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TITLE 3—THE PRESIDENT

EXECUTIVE ORDER 10198

EXEMPTION OF PAUL A. WALKER FROM COMPULSORY RETIREMENT FOR AGE

WHEREAS Paul A. Walker, a member of the Federal Communications Commission, will, during the month of January 1951, become subject to compulsory retirement for age under the provisions of the Civil Service Retirement Act of May 29, 1930, as amended, unless exempted therefrom by Executive order; and

WHEREAS, in my judgment, the public interest requires that the said person be exempted from such compulsory retirement as provided below:

NOW, THEREFORE, by virtue of the authority vested in me by section 204 of the act of June 30, 1932, 47 Stat. 404 (5 U. S. C. 715 a), I hereby exempt the said Paul A. Walker from compulsory retirement for age for an indefinite period of time not extending beyond the expiration of his present term of office as a member of the Federal Communications Commission.

HARRY S. TRUMAN

THE WHITE HOUSE,
December 21, 1950.

[F. R. Doc. 50-12317; Filed, Dec. 21, 1950; 4:22 p. m.]

EXECUTIVE ORDER 10199

AUTHORIZING THE SECRETARY OF AGRICULTURE TO MAKE WITHOUT THE APPROVAL OF THE PRESIDENT REGULATIONS UNDER THE AGRICULTURAL MARKETING AGREEMENT ACT OF 1937, AS AMENDED

By virtue of the authority vested in me by the act of August 8, 1950, Public Law 673, 81st Congress, I hereby authorize the Secretary of Agriculture to make without the approval of the President such regulations with the force and effect of law as may be necessary to carry out the powers vested in him by the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.).

HARRY S. TRUMAN

THE WHITE HOUSE,
December 21, 1950.

[F. R. Doc. 50-12332; Filed, Dec. 22, 1950; 10:46 a. m.]

TITLE 7—AGRICULTURE

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

PART 70—GRADING AND INSPECTION OF POULTRY AND DOMESTIC RABBITS AND EDIBLE PRODUCTS THEREOF; UNITED STATES SPECIFICATIONS FOR CLASSES, STANDARDS, AND GRADES WITH RESPECT THERETO

SUBPART D—FORMS, INSTRUCTIONS, AND PREREQUISITES TO GRADING AND INSPECTION SERVICE

FORM OF APPLICATION AND CONTRACT

On October 28, 1950, a notice of proposed rule making was published in the FEDERAL REGISTER (15 F. R. 7271) regarding the approval of a form of application for inspection service on a contract basis.

Whenever any person desires inspection service to be rendered by the Administration at any plant with respect to dressed poultry for condition only, pursuant to the applicable regulations (7 CFR, Part 70) of the Department, he may apply for such service by submitting, to the Administrator, a properly completed application (in duplicate) in the form herein set forth. Upon approval of the application by the Administrator, it will become the contract providing for such inspection service at such plant. This application and contract form specifies the conditions under which service will be performed (including the extent of the financial obligations to be assumed by the applicant) in accordance with the aforesaid regulations. Such regulations are currently operative pursuant to the authority contained in the Agricultural Marketing Act of 1946 (60 Stat. 1087; U. S. C. 1621 et seq.) and the Department of Agriculture Appropriation Act, 1951 (Pub. Law 759, approved September 6, 1950). The fees for the inspection service are so calculated as to provide the revenue necessary for the conduct of the service on an equitable basis, and be reasonable and as nearly as may be to cover the cost for service rendered.

After consideration of all relevant matters presented, including the proposals set forth in the said notice, it is

(Continued on p. 9219)

CONTENTS

THE PRESIDENT

Executive Orders	Page
Authorizing the Secretary of Agriculture to make regulations under the Agricultural Marketing Agreement Act of 1937, as amended, without the approval of the President.....	9217
Walker, Paul A., exemption from compulsory retirement.....	9217

EXECUTIVE AGENCIES

Agriculture Department

See Farmers Home Administration; Production and Marketing Administration.

Alien Property, Office of

Notices:

Vesting orders, etc.:

Balzer, Otto, and Louise.....	9266
de Chambrun, Rene.....	9270
Esslinger, Lina E.....	9269
Generaldirektor I. R. Gustav Gerhardt.....	9261
Giuffre, Giovanna, and Maria A.....	9270
Gutetzky, Albine.....	9269
Hoffman, Martha, et al.....	9267
Hogemann, Frieda.....	9262
Hopf, Helmut, et al.....	9261
Kubo, Fukujiro.....	9266
Kuboyama, Shigezo, et al.....	9254
Leipzig, Julie, and Else van Waveren.....	9268
Librairie Editions, A. Hatier.....	9269
Librairie Gallimard.....	9269
Marzenischen, Therese.....	9267
Mechler, Bertha, et al.....	9264
Meyron, Davide.....	9270
Musikforlag, Carl Gehrman.....	9270
Oda, Kiyoko, and Dr. Sanji.....	9262
Oldemeier, Olga Antoinette.....	9263
Ozasa, Toworu.....	9264
Paul, Lena Lochner.....	9270
Pietsch, Erna.....	9265
Relling, Robert, et al.....	9263
Tsuchizawa, Toshiso.....	9260
Uno, Toichi, and Hanayo.....	9265
Wada, Chiyo, et al.....	9263
Wagner, Ernst Jakob, and Elizabeth.....	9260
Walter, Heinz, and Ursula.....	9265
Weiss, Henry A., et al.....	9265
Werner, Elise A.....	9261
Werner, Kathe A. H.....	9259
Yamakami, Nulo.....	9266
Ziegler, Ludwig, et al.....	9260



FEDERAL REGISTER

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CONTENTS—Continued

	Page
Army Department	
Virginia; transferring certain lands within the Petersburg National Military Park from the Department of the Interior (see Interior Department).	
Civil Aeronautics Administration	
Rules and regulations:	
Air carrier operating certification	9231
Air carrier, scheduled, rules; mechanical hazard and difficulty reports	9236
Air carriers, Alaskan, classification and exemption; pilot-owner	9237
Aircraft airworthiness; restricted category	9223
Air traffic rules; standard instrument approach procedures	9232
Certification and operation rules for scheduled air carrier operations outside the continental limits of the U. S. (2 documents)	9231
Content and scope of written examination:	
Aircraft dispatcher certificates	9231
Air-traffic control-tower operator certificates	9231
Civil Aeronautics Board	
See Civil Aeronautics Administration.	
Commerce Department	
See Civil Aeronautics Administration.	
Economic Stabilization Agency	
Notices:	
Pricing standards, voluntary	9255

