will be given an opportunity to be heard if present.

Dated: December 14, 1950.
By order of the Federal Maritime Board.

[SEAL]
A. J. WILLIAMS, Secretary.

[F. R. Doc. 50-11823; Filed, Dec. 19, 1950; 8:55 a.m.]

PACIFIC-ATLANTIC STEAMSHIP CO. AND POPES & TALBOT, INC.

NOTICE OF HEARING ON APPLICATIONS TO
BAREBOAT CHARTER DRY-CARGO VESSELS

Pursuant to section 3, Public Law 591, 81st Congress, notice is hereby given that an informal public hearing will be held in Room 4823, Commerce Building, Washington, D. C., on January 4, 1951, at 10:00 a.m., before Examiner F. J. Horn upon applications of Pacific Atlantic Steamship Company and Pope & Talbot, Inc., to bareboat charter Government-owned war-built dry-cargo vessels beyond January 31, 1951, the expiration date of their present charters, for use in the intercoastal trade.

The purpose of the hearing is to receive evidence with respect to whether the service for which such vessels are proposed to be chartered is required in the public interest and would not be adequately served without the use thereof, with respect to the availability of privately owned American-flag vessels for charter on reasonable conditions and at reasonable rates for use in such service.

All persons having an interest in such applications will be given an opportunity to be heard if present.

Dated: December 14, 1950.
By order of the Federal Maritime Board.

[SEAL]
A. J. WILLIAMS, Secretary.

[F. R. Doc. 50-11826; Filed, Dec. 19, 1950; 8:55 a.m.]

CIVIL AERONAUTICS BOARD

[DOCKET No. 4590]

OXNARD SKY FREIGHT, ENFORCEMENT PROCEDURE

NOTICE OF HEARING

In the matter of the Revocation of Letter of Registration No. 142 issued to Oxnard Sky Freight.

Notice is hereby given pursuant to the Civil Aeronautics Act of 1938, as amended, and Part 291 of the Board's Economic Regulations, that a hearing is to be held in Oxnard, California, at 10:00 a.m., before Examiner Walter W. Bryan, in Room 4823, Commerce Building, Washington, D. C., to determine whether the respondent has violated or is violating section 401 (a) of the Civil Aeronautics Act of 1938, as amended, and/or Part 291 of the Board's Economic Regulations.

By the Civil Aeronautics Board.

[SEAL]
M. C. MULLIN, Secretary.

[F. R. Doc. 50-11839; Filed, Dec. 18, 1950; 6:55 a.m.]

DEPARTMENT OF LABOR

Wage and Hour Division

ACCEPTING RESIGNATION AND APPOINTING NEW MEMBER OF SPECIAL INDUSTRY COMMITTEE NO. 9

Pursuant to authority under the Fair Labor Standards Act of 1938, as amended (52 Stat. 1060, as amended; 29 U. S. C. 201 et seq.), I, F. Granville Grimes, Jr., Acting Administrator of the Wage and Hour Division, United States Department of Labor, hereby accept the resignation of Laurence A. Knapp, as a member representing the public, and appoint F. Granville Grimes, Jr., as the new member to serve on said Committee in the stead of the member represented by the public, Joseph L. Miller of Washington, D. C.

Dated at Washington, D. C., this 8th day of December, 1950.

F. GRANVILLE GRIMES, JR.,
Acting Administrator.

[F. R. Doc. 50-11838; Filed, Dec. 18, 1950; 6:55 a.m.]

DEPARTMENT OF AGRICULTURE

Commodity Credit Corporation

SALES OF CERTAIN COMMODITIES AT FIXED PRICES

Pursuant to the Pricing Policy of Commodity Credit Corporation issued March 22, 1950 (15 F. R. 7388), and subject to the conditions stated therein, the following commodities are available for sale in the quantities and at the prices stated:
<table>
<thead>
<tr>
<th>Commodity</th>
<th>Approximate quantity available (subject to prior sale)</th>
<th>Domestic sale price</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wheat, bulk</td>
<td>100,000,000 bushels</td>
<td>Basal in store, the market price but not less than the applicable 1950 loan rate for the grade, quality, and location plus $2.10 per hundred. Examples of minimum prices per bushel: Kansas City, No. 1 High, $2.50; Minneapolis, No. 1 A.24, $1.90; Chicago, No. 1 R.W., $1.90. Portland, Ore., No. 1 W.W., $2.00. Foreign ports, $2.50.</td>
</tr>
<tr>
<td>Corn, bulk</td>
<td>100,000,000 bushels</td>
<td>Basis in store, the market price but not less than the applicable 1950 loan rate for the grade, quality, and location plus 18 cents per bushel. Examples of minimum prices per bushel: Minneapolis, No. 1 barley, $1.50; San Francisco, No. 1 Western barley, $1.57. 1950 commercial corn-producing area. At points of production, basis in store, the market price but not less than the applicable 1950 county loan settlement rate plus 14 cents per bushel. Examples of minimum prices, per bushel: Minneapolis, No. 1 barley, $1.50; San Francisco, No. 1 Western barley, $1.57.</td>
</tr>
</tbody>
</table>

Notices:

- Export sales price
- Domestic sales price
- Commodity
- Approximate quantity available (subject to prior sale)
- Export sales price

<table>
<thead>
<tr>
<th>Commodity</th>
<th>Approximate quantity available (subject to prior sale)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wheat, bulked</td>
<td>10,000,000 bushels</td>
</tr>
</tbody>
</table>

1 Indicates same lots also are available at export sales prices announced concurrently.
<table>
<thead>
<tr>
<th>Commodity</th>
<th>Approximate quantity (subject to prior sale)</th>
<th>Export sales price</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nonfat dry milk solids, in curd. ion only.</td>
<td>186,000,000 pounds</td>
<td>For export to all countries except those listed below: Spray process, 130 cts per lb. b. location of stock in any state. Roller process, 195 cts per lb. f. o. b. location of stock in any state. For export to Western Hemisphere countries except Canada and Colombia, and possessions of foreign countries, and territories and possessions of the U.S., Spray process, 91 cts per lb. f. o. b. location of stock in any state, less freight based on the average gross shipping weight, at the lowest export freight rate from that location to nearest port of export, plus 10 cts per lb. f. o. b. location of stock in any state.</td>
</tr>
<tr>
<td>Roller process</td>
<td>75,000,000 pounds</td>
<td>(For all other cases, market differentials will apply. For other grades, market differentials will apply.)</td>
</tr>
<tr>
<td>Flour, off. raw</td>
<td>239,000,000 pounds</td>
<td>195 cts per lb. f. o. b. location of stock in any state.</td>
</tr>
<tr>
<td>Flaxseed, bulk</td>
<td>240,000,000 bushels</td>
<td>50 cts per barrel, f. o. b.</td>
</tr>
<tr>
<td>Dry edible beans</td>
<td>900,000,000 bushels</td>
<td>50 cts per barrel, f. o. b.</td>
</tr>
<tr>
<td>Beans, dry, bulk</td>
<td>367,000,000 bushels</td>
<td>50 cts per barrel, f. o. b.</td>
</tr>
<tr>
<td>Barley, dry, bulk</td>
<td>130,000,000 bushels</td>
<td>50 cts per barrel, f. o. b.</td>
</tr>
<tr>
<td>Wheat, bulk</td>
<td>100,000,000 bushels</td>
<td>50 cts per barrel, f. o. b.</td>
</tr>
<tr>
<td>Austrian winter pea seed, bagged</td>
<td>75,000 bushels</td>
<td>50 cts per barrel, f. o. b.</td>
</tr>
<tr>
<td>Corn, bulk</td>
<td>500,000,000 bushels</td>
<td>50 cts per barrel, f. o. b.</td>
</tr>
<tr>
<td>Grain sorghum, bulk</td>
<td>10,000,000 bushels</td>
<td>50 cts per barrel, f. o. b.</td>
</tr>
<tr>
<td>Potato starch, in curd. lons only.</td>
<td>600,000 pounds</td>
<td>50 cts per barrel, f. o. b.</td>
</tr>
<tr>
<td>Powedered peas, marketed in 1000 lb. bulk bags, in carlots of 1000 lb.</td>
<td>4,800,000 pounds</td>
<td>50 cts per barrel, f. o. b.</td>
</tr>
<tr>
<td>Fresh Irish potatoes, marketed in 100-lb. barrel lots, in carlots of 100-lb. barrel lots only.</td>
<td>Substantial quantities, as available in Aroostook County, Maine.</td>
<td>50 cts per barrel, f. o. b.</td>
</tr>
<tr>
<td>Fresh Irish potatoes, for processing into potato food products for export. Powdered peas, marketed in 1000 lb. bulk bags, in carlots of 1000 lb.</td>
<td>Quantities as available in the late potato-producing states.</td>
<td>50 cts per barrel, f. o. b.</td>
</tr>
</tbody>
</table>

*These same lots also are available at domestic sales prices announced concurrently.