RULES AND REGULATIONS

CONTENTS—Continued

Farmers Home Administration	Page
Rules and regulations:	
Farm ownership loan limitations; average values of farms and investment limits in Virginia	9223
Federal Communications Commission	
Notices:	
Hearings, etc.:	
Allen B. Du Mont Laboratories, Inc., et al.	9256
Chamberlain, Charles H.	9255
Evangeline Broadcasting Co., Inc. (KVOL)	9256
United Broadcasting Co., Inc. (WOOK)	9256
Federal Power Commission	
Notices:	
Southern Natural Gas Co.; hearing	9256
German Affairs Bureau	
Notices:	
Dispersion of assets of I. G. Farbenindustrie A. G.	9250
Disposition of former Reich-owned motion picture industry	9248
Housing Expediter, Office of	
Rules and regulations:	
Rent controlled; housing and rooms in rooming houses and other establishments:	
California	9238
Certain States	9237
Minnesota	9237
Interior Department	
See also Land Management, Bureau of.	
Notices:	
Virginia; transferring certain lands within the Petersburg National Military Park to the Department of the Army	9254
Wyoming, Grand Teton National Park; boundaries	9254
Interstate Commerce Commission	
Notices:	
Applications for relief:	
Acetaldehyde from Brownsville, Tex., to eastern cities	9259
Agricultural implements and other commodities from southern territory	9257
Articles, iron and steel:	
Alabama to Port Wentworth, Ga.	9258
Geneva, Utah, to the southwest	9259
Cement from Colorado to western trunk-line territory	9258
Drugs and medicines from St. Louis, Mo., to Indiana Orchard, Mass.	9258
Grain and grain products from Montana to British Columbia ports for export	9258
Sulphur, crude, to Charleston and Georgetown, S. C.	9259
Woods, foreign, to Ohio River crossings	9258

CONTENTS—Continued

Interstate Commerce Commission—Continued	Page
Notices—Continued	
Eastern Motor Freight Conference, Inc.; application for approval of agreement	9257
Rerouting or diversion of traffic:	
Chicago area	9257
Peoria and Pekin Union Railway Co.	9257
Potomac Yards, Va.	9257
St. Louis area	9257
Rules and regulations:	
Car service; movement of grain to terminal elevators by permit	9242
Justice Department	
See Alien Property, Office of.	
Labor Department	
See Public Contracts Division.	
Land Management, Bureau of	
Notices:	
Nevada; filing of plat of survey (3 documents)	9252, 9253
Rules and regulations:	
Alaska; sale or lease of certain lands in the Matanuska Valley	9242
Production and Marketing Administration	
Proposed rule making:	
Milk handling, marketing areas:	
Chicago, suburban Chicago, Ill., South Bend-La Porte, Ind., Milwaukee, Wis., and Rockford-Freeport, Ill.	9244
St. Louis, Mo.	9243
Rules and regulations:	
Grading and inspection of poultry and domestic rabbits and edible products thereof, U. S. specifications for classes, standards, and grades with respect thereto; form of application and contract	9217
Limitation of shipments:	
Lemons in California and Arizona	9220
Oranges in California or in Arizona (2 documents)	9221
Potatoes, Irish, in Massachusetts, Rhode Island, Connecticut, New Hampshire, and Vermont; limitation of shipments	9220
Public Contracts Division	
Rules and regulations:	
Chemical and related products industry; minimum wage determinations	9238
State Department	
See German Affairs Bureau.	
CODIFICATION GUIDE	
A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.	
Title 3	Page
Chapter II (Executive orders):	
10198	9217
10199	9217

CODIFICATION GUIDE—Con.

Title 6	Page
Chapter III:	
Part 311.....	9223
Title 7	
Chapter I:	
Part 70.....	9217
Chapter IX:	
Part 903 (proposed).....	9243
Part 907 (proposed).....	9244
Part 920.....	9220
Part 941 (proposed).....	9244
Part 953.....	9220
Part 966 (2 documents).....	9221
Part 967 (proposed).....	9244
Part 969 (proposed).....	9244
Part 991 (proposed).....	9244
Title 14	
Chapter I:	
Part 8.....	9223
Part 26.....	9231
Part 27.....	9231
Part 40.....	9231
Part 41 (2 documents).....	9231
Part 60.....	9232
Part 61.....	9236
Part 292.....	9237
Title 24	
Chapter VIII:	
Part 825 (3 documents).....	9237, 9238
Title 41	
Chapter II:	
Part 202.....	9238
Title 43	
Chapter I:	
Part 75.....	9242
Title 49	
Chapter I:	
Part 95.....	9242

hereby ordered that the following form of application and contract shall become effective at the time hereinafter specified:

§ 70.304 *Application for inspection of dressed poultry for condition only.* Application is hereby made, in accordance with the applicable provisions of the regulations (7 CFR, Part 70) governing the grading and inspection of poultry and domestic rabbits and edible products thereof and United States specifications for classes, standards, and grades with respect thereto, for the inspection of dressed poultry for condition only at the following designated plant:

Name of plant _____
 Street address _____
 City and State _____

(a) In making this application, the applicant agrees to comply with the terms and conditions of the aforesaid regulations (including, but not being limited to, such instructions governing inspection of products as may be issued, from time to time, by the Administrator), and the following:

(1) Payment for the full cost of the inspection service covered hereby shall be made by the applicant to the Administration not later than thirty (30) days from date of billing. Such full costs shall

comprise such of the following items as may be due and may be included, from time to time, in the invoice or invoices covering the period or periods during which the inspection service may be rendered;

(i) A charge of \$75.00 for the initial survey of the designated plant and its premises (but no charge for the final survey);

(ii) Charges for each additional survey, if any, made at the request of the applicant to be computed on the basis (a) of the actual cost to the Administration of the travel and per diem in lieu of subsistence incurred in the making of the survey, and (b) a charge of \$3.00 per hour for the time consumed at the plant in making the survey;

(iii) A charge of \$72.00 per 40-hour work week for each inspector who is provided to perform the inspection for condition covered hereby, or, if such inspector is assigned to more than one plant and will divide his time among the plants to which he is assigned to perform such inspection for condition, that portion of \$72.00 obtained by dividing that sum by the number of plants at which the service is furnished by the inspector; *Provided*, That, no charge shall be made hereunder for any inspector during any periods of leave approved by the Administration for such inspector;

(iv) (a) A charge of \$3.50 per week to be applied to the cost of travel by the inspector between plants, such charge to be made only when the same inspector is provided to perform the inspection service in more than one plant, and (b) a charge for travel expenses and per diem in lieu of subsistence incurred by the Administration in connection with each inspector who is temporarily assigned to the designated plant as a relief inspector during periods of leave taken by the regular inspector, or, if such relief inspector is assigned to more than one plant and will divide his time among the plants to which he is assigned to perform such inspection service, that portion of such traveling and per diem expenses obtained by dividing the amount of such expenses by the number of plants at which the service is furnished by the inspector;

(v) A charge in an amount equal to seven (7) percent of the amounts prescribed in subdivisions (iii) and (iv) of this subparagraph to cover approximate overhead for administrative and other costs and expenses incurred by the Administration in rendering inspection service pursuant to the aforesaid regulations;

(vi) The applicant shall also, upon receipt of an invoice therefor, at the inauguration of the inspection service pursuant hereto, make an advance payment in an amount to cover the estimated average cost of inspection in the designated plant for a period of four weeks. The advance payment will be applied to the final bill and any balance due the applicant will be refunded on termination of this contract;

(vii) The charges specified in subdivisions (iii), (iv) and (v) of this sub-

paragraph shall be billed at the end of each four-week billing period.

(2) Inspectors will be provided by the Administration to perform the inspection service covered hereby. Whenever operations at the designated plant are discontinued during any period, or periods, any inspector (assigned, as aforesaid, by the Administration to the designated plant) may perform such other services as may be deemed appropriate, and are approved, by the regional supervisor.

(3) The Administration will not be responsible for damages accruing through any errors of commission or omission on the part of its inspectors when engaged in rendering service hereunder.

(4) The inspection service herein applied for shall be provided at the designated plant and shall be continued until the service or this contract is suspended, withdrawn, or terminated (i) by mutual consent; (ii) by thirty (30) days' written notice given by either party to the other party specifying the date of suspension, withdrawal or termination; (iii) pursuant to the aforesaid regulations; (iv) upon one (1) day's written notice by the Administration to the applicant, if the applicant fails to honor any invoice within thirty (30) days after date of invoice covering the cost of the inspection service as herein provided, or if the applicant fails to comply with the terms and conditions hereof.

(b) All terms used in this section shall have the same meaning as when used in the aforesaid regulations and instructions.

(c) No Member of or Delegate to Congress, or Resident Commissioner, shall be admitted to any share or part of this contract or to any benefit that may arise therefrom unless it be made with a corporation for its general benefit.

(d) Additional conditions:

 (Applicant)
 By-----

 (Street)

 (City) (State)

 (Date)

Approved:
 By-----

 (Title)

 (Date)

Production and Marketing Administration, U. S. Department of Agriculture

(Sec. 205, 60 Stat. 1090, Pub. Law 759, 81st Cong.; 7 U. S. C. 1624)

Done at Washington, D. C., this 20th day of December 1950, to become effective 30 days after publication in the FEDERAL REGISTER.

[SEAL] ROY W. LENNARTSON,
 Deputy Assistant Administrator,
 Production and Marketing Administration.

[F. R. Doc. 50-12253; Filed, Dec. 22, 1950; 8:53 a. m.]

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

PART 920—HANDLING OF IRISH POTATOES GROWN IN MASSACHUSETTS, RHODE ISLAND, CONNECTICUT, NEW HAMPSHIRE, AND VERMONT

LIMITATION OF SHIPMENTS

§ 920.301 Limitation of shipments—

(a) *Findings.* (1) Notice of proposed rule making with respect to shipments of potatoes pursuant to Order No. 20 (15 F. R. 7349), regulating the handling of Irish potatoes grown in the States of Massachusetts, Rhode Island, Connecticut, New Hampshire, and Vermont, was published in the FEDERAL REGISTER (15 F. R. 5714). This regulatory program is effective pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.). After consideration of all matters presented, including the proposed rule set forth in the aforesaid notice, which proposed rule was recommended by the New England Potato Committee established pursuant to said order, it is hereby found that such limitation as hereinafter provided will tend to effectuate the declared policy of the act.

(2) It is hereby found that it is impracticable and contrary to the public interest to postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER in that (i) shipments of the 1950 crop Irish potatoes grown in the production area have begun and will be in heavy volume by January 1, 1951, (ii) more orderly marketing in the public interest than would otherwise prevail will be promoted by regulating the shipment of potatoes in the manner set forth below on and after the effective date of this section, (iii) notice has been given of the proposed limitation of shipments by publication thereof, as required by law (15 F. R. 8714), and (iv) the order should become effective on January 1, 1951, in order to effectuate the declared policy of the act.

(b) *Order.* (1) During the period beginning at 12:01 a. m., e. s. t., January 1, 1951, and ending 12:01 a. m., e. s. t., May 31, 1951, each shipment of potatoes shall be limited, except as hereinafter otherwise provided, to potatoes which are not less than U. S. Commercial grade, not less than 90 percent U. S. No. 1 quality, and are not less than 2 inches minimum diameter, as such grade, quality, and size are defined in the U. S. Standards for Potatoes (7 CFR 51.366), including the tolerances set forth therein;

(2) The aforesaid grade, quality, and size limitation shall not apply to shipments of potatoes for the following purposes: (i) Seed, (ii) export, (iii) distribution by the Federal Government, (iv) livestock feed, and (v) manufacturing or conversion into potato chips or potato salad: *Provided*, That each handler making shipments for any such purposes shall, prior to effecting each shipment, file an application with the committee to do so, have each of such

shipments inspected (except livestock feed shipments shall not be required to be inspected hereunder), and pay assessments and comply with applicable safeguards in connection with each of such shipments;

(3) During each day of the period of regulation (i) each handler may ship not more than 5,000 pounds of potatoes grown in the counties of Hartford and Tolland in Connecticut; Franklin, Hampshire, and Hampden in Massachusetts; Coos, Strafford, Hillsboro, Merrimack, Belknap, and Rockingham in New Hampshire; Essex, Caledonia, Lamolille, Chittenden, and Orleans in Vermont; and Washington in Rhode Island, and (ii) each handler may ship not more than 10,000 pounds of potatoes grown in the remaining counties within the production area without prior inspection and certification: *Provided, however*, That each shipment of potatoes exempted from inspection and certification pursuant to subdivisions (i) and (ii) of this subparagraph shall meet the grade and size regulations set forth in subdivision (i) of this subparagraph, and shall pay the rate of assessment established by the Secretary; and

(4) The terms used in this section shall have the same meaning as when used in Order No. 20 (15 F. R. 7349).

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

Done at Washington, D. C., this 20th day of December 1950.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable
Branch, Production and Mar-
keting Administration.

[F. R. Doc. 50-12252; Filed, Dec. 22, 1950;
8:51 a. m.]

[Lemon Reg. 362]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

§ 953.469 Lemon Regulation 362—(a) Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953; 14 F. R. 3612), regulating the handling of lemons grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of the quantity of such lemons which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

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

thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. Shipments of lemons, grown in the State of California or in the State of Arizona, are currently subject to regulation pursuant to said amended marketing agreement and order; the recommendation and supporting information for regulation during the period specified herein was promptly submitted to the Department after an open meeting of the Lemon Administrative Committee on December 20, 1950, such meeting was held after giving due notice thereof to consider recommendations for regulation, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter specified; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time thereof.