Issued: December 19, 1950.

[SEAL]

LEON C. HOLM, Acting President.
Commodity Credit Corporation.

[F. R. Doc. 50-11829; Filed, Dec. 18, 1950; 8:45 a. m.]
NOTICES

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 26550]

COAL FROM KENTUCKY AND TENNESSEE TO CHARLESTON, S. C.
APPLICATION FOR RELIEF
DECEMBER 14, 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. Boyce, Jr., Agent, for carriers parties to fourth-section application No. 16741.

Commodities involved: Coal which has passed through bar screens not exceeding one inch and one-half inches between bars, or its equivalent, carloads.

From: Mines in Kentucky and Tennessee.

To: Charleston, S. C.

Grounds for relief: Competition with rail carriers. Market competition. To maintain grouping.

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.


[F. R. Doc. 50-11856; Filed, Dec. 14, 1950; 8:45 a.m.]

[4th Sec. Application 26551]

CRUDE PETROLEUM OIL FROM MONTANA TO TWINS CITIES, MINN.
APPLICATION FOR RELIEF
DECEMBER 14, 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: Northern Pacific Railway Company.

Commodities involved: Crude petroleum oil in its natural state or crude petroleum oil which has been subject only to natural weathering treatment or settling, carloads.

From: Billings, East Billings, Fromberg and Laurel, Mont. To: Chicago, Rock Island and Pacific, Minneapolis and St. Paul Transfer, Minn.

Grounds for relief: Competition with rail carriers. Market competition.


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.


[F. R. Doc. 50-11647; Filed, Dec. 14, 1950; 8:45 a.m.]

ALUMINUM ARTICLES AND WIRE GOODS TO NORTH PACIFIC COAST TERRITORY
APPLICATION FOR RELIEF
DECEMBER 14, 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: I. E. Kipp, Agent, for carriers parties to his tariff I. C. C. No. 1537.

Commodities involved: Aluminum and aluminum articles, also wire and wire goods, carloads.

From: St. Louis, Mo., and other points grouped therewith on Illinois Terminal R. R. To: North Pacific coast territory.

Grounds for relief: Circumvent routes. To maintain grouping.


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.


[F. R. Doc. 50-11647; Filed, Dec. 14, 1950; 8:45 a.m.]

[4th Sec. Application 26550]

SAND, GRAVEL, CRUSHED STONE, FROM QUARRY AND LINCOLN CENTER, KANS.
APPLICATION FOR RELIEF
DECEMBER 14, 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: Union Pacific Railroad Company.

Commodities involved: Sand, gravel, and crushed stone, carloads.

From: Quarry and Lincoln Center, Kansas.

To: Hastings, Jeffer's, Glenvil and Lenel, Nebr.

Grounds for relief: Circumvent routes.

Schedules filed containing proposed rates: U. P. RR. tariff I. C. C. No. 5615, Supp. 46.

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.


[F. R. Doc. 50-11647; Filed, Dec. 14, 1950; 8:45 a.m.]

[4th Sec. Application 26550]
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. 50-11849; Filed Dec. 16, 1950; 8:45 a. m.]

[FEDERAL REGISTER]

[4th Sec. Application 25655]

MOULDING SAND-LEXINGTON, TENN. TO GREENVILLE, OHIO

APPLICATION FOR RELIEF

DECEMBER 14, 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 carriages parties to Agent C. A. Spaninger's tariff No. 993.

Commodities involved: Moulding sand.

From: Lexington, Tenn.
To: Greenville, Ohio.

Grounds for relief: Competition with rail carriers.

Schedules filed containing proposed rates: C. A. Spaninger's tariff I. C. C. No. 993, Supp. 151.

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.

[4th Sec. Application 25656]

PEANUTS FROM TEXAS TO W. T. L. TERRITORY

APPLICATION FOR RELIEF

DECEMBER 14, 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 carriers parties to his tariff I. C. C. No. 3335.

Commodities involved: Peanuts, raw, in the shell, or peanuts, shelled (unshelled), not salted, carloads.

From: Points in Texas.
To: Kansas City, Mo., and specified points in western trunk-line and Illinois territories.

Grounds for relief: Circuitous routes. To maintain grouping.


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. 50-11844; Filed Dec. 18, 1950; 8:45 a. m.]

[FEDERAL REGISTER]

[4th Sec. Application 25656]

PULFPWOOD TO PANAMA CITY, FLA.

APPLICATION FOR RELIEF

DECEMBER 14, 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: Atlantic Coast Line Railroad Company for itself and on behalf of the Atlantic & Saint Andrews Bay Railroad Company.

Commodities involved: Pulpwood, carloads.

From: Panama City, Fla.
To: Points in Florida.

Grounds for relief: To meet intra-state rates.


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.

[4th Sec. Application 25656]

[F. R. Doc. 50-11845; Filed Dec. 18, 1950; 8:46 a. m.]

[REV. S. O. 563, King's I. C. C. Order 35-A]

ANY ARBOR RAILROAD CO.

REROUTING OR DIVERSION OF TRAFFIC

UPON further consideration of King's I. C. C. Order No. 35, and good cause appearing therefor: It is ordered, That: (a) King's I. C. C. Order No. 35 be, and it hereby is, vacated and set aside. (b) Effective date. This order shall become effective at 3:00 p. m., December 13, 1950.

It is further ordered, That this order shall be served upon the Association of American Railroads, Car Service Division, as agent of all 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.


INTERSTATE COMMERCE COMMISSION.

HOMER C. KING,
Agent.

[F. R. Doc. 50-11844; Filed Dec. 18, 1950; 8:10 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-3523]

METROPOLITAN EDISON CO. AND GENERAL PUBLIC UTILITIES CORP.

SUPPLEMENTAL ORDER GRANTING AND PERMITTING APPLICATION-DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its offices in the city of Washington, D. C., on the 13th day of December A. D. 1950, General Public Utilities Corporation ("GPU"), a registered holding company, and its subsidiary, Metropolitan Edison Company ("Meted"), having filed a joint application-declaration, and amendments thereto, pursuant to sections 6(a), 6(b), 7, 9(a), and 10 of the Public
Utility Holding Company Act of 1935, thereunder, with respect to, among other things, the issue and sale of Meted pursuant to the competitive bidding requirements of Rule U-50 of $625,000 principal amount of its first mortgage bonds, with respect to the issue, among others, that the proposed issue and sale of said bonds and preferred stock shall not be consummated until the results of the competitive bidding have been made a matter of record in this proceeding, and a further order shall have been entered by this Commission in the light of the record so completed, and the Commission having also reserved jurisdiction over the payment of fees and expenses of all counsel, and Meted having, on December 13, 1950, filed a further amendment to said application in which it is stated that it has offered for sale its first mortgage bonds and cumulative preferred stock for sale pursuant to the competitive bidding requirements of Rule U-50 and has received the following bids:

**FOR THE BONDS**

<table>
<thead>
<tr>
<th>Bidder</th>
<th>Prior to Company</th>
<th>New Offering</th>
<th>New Offering %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Halsey, Stuart &amp; Co., Inc.</td>
<td>100.43</td>
<td>100.81</td>
<td>2.7602</td>
</tr>
<tr>
<td>Goldman, Sachs &amp; Co.</td>
<td>100.86</td>
<td>100.81</td>
<td>2.7608</td>
</tr>
<tr>
<td>Cargill, Lobb &amp; Co., Inc.</td>
<td>100.43</td>
<td>100.81</td>
<td>2.7602</td>
</tr>
</tbody>
</table>

**FOR THE PREFERRED STOCK**

<table>
<thead>
<tr>
<th>Bidder</th>
<th>Prior to Company</th>
<th>New Offering</th>
<th>New Offering %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cargill, Lobb &amp; Co., Inc.</td>
<td>100.21</td>
<td>100.43</td>
<td>2.7601</td>
</tr>
<tr>
<td>Goldman, Sachs &amp; Co.</td>
<td>100.21</td>
<td>100.81</td>
<td>2.7608</td>
</tr>
<tr>
<td>Cargill, Lobb &amp; Co., Inc.</td>
<td>100.43</td>
<td>100.81</td>
<td>2.7602</td>
</tr>
<tr>
<td>Hempstead &amp; Co.</td>
<td>100.43</td>
<td>100.81</td>
<td>2.7602</td>
</tr>
<tr>
<td>Goldman, Sachs &amp; Co.</td>
<td>100.86</td>
<td>100.81</td>
<td>2.7608</td>
</tr>
<tr>
<td>Cargill, Lobb &amp; Co., Inc.</td>
<td>100.43</td>
<td>100.81</td>
<td>2.7602</td>
</tr>
</tbody>
</table>