(b) *Order.* (1) The quantity of lemons grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., P. s. t., December 24, 1950, and ending at 12:01 a. m., P. s. t., December 31, 1950, is hereby fixed as follows:

- (i) District 1: 22 carloads;
- (ii) District 2: 193 carloads;
- (iii) District 3: Unlimited movement.

(2) The prorate base of each handler who has made application therefor, as provided in the said amended marketing agreement and order, is hereby fixed in accordance with the prorate base schedule which is attached to Lemon Regulation No. 361 (15 F. R. 8961), and made a part hereof by this reference.

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

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

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

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable
Branch, Production and Mar-
keting Administration.

[F. R. Doc. 50-12320; Filed, Dec. 23, 1950;
9:31 a. m.]

[Orange Reg. 350, Amdt. 1]

PART 966—ORANGES GROWN IN CALIFORNIA OR ARIZONA

LIMITATION OF SHIPMENTS

(a) *Findings.* (1) Pursuant to the provisions of Order No. 66 (7 CFR Part 966; 14 F. R. 3614) regulating the handling of oranges grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendation and information submitted by the Orange Administrative Committee, established under the said order, and upon other available information, it is thereby found that the limitation of the quantity of such oranges which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this amendment until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient; and this amendment relieves restrictions on the handling of oranges grown in the State of California or in the State of Arizona.

(b) *Order, as amended.* The provisions in paragraph (b) (1) (i) (a) of § 966.496 (Orange Regulation 350, 15 F. R. 8962) are hereby amended to read as follows:

(i) Oranges other than Valencia oranges

(a) Prorate District No. 1, 500 carloads;

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

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

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

[F. R. Doc. 50-12334; Filed, Dec. 22, 1950; 11:18 a. m.]

[Orange Reg. 351]

PART 966—ORANGES GROWN IN CALIFORNIA OR ARIZONA

LIMITATION OF SHIPMENTS

§ 966.497 *Orange Regulation 351—*
(a) *Findings.* (1) Pursuant to the provisions of Order No. 66, as amended (7 CFR Part 966; 14 F. R. 3614), regulating the handling of oranges grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and upon the basis of the recommendation and information submitted by the Orange Admin-

istrative Committee, established under the said amended order, and upon other available information it is hereby found that the limitation of the quantity of such oranges which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. Shipments of oranges, grown in the State of California or in the State of Arizona, are currently subject to regulation pursuant to said amended order; the recommendation and supporting information for regulation during the period specified herein was promptly submitted to the Department after an open meeting of the Orange Administrative Committee on December 21, 1950, such meeting was held, after giving due notice thereof to consider recommendations for regulation, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter specified; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time thereof.

(b) *Order.* (1) Subject to the size requirements in Orange Regulation 347 (7 CFR 966.493 (15 F. R. 8153)), the quantity of oranges grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., P. s. t., December 24, 1950, and ending at 12:01 a. m., P. s. t., December 31, 1950, is hereby fixed as follows:

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

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

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

(d) Prorate District No. 4: No movement.

(ii) *Oranges other than Valencia oranges.* (a) Prorate District No. 1: 600 carloads;

(b) Prorate District No. 2: 150 carloads;

(c) Prorate District No. 3: 65 carloads.

(d) Prorate District No. 4: Unlimited movement.

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

(3) As used in this section, "handled," "handler," "varieties," "carloads," and "prorate base" shall have the same meaning as when used in the said amended order; and the terms "Prorate District No. 1," "Prorate District No. 2," "Prorate District No. 3," and "Prorate District No. 4" shall each have the same meaning as given to the respective terms in § 966.107, as amended (15 F. R. 8712), of the current rules and regulations (7 CFR 966.103 et seq.), as amended (15 F. R. 8712).

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

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

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

PRORATE BASE SCHEDULE

[12:01 a. m., P. s. t., Dec. 24, 1950 to 12:01 a. m., P. s. t., Dec. 31, 1950]

ALL ORANGES OTHER THAN VALENCIA ORANGES

Prorate District No. 1

Handler	Prorate base (percent)
Total	100.0000
A. F. G. Lindsay	2.2377
A. F. G. Porterville	1.5636
Ivanhoe Cooperative Association	.6453
Sandlands Fruit Co.	.2639
Doffemyer & Son, W. Todd	.5411
Earlibest Orange Association	1.7483
Elderwood Citrus Association	.8372
Exeter Citrus Association	3.0453
Exeter Orange Growers Association	1.2530
Exeter Orchard Association	1.4672
Hillside Packing Association	1.2287
Ivanhoe Mutual Orange Association	1.0907
Klink Citrus Association	4.3655
Lemon Cove Association	2.2351
Lindsay Citrus Growers Association	2.4560
Lindsay Cooperative Citrus Association	1.1301
Lindsay Fruit Association	1.7659
Lindsay Orange Growers Association	1.3550
Naranjo Packing House	1.0138
Orange Cove Citrus Association	4.1979
Orange Packing Co.	1.2984
Crosi Foothill Citrus Association	1.5257
Paloma Citrus Fruit Association	1.0372
Rocky Hill Citrus Association	1.3397
Sanger Citrus Association	4.5208
Sequoia Citrus Association	1.0583
Stark Packing Corp.	2.5505
Visalia Citrus Association	1.9208
Waddell & Son	2.0803
Baird-Neece Corp.	1.4220
Beattie Association, D. A.	.7405
Grand View Heights Citrus Association	2.3203
Magnolia Citrus Association	1.8615
Porterville Citrus Association	1.3636
Richgrove Jasmine Citrus Association	1.5820
Strathmore Cooperative Association	1.3442
Strathmore District Orange Association	1.3219
Strathmore Fruit Growers Association	.9156
Strathmore Packing Association	1.6886

RULES AND REGULATIONS

PRORATE BASE SCHEDULE—Continued

ALL ORANGES OTHER THAN VALENCIA ORANGES—continued

Prorate District No. 1—Continued

Handler	Prorate base (percent)
Sunflower Packing Association	2.0110
Sunland Packing House Co.	2.3734
Terra Bella Citrus Association	1.7161
Tule River Citrus Association	1.1513
La Verne Cooperative Citrus Association	.2089
Lindsay Mutual Groves	1.2304
Martin Ranch	1.4211
Orange Cove Orange Growers	2.8566
Webb Packing Co., Inc.	.3992
Woodlake Packing House	2.2651
Anderson Packing Co., R. M.	1.0706
Andrews Bros. of California	.0000
Baker Bros.	.3120
Barnes, J. L.	.0260
Batkins, Jr., Fred A.	.0663
Bear State Packers, Inc.	.2078
California Citrus Groves, Inc., Ltd.	1.9089
Chess Co., Meyer W.	.4697
Darby, Fred J.	.0335
Darling, Curtis	.0014
Dubendorf, John	.1776
Edison Groves Co.	.0000
Evans Bros. Packing Co.	.0810
Harding & Leggett	2.4402
Hirasuna, Jimmie	.0060
Independent Growers, Inc.	2.2640
Kim, Charles	.0513
Kroells Packing Co.	2.3317
Larson, Kermit	.0119
Lo Bue Bros.	1.0941
Maas, W. A.	.0681
Marks, W. M.	.4047
Minasian, Bob	.0014
Moore Packing Co., Myron	.0850
Nicholas, Richard	.0060
Randolph Marketing Co., Inc.	2.0543
Reimers, Don H.	.4167
Saba, Edward A.	.0245
Sechrist, Calvin C.	.0000
Sky Acres Ranch	.0446
Swenson, L. W.	.0480
Toy, Chin	.0344
Woodlake Heights Packing Corp.	.3624
Wymer, E. C.	.0000
Zantnovich Bros., Inc.	1.8346

Prorate District No. 2

Total..... 100.0000

A. F. G. Alta Loma	.6309
A. F. G. Corona	.2202
A. F. G. Fullerton	.0346
A. F. G. Orange	.0334
A. F. G. Riverside	.9314
A. F. G. Santa Paula	.0435
Edington Fruit Co., Inc.	.7487
Hazelitine Packing Co.	.1073
Krindard Packing Co.	2.0293
Piacentia Cooperative Orange Association	.6503
Piacentia Pioneer Valencia Growers Association	.0399
Signal Fruit Association	.0619
Azusa Citrus Association	1.3544
Covina Citrus Association	1.5035
Covina Orange Growers Association	.4988
Damerel-Allison Co.	1.0861
Glendora Citrus Association	1.2923
Glendora Mutual Orange Association	.5589
Valencia Heights Orchard Association	.2059
Gold Buckle Association	2.7454
La Verne Orange Association	4.5751
Anaheim Valencia Orange Association	.0238
Fullerton Mutual Orange Association	.2804
La Habra Citrus Association	.1323
Orange County Valencia Association	.0127

PRORATE BASE SCHEDULE—Continued

ALL ORANGES OTHER THAN VALENCIA ORANGES—continued

Prorate District No. 2—Continued

Handler	Prorate base (percent)
Yorba Linda Citrus Association, The	0.0219
Escondido Orange Association	.5387
Alta Loma Heights Citrus Association	.3886
Citrus Fruit Growers	.7125
Cucamonga Citrus Association	.2025
Etiwanda Citrus Fruit Association	.1999
Mountain View Fruit Association	.1305
Old Baldy Citrus Association	.4386
Rialto Heights Orange Growers	.3832
Upland Heights Orange Association	1.1471
Upland Heights Orange Association	1.1471
Consolidated Orange Growers	.0223
Frances Citrus Association	.0099
Garden Grove Citrus Association	.0252
Goldenwest Citrus Association, The	.1151
Olive Heights Citrus Association	.0410
Santa Ana-Tustin Mutual Citrus Association	.0092
Santiago Orange Growers Association	.1257
Tustin Hills Citrus Association	.0250
Villa Park Orchards Association, The	.0330
Bradford Bros., Inc.	.2075
Piacentia Mutual Orange Association	.2070
Piacentia Orange Growers Association	.3130
Yorba Orange Growers Association	.0536
Call Ranch	.7090
Corona Citrus Association	.9806
Jameson Co.	.4964
Orange Heights Orange Association	2.0818
Crafton Orange Growers Association	1.1866
East Highlands Citrus Association	.3879
Redlands Heights Groves	.6393
Redlands Orangedale Association	.8393
Break & Sons, Allen	.1659
Bryn Mawr Fruit Growers Association	.8529
Mission Citrus Association	1.1316
Redlands Cooperative Fruit Association	1.2682
Redlands Orange Growers Association	.9152
Redlands Select Groves	.5508
Rialto Orange Co.	.3503
Southern Citrus Association	.9883
United Citrus Growers	.6563
Zillen Citrus Co.	.5244
Arlington Heights Citrus Co.	.9357
Brown Estate, L. V. W.	1.8192
Gavilan Citrus Association	1.8918
Highgrove Fruit Association	.7315
McDermont Fruit Co.	1.4746
Monte Vista Citrus Association	1.4824
National Orange Co.	1.0561
Riverside Heights Orange Growers Association	1.3013
Sierra Vista Packing Association	.9347
Victoria Avenue Citrus Association	3.2326
Claremont Citrus Association	.9416
College Heights Orange and Lemon Association	2.1526
Indian Hill Citrus Association	1.1669
Pomona Fruit Growers Exchange	1.9054
Walnut Fruit Growers Association	.5602
West Ontario Citrus Association	1.1540
El Cajon Valley Citrus Association	.2865
Escondido Cooperative Citrus Association	.0447
San Dimas Orange Growers Association	1.1359
Canoga Citrus Association	.0657
North Whittier Heights Citrus Association	.1436

PRORATE BASE SCHEDULE—Continued

ALL ORANGES OTHER THAN VALENCIA ORANGES—continued

Prorate District No. 2—Continued

Handler	Prorate base (percent)
San Fernando Fruit Growers Association	0.3186
San Fernando Heights Orange Association	.2832
Sierra Madre-Lamanda Citrus Association	.1629
Camarillo Citrus Association	.0108
Fillmore Citrus Association	1.1787
Ojai Orange Association	.8836
Piru Citrus Association	1.3099
Rancho Sespe	.0013
Santa Paula Orange Association	.1273
Ventura County Citrus Association	.0218
East Whittier Citrus Association	.0057
Whittier Citrus Association	.0748
Anaheim Cooperative Orange Association	.0633
Bryn Mawr Mutual Orange Association	.5171
Chula Vista Mutual Lemon Association	.1247
Euclid Ave. Orange Association	2.6461
Foothill Citrus Union, Inc.	.5749
Garden Grove Orange Cooperative, Inc.	.0351
Golden Orange Groves, Inc.	.2789
Highland Mutual Groves, Inc.	.2857
Index Mutual Association	.0098
La Verne Cooperative Citrus Association	3.2356
Mentone Heights Association	.6412
Orange Cooperative Citrus Association	.0524
Redlands Foothill Groves	2.0620
Redlands Mutual Orange Association	1.0347
Ventura County Orange & Lemon Association	.2718
Whittier Mutual Orange & Lemon Association	.0260
Allec Bros.	.0043
Babi-Juice Corp. of California	.3934
Banks, L. M.	.0233
Bennett Fruit Co.	.2900
Borden Fruit Co.	.0316
Cherokee Citrus Co., Inc.	.9850
Chess Co., Meyer W.	.4710
Dunning Ranch	.1574
Evans Bros. Packing Co.	1.4666
Gold Banner Association	1.8517
Granada Packing House	.9335
Hill Packing House, Fred A.	.9371
Knapp Packing Co., John C.	.5617
MacDonald Fruit Co.	.1133
Orange Belt Fruit Distributors	1.9341
Panno Fruit Co., Carlo	.0346
Paramount Citrus Association, Inc.	.3121
Piacentia Orchard Co.	.0821
Prescott, John A.	.0075
Riverside Citrus Association	.2180
Ronald, P. W.	.0349
Summit Citrus Packers	.0457
Wall, E. T., Growers-Shipper	1.9459
Western Fruit Growers, Inc.	3.4345