Said amendment stating that Meted has accepted the bid of Halsey, Stuart & Co., Inc. for the first mortgage bonds and the bid of Kidder, Peabody & Co. for the cumulative preferred stock, as set forth above, and that the first mortgage bonds will be offered for sale to the public at a price of 100.81 percent of the principal amount, resulting in an underwriters' spread of 0.4908 percent of the principal amount, and that the cumulative preferred stock will be offered to the public at a price of $102.70 per share, resulting in an underwriters' spread of $1.53 per share, and that the amendment further stating that the legal fees to be incurred in connection with the proposed transaction are as follows:

- Harlod J. Ryan, counsel for the company: $6,000
- Berlack & Taibles: $2,500
- Beekman & Nagle, counsel for prospective underwriters: $6,000

Total: $17,500

The Commission having examined said amendment, and having considered the record herein and finding no basis for imposing terms and conditions with respect to the issue and sale of said first mortgage bonds and cumulative preferred stock, and the underwriters' spreads and their allocations; and it appearing that the above noted proposed fees and expenses are for necessary services and are not unreasonable:

It is hereby ordered, that the jurisdiction heretofore reserved in connection with the issue and sale of said first mortgage bonds and cumulative preferred stock be, and the same hereby is, released, and the said application-declaration, as further amended, be, and the same hereby is granted and permitted to become effective forthwith, subject, however, to the terms and conditions prescribed in Rule U-24.

It is further ordered, that the jurisdiction heretofore reserved over the payment of the fees and expenses of all counsel be, and the same hereby is, released.

By the Commission.

[SEAL] ORVAL L. DUBOIS, Secretary.

[File No. 70-1303]

**STANDARD GAS AND ELECTRIC CO. ORDER PERMITTING WITHDRAWAL OF DECLARATION**

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 13th day of December A. D. 1950, Notice is hereby given that Mission Development Company, registered under the Investment Company Act of 1940 as a diversified long-term investment company, and Mission Corporation, an affiliated person of the said registered investment company, engaged primarily, through its affiliates in the oil business, have jointly filed an application pursuant to section 17 (a) of the Investment Company Act of 1940 for an order exempting from the provisions of section 17 (a) (1) a proposed transaction involving the sale of all of the common stock of Tide Water Associated Oil Company owned by Mission Corporation at the time of consummation of this transaction to Mission Development Company. The amount so owned at the time of application was approximately 996,662 shares, but additional shares may have been acquired since the date of application.

The proposed transaction involves the sale of securities by an affiliated person (Mission Corporation) of a registered investment company (Mission Development Company) to an affiliated person (Mission Corporation) of an investment company and is prohibited by section 17 (a) (1) of the Investment Company Act of 1940 unless an exemption is granted pursuant to section 17 (a).

The application sets forth that Mission Development Company will issue approximately 1,963,224 shares, but not exceeding 2,166,614 shares, of its $3 par value capital stock of Mission Corporation in consideration for the transfer of the 996,662 shares, but not exceeding 1,063,397 shares, of Tide Water Stock...
to Mission Development Company in the ratio of two shares of Mission Development for one share of Tide Water.

The application further sets forth that the reason for the proposed transactions is the desire of Mission Corporation to continue its dividend policy, retain its cash for business purposes, and preserve the block value of the Tide Water Associated Oil Company common stock intact.

The present application concerns only the question of the exemption of the sale of Mission Corporation’s holding of Tide Water stock as of the date of the transaction specified in the application.

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

Notice is further given that an order granting the application, in whole or in part, and upon such conditions as the Commission may deem necessary or appropriate, may be issued by the Commission at any time on or after January 8, 1951, unless prior thereto a hearing upon the application is ordered by the Commission, as provided in Rule N-5 of the Commission at any time on or after January 8, 1951, unless prior thereto a hearing upon the application is ordered by the Commission, as provided in Rule N-5 of the Commission.

Any interested person may, not later than January 2, 1951, at 5:30 p.m., submit to the Commission in writing his comments thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C., and should state briefly the nature of the interest of the person submitting such information or requesting a hearing, the reasons for such request, and the issues of fact or law raised by the application which he desires to controvert.

By the Commission.

[SEAL]

CRAVIL L. DU BOS, Secretary.

[F. R. Doc. 50-11852; Filed, Dec. 19, 1950; 8:46 a.m.]

ORDER FOR SALE AND TRANSFER OF STOCK

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 15th day of December A.D. 1950, (2) American & Foreign Power & Light Company; File No. 54-168, in the matter of American Power & Electric Co. (Succeeded by General Public Utilities Corp.) 3 1/2% Convertible Debentures, dated 1947, of each of $1,000.00 face value and numbered as follows:

<table>
<thead>
<tr>
<th>No.</th>
<th>Date</th>
<th>Maturity</th>
<th>Bond No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>73</td>
<td>12/18/50</td>
<td>2/15/80</td>
<td>32720</td>
</tr>
<tr>
<td>239</td>
<td>12/18/50</td>
<td>2/15/80</td>
<td>96007</td>
</tr>
<tr>
<td>1473</td>
<td>12/18/50</td>
<td>2/15/80</td>
<td>32770</td>
</tr>
<tr>
<td>1026</td>
<td>12/18/50</td>
<td>2/15/80</td>
<td>31425</td>
</tr>
<tr>
<td>1277</td>
<td>12/18/50</td>
<td>2/15/80</td>
<td>32672</td>
</tr>
</tbody>
</table>

The filing of a Notice of Appearance or Offer to Purchase by the Bank of the United States, 30 Broadway, New York, N. Y., on September 27, 1950, is the desire of Mission Corporation to continue its dividend policy, retain its cash for business purposes, and preserve the block value of the Tide Water Associated Oil Company common stock intact.

The application further sets forth that the sale and transfer of Electric Bond and Share Company of 13,271 shares of the common stock of Minnesota Power & Light Company (“Minnesota”), which holdings constitute 5.7 percent of the total voting power of all of the securities of Minnesota now outstanding. The shares of common stock of Minnesota, which Bond and Share now owns, were acquired together with other securities of former utility subsidiaries of American Power & Light Company (“American”), in exchange for Bond and Share’s holdings of the former preferred and common stocks of American pursuant to a section 11(c) plan of American approved by this Commission on October 4, 1949, and made effective February 15, 1950. The acquisition of the securities, including the common stock of Minnesota, by Bond and Share under the above mentioned section 11(c) plan was subject to a commitment by Bond and Share to dispose of such securities within one year from the effective date of the plan. Bond and Share now proposes to sell 13,271 shares of the common stock of Minnesota to Kidder, Peabody & Co. at a net price to Bond and Share per share. In its notification to the Commission pursuant to Rule U-44 (e) Bond and Share requested the Commission to enter an order reciting that the sale is necessary or appropriate to effectuate the provisions of section 11(b) of the Public Utility Holding Company Act of 1935.

The Commission having advised Bond and Share that the proposed sale did not appear to require the filing of an application or declaration with the Commission under the act, and the Commission finding that the requested order can properly be entered,

It is ordered and recited, That the sale and transfer of Electric Bond and Share Company of 13,271 shares of the common stock of Minnesota Power & Light Company for $3,700,260.90 is necessary or appropriate to the integration and simplification of the holding company system of which Bond and Share is a member and is necessary or appropriate to effectuate the provisions of section 11(b) of the Public Utility Holding Company Act of 1935.

By the Commission.

[SEAL]

CRAVIL L. DU BOS, Secretary.

[F. R. Doc. 50-11853; Filed, Dec. 18, 1950; 8:46 a.m.]

DEPARTMENT OF JUSTICE

Office of Alien Property


[Order No. 1007]

WILHELM WEISE

In re; Debts owing to Wilhelm Weise.

F. 28-19308

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9139, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Wilhelm Weise, whose last known address is 29 Tangerstrasse, Celle, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows:

a. Those certain debts or other obligations matured or unmatured evidenced by Five (5) German Deutschemark Bonds, numbered 18200, 26600, 35000, 56000, 56250, issued by the Reichsbank of the German Empire, dated June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, and pursuant to law, after investigation, it is hereby found:

b. Those certain debts or other obligations matured or unmatured evidenced by Two (2) International Hydro-Electric System 5% Conv. Debentures, dated 1944, numbered 23762 and 23767, each of $1,000.00 face value, together with any and all accruals to the aforesaid debts or other obligations, and any and all rights to demand, enforce and collect the same, and any and all rights in, to and under the aforesaid convertible debentures.

c. Those certain debts or other obligations matured or unmatured evidenced by Two (2) International Hydro-Electric System 5% Conv. Debentures, due 1955, numbered 23762 and 23767, each of $1,000.00 face value, together with any and all accruals to the aforesaid debts or other obligations, and any and all rights to demand, enforce and collect the same, and any and all rights in, to and under the aforesaid convertible debentures.

d. Those certain debts or other obligations matured or unmatured evidenced by Four (4) International Power Securities Corp. 8% Series C bonds, due 1955, numbered 1708, 33770, 5338, 24857, 90067, each of $1,000.00 face value, together with any and all accruals to the aforesaid debts or other obligations, and any and all rights to demand, enforce and collect the same, and any and all rights in, to and under the aforesaid convertible debentures.