Prorate District No. 3

Total..... 100.0000

Allen & Allen Citrus Packing Co.	1.6526
Consolidated Citrus Growers	12.7948
McKellips Citrus Co., Inc.	6.1328
Phoenix Citrus Packing Co.	2.5260
Arizona Citrus Growers	15.8931
Chandler Heights Citrus Growers	2.6268
Desert Citrus Growers Co.	5.3344
Mesa Citrus Growers Association	23.5532
Tal'-Wi-Wi Ranches	.6916
Tempe Citrus Co.	1.8011
Yuma Mesa Fruit Growers Association	.3674
Leppla Henry Produce Co.	11.5462
Maricopa Citrus Co.	1.8197
Pioneer Fruit Co.	4.2640
Champion Produce Co., L. M.	.1519
Clark & Sons, J. H.	.4305

PRORATE BASE SCHEDULE—Continued
ALL ORANGES OTHER THAN VALENCIA ORANGES—
continued

Prorate District No. 3—Continued

Handler	Prorate base (percent)
Commercial Citrus Packing Co.....	1.1652
Hi Jolly Citrus Packing Co.....	.7580
Ishikawa, Paul.....	.2732
Macchiaroli Fruit Co., James.....	.9927
Mattingly Fruit Co.....	1.1572
Potato House, The.....	.5080
Sunny Valley Citrus Packing Co.....	1.1983
Valley Citrus Packing Co.....	2.4013

[F. R. Doc. 50-12355; Filed, Dec. 22, 1950; 11:18 a. m.]

TITLE 6—AGRICULTURAL CREDIT

Chapter III—Farmers Home Administration, Department of Agriculture

Subchapter B—Farm Ownership Loans

PART 311—BASIC REGULATIONS

SUBPART B—LOAN LIMITATIONS

AVERAGE VALUES OF FARMS AND INVESTMENT LIMITS; VIRGINIA

For the purposes of title I of the Bankhead-Jones Farm Tenant Act, as amended, the average value of efficient family-type farm-management units and the investment limit for the county identified below are determined to be as herein set forth. The average value and the investment limit heretofore established for said county, which appear in the tabulations of average values and investment limits under § 311.30, Chapter III, Title 6 of the Code of Federal Regulations (13 F. R. 9381), are hereby superseded by the average value and the investment limit set forth below for said county.

VIRGINIA

County	Average value	Investment limit
New Kent.....	\$10,000	\$10,000

(Sec. 41, 60 Stat. 1066; 7 U. S. C. 1015. Interprets or applies secs. 3, 44, 60 Stat. 1074, 1069; 7 U. S. C. 1003, 1018)

Issued this 20th day of December 1950.

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

[F. R. Doc. 50-12193; Filed, Dec. 22, 1950; 8:48 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Civil Air Regs., Supp. 1]

PART 8—AIRCRAFT AIRWORTHINESS; RESTRICTED CATEGORY

POLICIES AND INTERPRETATIONS

The following policies and interpretations of the Administrator of Civil Aeronautics pertain to Part 8 of the regulations of the Civil Aeronautics Board, which became effective October 11, 1950 (15 F. R. 5224, August 12, 1950). The entire Part 8 is repeated here to assist the public in understanding how the

Administrator's policies and interpretations apply to the various sections of the Board's regulations.

The Administrator's policies and interpretations explain and interpret the Board's regulations, and set forth acceptable procedures and practices for the guidance of the public in complying with the regulations. Other practices which provide equivalent safety to those specified by the Administrator will also be acceptable. Any provisions which are shown to be inapplicable in a particular case will be modified upon request.

The material is arranged to set forth in small type each numbered section of the Board's regulations followed by the related policies and interpretations of the Administrator. The Administrator's sections pertaining to a particular section of the Board's regulations are identified by consecutive dash numbers appended to the regulation section number. Thus § 8.0 means § 8.0 of the Board's regulations, and § 8.0-2 means the second of the Administrator's sections under § 8.0.

Guidance information for use in modifying aircraft for agricultural and similar purposes is contained in CAM 8, Appendix A. Copies of this appendix may be obtained from the CAA.

The Administrator's policies and interpretations will be revised from time to time as the need for new or revised interpretations, procedures, or practices are brought to the attention of the CAA.

Because the new Part 8 presents a considerable departure from the previous restricted category airworthiness requirements, the explanatory statement issued by the Civil Aeronautics Board upon adoption of Part 8 is set forth below to explain its background and objectives. In this statement, the terms "currently effective" and "existing requirements" actually refer to the requirements in effect prior to Part 8, since the statement was issued before the effective date of the regulation.

Preamble to Part 8. Currently effective airworthiness parts and Part 43 of the Civil Air Regulations provide for the type and airworthiness certification of aircraft built or modified for special purposes, such as crop dusting, seeding, spraying, and other special purposes. In accordance with current requirements the Administrator may waive such of the basic airworthiness requirements as are rendered inappropriate by the special purposes involved, but he is required to prescribe operating limitations to insure that the operation will have "an equivalent level of safety" to that of an aircraft operating under an airworthiness certificate for an aircraft category other than restricted. The procedure by which compliance is shown with the restricted category is essentially the same as that required for certification in other airworthiness categories.

We have been advised that the existing requirements, which were designed primarily to establish an appropriate level of safety for passenger-carrying aircraft, have imposed an unnecessary economic burden and are unduly restrictive for the manufacture and operation of aircraft intended for use in rural, sparsely settled areas outside the usual lanes of air transportation and in which no passengers are to be carried for hire. For such restricted operations where public safety is not endangered it appears unreasonable to require the same level of safety as that required for passenger-carrying aircraft. Therefore, a basic change in Part 8 from

current practice has been the elimination of the "equivalent level of safety" provision from the requirements for restricted category aircraft.

In addition, the part establishes new standards for the issuance of type certificates for the restricted category, for modifications or existing type certificates, and for issuance of airworthiness certificates for aircraft intended to be operated for special purposes and for operating limitations to be applicable to such aircraft. It also simplifies the procedure of showing compliance with the restricted category requirements and provides for the tailoring of the operating limitations to the particular purpose for which certification is sought. This part authorizes the Administrator to waive or modify any of the airworthiness requirements of the Civil Air Regulations, either for initial or continued airworthiness, for the standard (passenger-carrying) aircraft categories which he finds inappropriate for the special purpose for which the aircraft is to be used, including individual design requirements, requirements for flight testing, and submittal of engineering data and drawings. In the case of aircraft built for type certification in the restricted category, engineering data, reports, and flight tests will be required but in a greatly simplified manner as compared to the requirements for the passenger-carrying categories. However, it should be noted that nothing in this part is intended to contravene the statutory requirement that the Administrator find that the aircraft is "of proper design, material specification, construction, and performance for safe operation" before issuing a type certificate. (Sec. 603, 52 Stat. 1009, 49 U. S. C. 553)

A civil aircraft which has previously been type certificated and subsequently modified for a special purpose may be issued a modified type certificate, and a military aircraft which has been manufactured according to the requirements of, and accepted for use by, a military service of the United States and subsequently modified for a special purpose may be issued a type certificate, when upon inspection the Administrator finds that the modification has been made in accordance with good aeronautical practice and that no feature or characteristic of the aircraft would render it unsafe when operated in accordance with the prescribed limitations. Engineering data, reports, or flight tests would not be required by the provisions of this part, except in cases where the inspection discloses a possible unsafe feature or characteristic.

Provision is further made whereby an aircraft may be issued an airworthiness certificate in the restricted category and in any one or more of the airworthiness categories prescribed by the Civil Air Regulations, if the applicant shows compliance with the requirements for each category when in the configuration for that category and if the aircraft can be converted from one category to another by the addition or removal of equipment by simple mechanical means. Under such circumstances the Administrator will specify appropriate operating limitations for each category and will specify the approved changes necessary to convert and reconvert the aircraft from one category to another.

This part is intended to provide the greatest possible flexibility of administration and to place the minimum possible burden consistent with public safety on the applicant for a certificate in the restricted category. While it is anticipated that it will be necessary to supplement this part with administrative policies and manual material, it is intended that such material be directly related to existing airworthiness standards and not take the form of independent administrative rules to be applied in lieu of the basic regulations.

It will be noted that the Board is currently considering a revision of Parts 1 and 2, and

It is contemplated that some of the material contained in this part will be included in that revision.

Concurrently with the adoption of this part all reference to requirements for certification in the restricted category and to the operating limitations for aircraft so certificated, presently contained in Parts 3, 6, and 43 of the Civil Air Regulations, are being deleted from those parts.

Interested persons have been afforded an opportunity to participate in the making of this new part, and due consideration has been given to all relevant matter presented.

In consideration of the foregoing the Civil Aeronautics Board hereby makes and promulgates a new Part 8 of the Civil Air Regulations to read as follows, effective October 11, 1950:

- Sec.
8.0 Applicability of this part.
8.0-1 Eligible special purposes.
8.0-2 Applicability to aircraft previously certificated in the restricted category.
8.0-3 Applicability to aircraft certificated in a category other than restricted category.
8.1 Definitions.
8.1-1 Authorized representative of the Administrator.
8.10 Eligibility for type certificate.
8.10-1 Aircraft of a type not previously type certificated.
8.10-2 Military type aircraft.
8.10-3 Aircraft modified from a previously approved type.
8.10-4 Agricultural aircraft modifications.
8.10-5 Advertising aircraft modifications.
8.20 Eligibility for airworthiness certificate.
8.20-1 Issuance of airworthiness certificates for aircraft modified from a previously approved type.
8.20-2 Issuance of airworthiness certificates for aircraft manufactured under a restricted category type certificate.
8.20-3 Repairs and alterations.
8.21 Multiple airworthiness certification.
8.21-1 Multiple airworthiness certification.
8.30 Operating limitations; Administrator's authority to prescribe.
8.30-1 Operating limitations.
8.31 Area operating limitations.
8.31-1 Waiver of area operation limitations.
8.32 Economic operating limitations.
8.32-1 Economic operating limitations.
8.33 Passengers prohibited during special purpose operations.
8.33-1 Passengers prohibited during special purpose operations.
8.34 Separate operating limitations for multiple airworthiness certification.
8.34-1 Operating limitations for multiple airworthiness certification.

AUTHORITY: §§ 8.0 to 8.34-1 issued under sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interpret or apply secs. 601, 603, 52 Stat. 1007, 1009, as amended; 49 U. S. C. 551, 553.

§ 8.0 Applicability of this part. This part establishes standards for the issuance of type and airworthiness certificates for aircraft in the restricted category which are intended to be operated for agricultural, industrial, or other special purposes. This part also establishes operating limitations applicable to such aircraft.

§ 8.0-1 Eligible special purposes (CAA interpretations which apply to § 8.0). (a) The operating limitations specified in §§ 8.32 and 8.33 limit the special purposes for which an aircraft may be certificated in the restricted category under Part 8. Section 8.32 prohibits the carriage of persons or cargo for hire in

restricted category aircraft. Section 8.33 prohibits the carriage of persons other than the crew during special purpose operations. A flight operation involving the carriage of persons or cargo under the conditions prohibited by §§ 8.32 or 8.33 will therefore not be considered an eligible special purpose for certificating the aircraft under the provisions of Part 8.

(b) The following are examples of special purpose operations considered to be within the applicability of Part 8:

Agricultural—spraying, dusting, and seeding; livestock and predatory animal control. Forest and wildlife conservation. Aerial surveying—photography, mapping; oil and mineral exploration. Patrolling—pipelines, power lines, canals. Weather control—cloud seeding. Aerial advertising—skywriting, banner towing airborne signs and public address systems.

Appropriate combinations of such special purposes will also be eligible.

NOTE: A Certificate of Waiver or Authorization is required to conduct special purpose operations over certain areas (see §§ 8.31 and 8.31-1).

§ 8.0-2 Applicability to aircraft previously certificated in the restricted category (CAA policies which apply to § 8.0).

(a) Aircraft which were certificated in the restricted category prior to the effective date of Part 8 (October 11, 1950) may at the option of the owner retain their existing certification status.