That the sale, transfer and other transactions matured or unmatured evidenced by Five (5) German Deutschemark Bonds, numbered 18200, 26600, 35000, 56000, 56250, issued by the Reichsbank of the German Empire, dated June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, and pursuant to law, after investigation, it is hereby found:

That the sale, transfer and other transactions matured or unmatured evidenced by Two (2) International Hydro-Electric System 5% Conv. Debentures, due 1955, numbered 23762 and 23767, each of $1,000.00 face value, together with any and all accruals to the aforesaid debts or other obligations, and any and all rights to demand, enforce and collect the same, and any and all rights in, to and under the aforesaid convertible debentures.

That the sale, transfer and other transactions matured or unmatured evidenced by Two (2) International Hydro-Electric System 5% Conv. Debentures, due 1955, numbered 23762 and 23767, each of $1,000.00 face value, together with any and all accruals to the aforesaid debts or other obligations, and any and all rights to demand, enforce and collect the same, and any and all rights in, to and under the aforesaid convertible debentures.

That the sale, transfer and other transactions matured or unmatured evidenced by Four (4) International Power Securities Corp. 8% Series C bonds, due 1955, numbered 1708, 33770, 5338, 24857, 90067, each of $1,000.00 face value, together with any and all accruals to the aforesaid debts or other obligations, and any and all rights to demand, enforce and collect the same, and any and all rights in, to and under the aforesaid convertible debentures.
NOTICES

[Vesting Order 15982]

August Homrichausen

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 Gebr. Klingenberg and Dora Kleinholz, 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. 469,955 issued by the Home Life Insurance Company, New York, New York, to George Kleinholz, and any and all other benefits and rights of any kind or character whatsoever under or arising out of said contract of insurance except those of the aforesaid Home Life Insurance Company together with the right to demand, enforce, receive and collect the same is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by George Kleinholz or Dora Kleinholz, 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 28, 1950.

For the Attorney General.

[Seal]

Harold I. Baynton, Assistant Attorney General, Director, Office of Alien Property.

[For R. Doc. 50-11809; Filed, Dec. 16, 1950; 8:48 a. m.]

GEORGE AND DORA KLEINHOLZ

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 Gebr. Klingenberg, G. M. B. H., the last known address of which is Ger-

[Seal]

Paul V. Myron, Deputy Director, Office of Alien Property.
Tuesday, December 19, 1950

FEDERAL REGISTER

many, is a corporation, partnership, association or other organization, organized under the laws of Germany, which has or has had its principal place of business in Germany, and is 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. 71464, issued by the Franklin Life Insurance Company, Springfield, Illinois, to Theodor Von Krampf, and any and all other benefits and rights of any kind or character whatever under or arising out of said contract of insurance except those of Harry Prochaska and Henry Prochaska, Inc., persons within the United States, and the aforesaid John Hancock Mutual Life Insurance Company together with the right to demand, enforce, receive, and collect the same is property within the United States owned or controlled by, payable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Theodor Von Krampf, a national of a designated enemy country (Germany); and it is hereby determined:

3. That to the extent that the persons named in subparagraph 2 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 28, 1950.

For the Attorney General.

[Seal]

HAROLD I. BAYNONT,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 50-11863; Filed, Dec. 18, 1950; 8:48 a. m.]

[Seal]

ROBERT KARL AND HELENE RENATE KOCK-WINCKLER


Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 7988, and pursuant to law, after investigation, it is hereby found:

1. That W. H. Leonhard Koeppe, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany); and that the net proceeds due or to become due under contracts of insurance evidenced by policies Nos. 201235 and 201246, issued by the West Coast Life Insurance Company, San Francisco, California, to W. H. Leonhard Koeppe, and any and all other benefits and rights of any kind or character whatever under or arising out of said contracts of insurance except those of the aforesaid West Coast Life Insurance Company together with the right to demand, enforce, receive and collect the same is property within the United States owned or controlled by, payable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, W. H. Leonhard Koeppe, a national 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 28, 1950.

For the Attorney General.

[Seal]

W. H. LEONHARD KOEPPE


Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 7988, and pursuant to law, after investigation, it is hereby found:

1. That W. H. Leonhard Koeppe, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany); and that the net proceeds due or to become due under contracts of insurance evidenced by policies numbered 967306, 1042781 and 1042783, issued by the West Coast Life Insurance Company, San Francisco, California, to W. H. Leonhard Koeppe, and any and all other benefits and rights of any kind or character whatever under or arising out of said contracts of insurance except those of the aforesaid West Coast Life Insurance Company together with the right to demand, enforce, receive and collect the same is property within the United States owned or controlled by, payable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, W. H. Leonhard Koeppe, a national 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.
requires that such person be treated as
a 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 re
quired by law, including appropriate
consultation and certification, having
been made and taken, and, it being
deemed necessary in the national in
terest,
There is hereby vested in the Attorney
General of the United States the prop
erty described above, to be held, used,
administered, liquidated, sold or other
wise 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 28, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYTON,
Assistant Attorney General,
Director, Office of Alien Property.

[FILED NO. 2-12-1]

OLGA KOECH ET AL.

In re: Rights of Olga Kosch et al.,
under insurance contract. File No. F-
926-24394-H I.

Under the authority of the Trading
With the Enemy Act, as amended, Execu
tive Order 9193, as amended, and Execu
tive Order 9788, and pursuant to law,
after investigation, it is hereby found:
1. That Olga Kosch, whose last known
address is Germany, is a resident of
Germany and a national of a design
ated enemy country (Germany).

2. That the net proceeds due or to be
come due under a contract of insurance
evidenced by Policy No. 71 057-1695 issued
by the Metropolitan Life Insurance
Company, New York, New York, to Olga
Kosch, and any and all other benefits
and rights of any kind or character
whatsoever under or arising out of said
contract of insurance except those of
the aforesaid Metropolitan Life Insurance
Company together with the right to
mand, enforce, receive and collect the
same is property within the United States
owned or controlled by, payable or de
liverable to, held on behalf of, or on
account of, or owing to, or which is evi
dence of ownership or control by the
foresaid national of a designated enemy
country (Germany); and it is hereby
determined:
4. That to the extent that the person
named in subparagraph 1 hereof and the
domiciliary personal representatives,
heirs-at-law, next-of-kin, legatees and
distributaries, names unknown, of Olga
Kosch, are not within a designated en
emy country, the national interest of
the United States requires that such per
sons be treated as nationals of a desig
nated enemy country (Germany).

All determinations and all action re
quired by law, including appropriate
consultation and certification, having
been made and taken, and, it being
deemed necessary in the national in
terest,
There is hereby vested in the Attorney
General of the United States the prop
erty described above, to be held, used,
administered, liquidated, sold or other
wise 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 28, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYTON,
Assistant Attorney General,
Director, Office of Alien Property.

[FILED NO. 2-13-1]

HENRY J. AND SOPHIE KRUZE

In re: Rights of Henry J. Kruse and
Sophie Kruse under contract of insur

Under the authority of the Trading
With the Enemy Act, as amended, Execu
tive Order 9193, as amended, and Execu
tive Order 9788, and pursuant to law,
after investigation, it is hereby found:
1. That Henry J. Kruse and Sophie
Kruse, whose last known address is Ger
many, are residents of Germany and
nations of a designated enemy country
(Germany);
2. That the net proceeds due or to be
come due under a contract of insurance

Tuesday, December 19, 1950

resident of the United States, and of the aforesaid Guardian Life Insurance Company of America together with the right to demand, enforce, receive and collect the same is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by Erich A. Maisel or Berta Maisel, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

1. That Erich A. Maisel and Berta Maisel, 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. 0239932 SC executed at Washington, D. C., on November 28, 1950, are residents of Germany and nationals of a designated enemy country (Germany);

and it is hereby determined:

1. That George Meyer and Irmgard Meyer, 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. 23-32383 H-1 issued by the New York Life Insurance Company, New York, New York, to George Meyer, and any and all other benefits and rights of any kind or character whatsoever under or arising out of said contract of insurance except those of the aforesaid New York Life Insurance Company, together with the right to demand, enforce, receive and collect the same is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by Oscar Malluschke or Bertha Malluschke, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

1. 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 28, 1950.

For the Attorney General.

[Seal] HAROLD I. BAYTON,
Assistant Attorney General, Director, Office of Alien Property.

[F. R. Doc. 50-11977; Filed, Dec. 18, 1950; 8:48 a. m.]

[Seal] ERICH A. AND BERTA MAISEL.


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 Erich A. Maisel and Berta Maisel, 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. 23-32383 H-1 issued by the Metropolitan Life Insurance Company, New York, New York, New York, to Erich A. Maisel and any and all other benefits and rights of any kind or character whatsoever under or arising out of said contract of insurance except those of the aforesaid Metropolitan Life Insurance Company, together with the right to demand, enforce, receive and collect the same is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by Erich A. Maisel or Berta Maisel, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

1. 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).

2. 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 28, 1950.

For the Attorney General.

[Seal] ERICH A. MAISEL.
Assistant Attorney General, Director, Office of Alien Property.

[F. R. Doc. 50-11979; Filed, Dec. 18, 1950; 8:48 a. m.]

[Seal] OSCAR MALLUSCHKE ET AL.


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 Oscar Malluschke and Bertha Malluschke, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. 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 28, 1950.

For the Attorney General.

[Seal] GEORGE AND IRMGRAD MEYER.


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 George Meyer and Irmgard Meyer, 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. 10727351 issued by the New York Life Insurance Company, New York, New York, to George Meyer, and any and all other benefits and rights of any kind or character whatsoever under or arising out of said contract of insurance except those of the aforesaid New York Life Insurance Company, together with the right to demand, enforce, receive and collect the same is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by George Meyer or Irmgard Meyer, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

1. 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).
NOTICES

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 28, 1950.

For the Attorney General.

[SEal] HAROLD I. BAYTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 50-11878; Filed, Dec. 18, 1950; 8:49 a. m.]

[Seal] HAROLD I. BAYTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 50-11873; Filed, Dec. 18, 1950; 8:49 a. m.]

[vesting Order 16008]

CARL R. AND HERTHA NEUMUELLER


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 R. Neumueller and Hertha Neumueller, 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. 2716641 issued by The Mutual Life Insurance Company of New York, New York, New York, to Carl R. Neumueller, and any and all other benefits and rights of any kind or character whatsoever under or arising out of said contract of insurance except those of the aforesaid The Mutual Life Insurance Company of New York together with the right to demand, enforce, receive, and collect the same is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or, which is evidence of ownership or control by Carl R. Neumueller or Hertha Neumueller, 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 28, 1950.

For the Attorney General.

[Seal] HAROLD I. BAYTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 50-11874; Filed, Dec. 18, 1950; 8:49 a. m.]

[vesting Order 16010]

HANS WILHELM LUDWIG NOACK AND INGE NOACK

In re: Rights of Hans Wilhelm Ludwik Noack and Inge Noack, 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. 1,403,836 issued by the Sun Life Assurance Company of Canada, Montreal, Quebec, Canada, to Hans Wilhelm Ludwik Noack, and any and all other benefits and rights of any kind or character whatsoever under or arising out of said contract of insurance except those of the aforesaid Sun Life Assurance Company of Canada together with the right to demand, enforce, receive and collect the same is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or, which is evidence of ownership or control by Hans Wilhelm Ludwik Noack, 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 28, 1950.

For the Attorney General.

[Seal] HAROLD I. BAYTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 50-11876; Filed, Dec. 18, 1950; 8:49 a. m.]

[vesting Order 16011]

TOM MASARU OSAKI AND TOMIKO OSAKI


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 Tom Masaru Osaki and Tomiko Osaki, 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. 1,408,264 issued by the Sun Life Assurance Company of Canada, Montreal, Quebec, Canada, to Tom Masaru Osaki, and any and all other benefits and rights of any kind or character whatsoever under or arising out of said contract of insurance except those of the aforesaid Sun Life Assurance Company of Canada together with the right to demand, enforce, receive and collect the same is property within the United States and is property owned within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or, which is evidence of ownership or control by Tom Masaru Osaki or Tomiko Osaki 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 other wise 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 28, 1950.

For the Attorney General.

[SEAL]

HAROLD I. BAYTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 50-11875; Filed, Dec. 18, 1950; 8:49 a.m.]

[VESTING ORDER 16015]

ANGELA SCHMEDES ET AL.


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

2. That the domiciliary personal representatives, heirs-at-law, next-of-kin, legatees and distributees, names unknown, of Anna Schmedes, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

3. That the net proceeds due or to become due under a contract of insurance evidenced by Policy No. 3978 144 R issued by the Metropolitan Life Insurance Company, New York, New York, to Anna Schmedes, and any and all other benefits and rights of any kind or character whatsoever under or arising out of said contract of insurance, except those of the aforesaid Metropolitan Life Insurance Company together with the right to demand, enforce, receive and collect the same is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by Anna Schmedes or the domiciliary personal representatives, heirs-at-law, next-of-kin, legatees and distributees, names unknown, of Anna Schmedes, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

4. That to the extent that the person named in subparagraph 1 hereof and the domiciliary personal representatives, heirs-at-law, next-of-kin, legatees and distributees, names unknown, of Anna Schmedes, 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 interests of and for the benefit of the United States.

For the Attorney General.

[SEAL]

HAROLD I. BAYTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 50-11876; Filed, Dec. 18, 1950; 8:49 a.m.]

[VESTING ORDER 16012]

SYBL EDITH AND WALther L. REINHARDT


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 Sybil Edith Reinhardt and Walther L. Reinhardt, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the domiciliary personal representatives, heirs-at-law, next-of-kin, legatees and distributees, names unknown, of Christian Schwab, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

3. That the net proceeds due or to become due under a contract of insurance evidenced by Policy No. 3978 757 issued by the Security Life and Accident Company, Denver, Colorado, to Sybil Edith Reinhardt, and any and all other benefits and rights of any kind or character whatsoever under or arising out of said contract of insurance except those of the aforesaid Security Life and Accident Company together with the right to demand, enforce, receive and collect the same is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by Sybil Edith Reinhardt or Walther L. Reinhardt, 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 interests of and for the benefit of the United States.

For the Attorney General.

[SEAL]

CHRISTIAN SCHWAB ET AL.


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

2. That the domiciliary personal representatives, heirs, next-of-kin, legatees and distributees, names unknown, of Christian Schwab, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

3. That the net proceeds due or to become due under contracts of insurance evidenced by policies numbered 31266 and 31267 issued by the Prudential Insurance Company of America, Newark, New Jersey, to Christian Schwab, and any and all other benefits and rights of any kind or character whatsoever under or arising out of said contracts of insurance except those of the aforesaid the Prudential Insurance Company of America together with the right to demand, enforce, receive and collect the same is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by Christian Schwab or the domiciliary personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Christian Schwab, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

4. That to the extent that the person named in subparagraph 1 hereof and the domiciliary personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Christian Schwab, 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,

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 Hermann Strauss and Lydia Strauss, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the children, names unknown, of Hermann Strauss, who have residence in Germany, are residents of Germany and nationals of a designated enemy country (Germany);

3. That the net proceeds due or to become due under a contract of insurance evidenced by Policy No. 4585 993 issued by the Equitable Life Assurance Society of the United States together with the right to demand, enforce, receive and collect the same is property within the United States owned or controlled by Hermann Strauss or his representatives, heirs, next of kin, legatees and distributees, names unknown, of Joseph Tabar, who is a resident of Germany and a national of a designated enemy country (Germany);

4. That the children, names unknown, of Hermann Strauss, who have residence in Germany, are residents of Germany and nationals of a designated enemy country (Germany).

and it is hereby determined:

5. 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 28, 1950.

For the Attorney General.

[Seal] Harold I. Baynton, Assistant Attorney General, Director, Office of Alien Property.

[F. R. Doc. 50-11877; Filed, Dec. 18, 1950; 8:49 a. m.]

NOTICES


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 Joseph Tabar, 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. 1294706M issued by the Metropolitan Life Insurance Company together with the right to demand, enforce, receive and collect the same is property within the United States owned or controlled by Joseph Tabar or the domiciliary personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Joseph Tabar, who is a resident of Germany and a national of a designated enemy country (Germany).

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 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 28, 1950.

For the Attorney General.

[Seal] Harold I. Baynton, Assistant Attorney General, Director, Office of Alien Property.

[F. R. Doc. 50-11877; Filed, Dec. 18, 1950; 8:49 a. m.]

[Seal] Harold I. Baynton, Assistant Attorney General, Director, Office of Alien Property.

[F. R. Doc. 50-11877; Filed, Dec. 18, 1950; 8:49 a. m.]

[Seal] Harold I. Baynton, Assistant Attorney General, Director, Office of Alien Property.

[F. R. Doc. 50-11877; Filed, Dec. 18, 1950; 8:49 a. m.]

[Seal] Harold I. Baynton, Assistant Attorney General, Director, Office of Alien Property.
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 28, 1950.

For the Attorney General.

HAROLD L. BAYTON, Assistant Attorney General, Director, Office of Alien Property.

[F. R. Doc. 50-11890; Filed, Dec. 18, 1950; 8:49 a. m.]

Adolf Friedrich Julius Stromeyer et al.

In re: Rights of Adolf Friedrich Julius Stromeyer et al., under insurance contract.


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 Adolf Friedrich Julius Stromeyer and Anna Stromeyer, 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 be become due under a contract of insurance evidenced by Policy No. 235589, issued by the Guardian Life Insurance Company of America, New York, New York, to Hugo Von Den Steinen, Frieda Von Den Steinen, and Helene Von Den Steinen, whose last known address is Germany, are residents of Germany and 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 28, 1950.

For the Attorney General.

HAROLD L. BAYTON, Assistant Attorney General, Director, Office of Alien Property.

[F. R. Doc. 50-11882; Filed, Dec. 18, 1950; 8:49 a. m.]

Vesting Order 16009

In re: Rights of Motoi Takamoto and Misako Takamoto under insurance contract.

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 Motoi Takamoto and Misako Takamoto, 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. 15 159 841, issued by the New York Life Insurance Company, New York, New York, to Motoi Takamoto, and any and all other benefits and rights of any kind or character whatsoever under or arising out of said contract of insurance except those of the aforesaid New York Life Insurance Company together with the right to demand, enforce, receive and collect the same is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by Motoi Takamoto or Misako Takamoto, 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 29, 1950.

For the Attorney General.

HAROLD L. BAYTON, Assistant Attorney General, Director, Office of Alien Property.

[F. R. Doc. 50-11881; Filed, Dec. 18, 1950; 8:49 a. m.]

Vesting Order 16022

MOOTOI AND MISAKO TAKAMOTO

In re: Rights of Motoi Takamoto and Misako Takamoto under insurance contract.

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 Motoi Takamoto and Misako Takamoto, 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. 15 159 841, issued by the New York Life Insurance Company, New York, New York, to Motoi Takamoto, and any and all other benefits and rights of any kind or character whatsoever under or arising out of said contract of insurance except those of the aforesaid New York Life Insurance Company together with the right to demand, enforce, receive and collect the same is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by Motoi Takamoto or Misako Takamoto, 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 29, 1950.

For the Attorney General.

HAROLD L. BAYTON, Assistant Attorney General, Director, Office of Alien Property.

[F. R. Doc. 50-11882; Filed, Dec. 18, 1950; 8:49 a. m.]

Vesting Order 16022
NOTICES

Banco Aleman Transatlantico, Buenos Aires, Argentina, together with all declared and unpaid dividends on the aforesaid shares of stock.

c. One (1) Scrip Certificate for 4% Prov. of Salta Po Conv. dollar bond due 1964, numbered A568, in the face amount of $50.00, registered in the name of Brown Brothers Harriman & Co., and presently in the custody of Brown Brothers Harriman & Co., New York 5, New York, in an account for Banco Aleman Transatlantico, Buenos Aires, Argentina, together with any and all rights thereunder or thereto, and the said Brown Brothers Harriman & Co., New York 5, New York, arising out of a "Depot A" checking account in the name of Banco Aleman Transatlantico, Buenos Aires, Argentina, maintained with the aforesaid bank and any and all rights to demand, enforce and collect the same.

3. That Banco Aleman Transatlantico, Montevideo, Uruguay, is a branch of Deutsche Uberseeische Bank, A. G., also known as Banco Aleman Transatlantico, and as Banco Alemann Transatlantico, and is, or since the effective date of Executive Order 8389, as amended, has been controlled by the aforesaid Deutsche Uberseeische Bank, A. G., and is a national of a designated enemy country (Germany);

4. That Banco Aleman Transatlantico, the last known address of which is Montevideo, Uruguay, is a branch of Deutsche Uberseeische Bank, A. G., also known as Banco Aleman Transatlantico, and as Banco Alemann Transatlantico, and is, or since the effective date of Executive Order 8389, as amended, has been controlled by the aforesaid Deutsche Uberseeische Bank, A. G., and is a national of a designated enemy country (Germany);

5. That the property described as follows:

a. Forty-Four (44) shares of non-cumulative preference stock of Canadian Pacific Railway Company, evidenced by certificate numbered I415941, registered in the name of Brown Brothers Harriman & Co., 59 Wall Street, New York 5, New York, in an account for Banco Aleman Transatlantico, Buenos Aires, Argentina, together with all declared and unpaid dividends on the aforesaid shares of stock.

b. One hundred-tea (110) shares of capital stock of International Nickel Company of Canada, Ltd., evidenced by certificates numbered NJ444485, NB-268599 and NB72164 for 16, 20 and 80 shares respectively, registered in the name of Brown Brothers Harriman & Co., and presently in the custody of Brown Brothers Harriman & Co., 59 Wall Street, New York 5, New York, in an account for Banco Aleman Transatlantico, Buenos Aires, Argentina, together with any and all rights thereunder or thereto, and the said Brown Brothers Harriman & Co., New York 5, New York, arising out of a "Depot A" checking account in the name of Banco Aleman Transatlantico, Buenos Aires, Argentina, maintained with the aforesaid bank and any and all rights to demand, enforce and collect the same.

6. That the property described as follows:

a. That certain debt or other obligation owing to Banco Aleman Transatlantico, Valparaiso, Chile, by the Irving Trust Company, One Wall Street, New York 5, New York, arising out of an outstanding Foreign Drafts account in the name of Banco Aleman Transatlantico, Valparaiso, Chile, maintained with the aforesaid bank and any and all rights to demand, enforce and collect the same.

b. That certain debt or other obligation owing to Banco Aleman Transatlantico, Valparaiso, Chile, by the Irving Trust Company, One Wall Street, New York 5, New York, arising out of an outstanding Foreign Drafts account in the name of Banco Aleman Transatlantico, Valparaiso, Chile, maintained with the aforesaid bank and any and all rights to demand, enforce and collect the same.

7. That the property described as follows:

a. That certain debt or other obligation owing to Banco Aleman Transatlantico, Valparaiso, Chile, by the Irving Trust Company, One Wall Street, New York 5, New York, arising out of an outstanding Foreign Drafts account in the name of Banco Aleman Transatlantico, Valparaiso, Chile, maintained with the aforesaid bank and any and all rights to demand, enforce and collect the same.

8. That the property described as follows:

a. That certain debt or other obligation owing to Banco Aleman Transatlantico, Valparaiso, Chile, by the Irving Trust Company, One Wall Street, New York 5, New York, arising out of an outstanding Foreign Drafts account in the name of Banco Aleman Transatlantico, Valparaiso, Chile, maintained with the aforesaid bank and any and all rights to demand, enforce and collect the same.

9. That the property described as follows:

a. That certain debt or other obligation owing to Banco Aleman Transatlantico, Valparaiso, Chile, by the Irving Trust Company, One Wall Street, New York 5, New York, arising out of an outstanding Foreign Drafts account in the name of Banco Aleman Transatlantico, Valparaiso, Chile, maintained with the aforesaid bank and any and all rights to demand, enforce and collect the same.
Tuesday, December 19, 1950

FEDERAL REGISTER

Trust Company of New York, 140 Broadway, New York 15, New York, said receipt covering Ninety-two (92) coupons, due June 30, 1940, in the face value of $2,300 detached from bonds of Chilean Nitrate and iodine Sales Corporation, said coupons presently in the custody of the Federal Reserve Bank of New York, New York, in an account entitled "Department of Justice, Office of Alien Property E. X. O. 8389," and any and all rights evidences or represented by said receipt, including particularly, but not limited to the rights to possession and presentation for collection of the aforesaid coupons, 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 Banco Aleman Transatlantico, Valparaiso, Chile, the aforesaid national of a designated enemy country (Germany); and it is hereby determined:

1. That the persons named in subparagraphs 1, 2, 3 and 4 hereof are not within a designated enemy country (Germany).

2. That the property described as

a. All rights and interests under and by virtue of a safe deposit box lease agreement by and between Max E. Rau and Marshall & Isley Bank, 721 North Water Street, Milwaukee 1, Wisconsin, relating to safe deposit box numbered 367, Section 6, located in the vaults of the aforesaid bank, including particularly but not limited to the right of access to said safe deposit box, and

b. Any and all property of any nature whatsoever in the said deposit box referred to in subparagraph 2a hereof and any and all rights evidenced or represented thereby,

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 Banco Aleman Transatlantico, Valparaiso, Chile, are controlled by, or acting for or on behalf of a designated enemy country (Germany) or persons within or nationals of a designated enemy country (Germany); and it is hereby determined:

8. That the property described as

a. That certain debt or other obligation owing to Marie Beron, also known as Marie Christiane Beron, by William Kimmick, 193-09 53rd Avenue, Flushing, L.I., New York, representing the balance due on a loan made in May 1933, together with any and all accruals thereon, and any and all rights to demand, enforce and collect the same,

f. That certain debt or other obligation owing to Marie Beron, also known as Marie Christiane Beron, by L. Pongs, 3408 36th Street, Long Island City, New York, representing the balance due on a loan made in 1937, together with any and all accruals thereon, and any and all rights to demand, enforce and collect the same,

e. That certain debt or other obligation owing to Marie Beron, also known as Marie Christiane Beron, by Frida Dorstewitz, 3488 Grove Street, Oakland, California, representing the balance due on a loan made in 1933, together with any and all accruals thereon, and any and all rights to demand, enforce and collect the same.

d. That certain debt or other obligation owing to Marie Beron, also known as Marie Christiane Beron, by William Kimmick, 193-09 53rd Avenue, Flushing, L.I., New York, together with any and all accruals thereon, and any and all rights to demand, enforce and collect the same,

c. That certain debt or other obligation owing to Marie Beron, also known as Marie Christiane Beron, by L. Pongs, 3408 36th Street, Long Island City, New York, representing the balance due on a loan made in 1937, together with any and all accruals thereon, and any and all rights to demand, enforce and collect the same,

b. That certain debt or other obligation owing to Marie Beron, also known as Marie Christiane Beron, by L. Pongs, 3408 36th Street, Long Island City, New York, representing the balance due on a loan made in 1937, together with any and all accruals thereon, and any and all rights to demand, enforce and collect the same.

d. That certain debt or other obligation owing to Marie Beron, also known as Marie Christiane Beron, by L. Pongs, 3408 36th Street, Long Island City, New York, representing the balance due on a loan made in 1937, together with any and all accruals thereon, and any and all rights to demand, enforce and collect the same.

e. That certain debt or other obligation owing to Marie Beron, also known as Marie Christiane Beron, by L. Pongs, 3408 36th Street, Long Island City, New York, representing the balance due on a loan made in 1937, together with any and all accruals thereon, and any and all rights to demand, enforce and collect the same.

f. That certain debt or other obligation owing to Marie Beron, also known as Marie Christiane Beron, by L. Pongs, 3408 36th Street, Long Island City, New York, representing the balance due on a loan made in 1937, together with any and all accruals thereon, and any and all rights to demand, enforce and collect the same.
NOTICES

Broadway, New York 6, New York, arising out of an account, entitled Henry Brune, maintained at the aforesaid W. C. Langley & Co., and any all rights to demand, enforce and collect the same,

c. Cash in the sum of $474.55, presently in the custody of the Treasury Department of the United States in an account entitled Secretary of the Treasury. Proceeds of Withheld Foreign Checks, representing the proceeds of checks numbered 68,451 and 68,452, in the amounts of $60.00 and $414.55 respectively, dated July 13, 1942, drawn on the Treasurer of the United States Department of the United States in an account numbered 555, and payable in person, in cash and any and all rights to demand, enforce and collect the same,

d. That certain debt or other obligation owing to Henry Brune, also known as Heinrich Brune and as Heinrich Brune, by American National Bank, Kimball, Nebraska, arising out of a Checking Account, entitled Henry Brune, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same,

e. That certain debt or other obligation owing to Henry Brune, also known as Heinrich Brune and as Heinrich Brune, property within the United States owned or controlled by, payable or deductible to, held on behalf of or on account of, in the interest of, and for which all of which is evidence of ownership or control by, the

EXHIBIT A

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<th>Issuer</th>
<th>Incorporated</th>
<th>Certificate No.</th>
<th>Number of shares</th>
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<td>Premier Gold Mining Co., Ltd.</td>
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<td>Tobaga Gold Mines, Ltd.</td>
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<td>Silkpark Mines, Ltd.</td>
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<td>Sudan Arabian Mining Syndicate</td>
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<td>Big Bell Mines, Ltd.</td>
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liverable, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany); and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (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 December 1, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 50-11890; Filed, Dec. 18, 1950;
6:31 a. m.]

[VESTING ORDER 16096]

KATHLEEN M. TAOKA

In re: Cash, bank account and securities owned by Kathleen M. Taoka, also known as Mrs. Yaihei Taoka, D-39-11886; D-39-11887.

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 Kathleen M. Taoka, also known as Mrs. Yaihei Taoka, on or since the effective date of Executive Order 8388, as amended, and on or since December 8, 1941, has been a resident of Japan and is a national of a designated enemy country (Japan);

2. That the property described as follows:

a. Cash in the amount of $400.00, presently held in custody by the Federal Reserve Bank of New York, represented by a receipt numbered W 1179 dated September 1, 1943, in the name of Mrs. Yaihei Taoka,

b. Five (5) Credit National Bonds of $960 francs each, serial numbers 4649598/4683252, presently held in custody by the Federal Reserve Bank of New York, repre

numbered W 2697 dated September 1, 1943, in the name of Mrs. Yaihei Taoka, and any and all rights to demand, enforce and collect the same.

d. That certain debt or other obligation owing to Kathleen M. Taoka by the Yokahama Specie Bank Ltd., San Francisco, arising out of a checking account entitled Kathleen M. Taoka, and any and all rights to demand, enforce and collect the same.

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national 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 December 1, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 50-11891; Filed, Dec. 18, 1950;
6:31 a. m.]

[VESTING ORDER 16138]

KITOKO AND TAROKICHI KURODA


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 Kiyoko Kuroda and Tarokichi Kuroda, the aforesaid enemy nationals of a designated enemy country (Japan);

2. That the net proceeds due or to become due under a Contract of Immediate Life Annuity, evidenced by Policy No. 9 792 563, issued by the New York Life Insurance Company, New York, New York, to Kiyoko Kuroda, 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 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
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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.

For the Attorney General.

[Seal] HAROLD I. BAYTON,
Assistant Attorney General,
Director, Office of Alien Property.

[Vesting Order 16147]

SUMA AND TAKAICHI MATSUMOTO


Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9738, and pursuant to law, after investigation, it is hereby found:

1. That Suma Matsumoto, whose last known address is Japan, is a resident 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. 107156, issued by the Sun Life Assurance Company of Canada, Montreal, Quebec, Canada, to Suma Matsumoto, together with the right to demand, receive and collect said net proceeds (including without limitation the right to proceed for collection against branch offices and legal reserves maintained in the United States), 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, Suma Matsumoto or Takaichi Matsumoto, 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 and the domiciliary personal representatives, heirs, legatees and distributees, names unknown, of Suma Matsumoto or Takaichi Matsumoto, are residents 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.

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.

For the Attorney General.

[Seal] HAROLD I. BAYTON,
Assistant Attorney General,
Director, Office of Alien Property.

[Vesting Order 16147]

JOHANNA L. SIMON ET AL.


Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9738, and pursuant to law, after investigation, it is hereby found:

1. That Johanna L. Simon, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the domiciliary personal representatives, heirs, legatees and distributees, names unknown, of Johanna L. Simon, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

3. That the net proceeds due or to become due under a contract of insurance evidenced by Certificate of Deposit No. 308093, issued by the New York Life Insurance Company, New York, New York, to Johanna L. Simon, together with the right to demand, receive and collect said 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, Johanna L. Simon or the domiciliary personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Johanna L. Simon, 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 national representatives, heirs, next of kin, legatees and distributees of Augusta Conrad, deceased, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same, is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the personal representatives, heirs, next of kin, legatees and distributees of Augusta Conrad, deceased, maintained at the aforesaid bank, are not within a designated enemy country (Germany); and it is hereby determined:

3. That to the extent that the personal representatives, heirs, next of kin, legatees and distributees of Augusta Conrad, deceased, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest, there is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.
The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on December 4, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 50-11898; Filed, Dec. 18, 1950; 8:53 a.m.]

FEDERAL REGISTER

[Vesting Order 16131]

NAKATEA NAKAMURA


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. Nakatake Nakamura, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan).

2. The net proceeds due or to become due under a contract of insurance evidenced by Policy No. GLHD-12927, issued by the Metropolitan Life Insurance Company, New York, New York, to Nakataro Nakamura, 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, Nakataro Nakamura, the aforesaid national 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 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 December 4, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 50-11899; Filed, Dec. 18, 1950; 8:53 a.m.]

FEDERAL REGISTER

[Vesting Order 16132]

TSUYOSHI NAMBA ET AL.


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. Tsuyoshi Namba, whose last known address is Japan, is a resident of Japan and nationals of a designated enemy country (Japan).

2. The net proceeds due or to become due under a contract of insurance evidenced by Policy No. GLHD-12927, issued by the Metropolitan Life Insurance Company, New York, New York, to Nakataro Nakamura, together with the right to demand, receive and collect said net proceeds (including without limitation

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 December 4, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 50-11897; Filed, Dec. 18, 1950; 8:52 a.m.]

FEDERAL REGISTER

[Vesting Order 16130]

ALFRED AND CLARA MUNDER


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 Alfred Munder and Clara Munder, whose last known address is Germany, are nationals 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. 6825, issued by the Prudential Insurance Company of America, Newark, New Jersey, to Alfred Munder, 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, Alfred Munder or Clara Munder, the aforesaid nationals of a designated enemy country (Germany); and

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 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 December 4, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 50-11896; Filed, Dec. 18, 1950; 8:52 a.m.]

FEDERAL REGISTER

[Vesting Order 16133]

DORA BREMER ROBECB


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 Dora Bremer Robeck (nee Bremer), 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. 2358, issued by the Sun Life Assurance Company of Canada, Montreal, Quebec, Canada, to Tsuyoshi Namba, together with the right to demand, receive and collect said net proceeds (including without limitation

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 December 4, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 50-11897; Filed, Dec. 18, 1950; 8:53 a.m.]}
the right to proceed for collection against branch offices and legal reserves maintained in the United States, 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.

There are 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 December 4, 1959.

For the Attorney General.


[FR Doc. 50-11903; Filed, Dec. 18, 1950; 8:50 a.m.]

[ Vesting Order 16164]

FRANK J. HERZOG

In re: Rights of Franz Slickers under insurance contract. File No. D-28-2693-1. 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 Franz Slickers, 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. 27032, issued by the Workmen's Benefit Fund, Brooklyn, New York, to Louis Starke, 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 December 4, 1959.

For the Attorney General.


[FR Doc. 50-11906; Filed, Dec. 18, 1950; 8:50 a.m.]

[ Vesting Order 16164]

CLARA STARKE

In re: Rights of Clara Starke under insurance contract. File No. D-28-2693-2. Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Clara Starke, 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. 27032, issued by the Workmen's Benefit Fund, Brooklyn, New York, to Louis Starke, 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 December 4, 1959.

For the Attorney General.


[FR Doc. 50-11907; Filed, Dec. 18, 1950; 8:50 a.m.]

[ Vesting Order 16164]
In re: Cash owned by Asta Hansen.

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 Asta Hansen, whose last known address is Festgestrasse 11, Brunsbuttelkoog, Germany, is a resident of Germany and a national of a designated enemy country (Germany);
2. That the property described as follows: That certain debt or other obligation owing to Asta Hansen by the City Bank Farmers Trust Company, 22 William Street, New York 1, New York, representing dividends held by the aforesaid bank on thirty (30) shares of common capital stock of Curtiss Wright Corporation, formerly owned by Asta Hansen, together with any and all accruals thereto, and any and all rights to demand, enforce, and collect the same, is property within the United States owned or controlled by, or available to, or held, used, or delivered to, or disposed of by, or in behalf of, or for the benefit of, or by, or in possession of such person, is property within the United States 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.

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.

For the Attorney General.

[Seal] HAROLD I. BAYTON, Assistant Attorney General, Director, Office of Alien Property.

Tuesday, December 19, 1950

FEDERAL REGISTER

[Vesting Order 16179] ASTA HANSEN

In re: Cash owned by Asta Hansen.

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 Asta Hansen, whose last known address is Festgestrasse 11, Brunsbuttelkoog, Germany, is a resident of Germany and a national of a designated enemy country (Germany);
2. That the property described as follows: That certain debt or other obligation owing to Asta Hansen by the City Bank Farmers Trust Company, 22 William Street, New York 1, New York, representing dividends held by the aforesaid bank on thirty (30) shares of common capital stock of Curtiss Wright Corporation, formerly owned by Asta Hansen, together with any and all accruals thereto, and any and all rights to demand, enforce, and collect the same, is property within the United States owned or controlled by, or available to, or held, used, or delivered to, or disposed of by, or in behalf of, or for the benefit of, or by, or in possession of such person, is property within the United States 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.

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.

For the Attorney General.

[Seal] HAROLD I. BAYTON, Assistant Attorney General, Director, Office of Alien Property.

FEDERAL REGISTER

[Vesting Order 16182] MITSUBISHI SHOJI KAISHA AND MITSUBISHI FIRE AND MARINE INSURANCE CO., LTD.


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 Mitsubishi Shoji Kaisha and Mitsubishi Fire & Marine Insurance Co., Ltd., also known as Mitsubishi Marine & Fire Insurance Co., the last known addresses of which are Tokyo, Japan, are corporations, partnerships, associations or other business organizations, organized under the laws of Japan, and which have, within the period specified in section 10 of Executive Order 8389, as amended, have had their principal places of business in Tokyo, Japan, and are nationals of a designated enemy country (Japan);
2. That the property described as follows: a. That certain debt or other obligation of Johnson & Higgins, 63 Wall Street, New York 5, New York, arising from General Average Deposit collected as security for payment of General Average Charges on shipment on Str. "Soyo Maru" accident December 1933, under Int. Nos. 26, 28, 31, together with any and all accruals to the aforesaid debt or other obligation and any and all rights to demand, enforce and collect the same, b. That certain debt or other obligation of Johnson & Higgins, 63 Wall Street, New York 5, New York, arising from General Average Deposits collected as security for payment of General Average Charges on Str. "Montreal Maru" accident December 1933, under Int. Nos. 20, 21, 23 and 38, together with any and all accruals to the aforesaid debt or other obligation and any and all rights to demand, enforce and collect the same, c. That certain debt or other obligation of Johnson & Higgins, 63 Wall Street, New York 5, New York, arising from General Average Deposits collected as security for payment of General Average Charges on Str. "Bonneville" accident December 1940, together with any and all accruals to the aforesaid debt or other obligation and any and all rights to demand, enforce and collect the same, is property within the United States owned or controlled by, or available to, or held, used, or delivered to, or disposed of by, or in behalf of, or for the benefit of, or by, or in possession of such person, is property within the United States 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.

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.

For the Attorney General.

[Seal] HAROLD I. BAYTON, Assistant Attorney General, Director, Office of Alien Property.

FEDERAL REGISTER

[Vesting Order 16184] ISAMI NOZUKA

In re: Bank account owned by Isami Nozuka, also known as Isami Notsuka.

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 Isami Nozuka, also known as Isami Notsuka, whose last known address is House No. 1260, Oaza Senzoku, Kamitakara, Mi-jun, Gun, Japan, is a residence of Japan and a national of a designated enemy country (Japan);
2. That the property described as follows: That certain debt or other obligation of Bank of America National Trust and Savings Association, 300 Montgomery Street, San Francisco, California, arising out of a savings account, account number 2199, named Isami Nozuka, maintained at the branch office of the aforesaid bank located at 147 North Wilson Way, Stockton, California, and any and all rights to demand, enforce and collect the same, is property within the United States owned or controlled by, or available to, or held, used, or delivered to, or disposed of by, or in behalf of, or for the benefit of, or by, or in possession of such person, is property within the United States 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.
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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 9183, as amended.

Executed at Washington, D. C., on December 8, 1950.

For the Attorney General.

[Seal] HAROLD I. BAYNTON, Assistant Attorney General, Director, Office of Alien Property.

[Return Order 823]

MANCHE RENY HUC

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

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

Claimant, Claim No., Notice of Intention To Return Published, and Property

[Return Order 627]

GASTON FLEISCHER

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

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

Claimant, Claim No., Notice of Intention To Return Published, and Property

Pursuant to section 32 (1) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

WERNER HALLE

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (1) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

SOCIETE CARBOCHIMIQUE S. A.

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (1) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., and Property

Societe Carbochimique S. A., Tertre, Belgium: Claim No. 27480; Property described in Vesting Order No. 678 (8 F. R. 5205, April 17, 1945) relating to United States Letters Patent No. 2,997,885. This return shall not be deemed to include the rights of any licensees under the above patent.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on December 12, 1950.

For the Attorney General.

[Seal] HAROLD I. BAYNTON, Assistant Attorney General, Director, Office of Alien Property.

[F. R. Doc. 50-11913; Filed, Dec. 18, 1950; 8:53 a.m.]