(b) Alternatively, aircraft previously certificated in the restricted category may be recertificated under Part 8 as follows:

(1) If the aircraft is not modified from its previously approved configuration, the applicant should apply for recertification in accordance with § 8.20-1 (a). The CAA representative, without further inspection of the aircraft, will issue a revised Operation Limitations Form ACA-309 (See § 8.30-1) indicating that the aircraft is certificated under Part 8. For agricultural aircraft the placard capacities of hoppers and tanks may be established and revised by the owner in accordance with § 8.10-4 (b). Repairs and alterations to such aircraft made after recertification under Part 8 will be handled in accordance with § 8.20-3.

(2) If the configuration of the aircraft is modified (i. e. a major alteration) from the previously approved configuration, the recertification procedure will be that specified in § 8.10-3.

(c) On or after October 11, 1950, an aircraft certificated for the first time in the restricted category must be certificated under Part 8, since previous restricted category requirements are rescinded on that date.

§ 8.0-3 Applicability to aircraft certificated in a category other than restricted category (CAA policies which apply to § 8.0). (a) Part 8 does not require an aircraft used for a special purpose to be certificated in the restricted category. An aircraft modified for a special purpose may therefore be certificated in a category other than the restricted category (e. g. normal, utility or acrobatic category), provided the modified aircraft fully complies with the

airworthiness requirements for such category.

(b) An aircraft which has been previously modified and then certificated in a category other than restricted (as described in paragraph (a) of this section), may either retain its existing certification status or be recertificated in the restricted category under Part 8 in accordance with the procedure specified in § 8.0-2 (b). In the latter case, the CAA representative will issue both a revised Certificate of Airworthiness and revised Operation Limitations.

(c) An aircraft which has been previously type certificated in another category and then modified for a special purpose may be certificated in the restricted category in accordance with the procedure specified in § 8.10-3.

(d) An aircraft which has been certificated in the restricted category under Part 8 may be recertificated in another category when:

(1) The aircraft is restored to a configuration which is eligible for certification under an existing type certificate in such category, or

(2) Any changes from such configuration are shown to comply with the airworthiness requirements for the appropriate category.

(e) An aircraft may, however, be certificated in the restricted and other categories in accordance with the multiple airworthiness certification provisions of § 8.21.

§ 8.1 Definitions. (a) As used in this part, terms shall be defined as follows:

(1) **Administrator.** The Administrator is the Administrator of Civil Aeronautics.

(2) **Applicant.** An applicant is a person or persons applying for approval of an aircraft or any part thereof.

(3) **Approved.** Approved, when used alone or as modifying terms such as means, devices, specifications, etc., shall mean approved by the Administrator.

(4) **Authorized representative of the Administrator.** An authorized representative of the Administrator shall mean any employee of the Civil Aeronautics Administration or any private person, authorized by the Administrator to perform any of the duties imposed upon him by the provisions of this part.

§ 8.1-1 Authorized representative of the Administrator (CAA interpretations which apply to § 8.1 (a) (4)). The term "private person" mentioned in this section is interpreted to mean a Designated Aircraft Maintenance Inspector (DAMI), or a Designated Manufacturing Inspection Representative (DMIR). All such persons are issued a Certificate of Authority, Form ACA-1382, for the purpose of identification.

§ 8.10 Eligibility for type certificate. (a) Any aircraft of the following classifications shall be issued a type certificate in the restricted category, if the Administrator finds that no feature or characteristic of the aircraft renders it unsafe when operated in accordance with the limitations prescribed for its intended use:

(1) An aircraft type which has not previously been type certificated but which is shown by the applicant to comply with all of the airworthiness requirements of any other aircraft category prescribed in this subchapter, except those requirements which the Administrator finds inappropriate for the

special purpose for which the aircraft is to be used; or

(2) An aircraft type which has been manufactured in accordance with the requirements of, and accepted for use by, a United States military service and subsequently modified for a special purpose, whether or not such aircraft has been issued a type certificate under the provisions of Part 9 of this chapter.

(b) A modification of a type certificate may be issued to an applicant for an aircraft which has been previously type certificated in another category and then modified for a special purpose when, upon inspection, the Administrator finds that the modifications conform to a good aeronautical practice and that no feature or characteristic of the aircraft renders it unsafe when operated in accordance with the limitations prescribed for its intended use.

§ 8.10-1 *Aircraft of a type not previously type certificated (CAA policies which apply to § 8.10 (a) (1))*. The following procedure applies to an aircraft for which the basic design has not been previously type certificated or accepted by a U. S. military service, for example, a new type design for which the applicant desires certification in the restricted category:

(a) The applicant should submit an application for type certificate, Form ACA-312, in duplicate, to the appropriate CAA Regional Office. The CAA will issue a type certificate after the aircraft has been shown to comply with the appropriate airworthiness requirements.

(b) For new design agricultural aircraft, an applicant should consult the appropriate CAA Regional Office, Aircraft Division, for guidance on appropriate airworthiness requirements.

(c) For new design aircraft intended for other than agricultural purposes, the applicant should submit a proposal to the CAA Regional Office, Aircraft Division, in which he selects the airworthiness requirements of one of the standard categories (e. g. normal or utility) as a basis, and indicates any requirements which he considers should be waived or modified for the special purpose involved. After examination of the applicant's proposal, the CAA will advise him of its acceptance or specify the requirements which the CAA finds appropriate.

§ 8.10-2 *Military type aircraft (CAA policies which apply to § 8.10 (a) (2))*. For certification in the restricted category, military aircraft are divided into three classes:

(a) *Military aircraft models previously type certificated in the limited category under part 9 of this chapter.*

(1) For such aircraft, the certification procedure will be that specified in § 8.10-3.

(2) A list of military models that have been previously type certificated in the limited category is given in CAA Safety Regulation Release No. 277, "Status of Aircraft Certificated in the Limited Category."¹

(3) Compliance with the military technical orders listed on the CAA aircraft specifications will not be mandatory; however, the applicant should

review the changes specified in these orders to determine if they are appropriate for the particular airplane and special purpose.

(b) *Military aircraft models previously type certificated under Part 4a of this chapter.* (1) Some military aircraft have been type certificated under Part 4a on the basis of required "conversion modifications" which are listed on the pertinent CAA aircraft specification. Such modifications will not be mandatory for certification under Part 8; however, the applicant should review the conversion modifications listed on the aircraft specification to determine if they are appropriate to the particular aircraft and special purpose.

(2) For such aircraft the certification procedure will be that specified in § 8.10-3.

(3) A listing of these military aircraft models is given in the CAA "Alphabetical List of Aircraft Specifications" which is included in the files of CAA Regional and District Offices, Aviation Safety Agents and Designated Aircraft Maintenance Inspectors.

(c) *Military aircraft models not previously type certificated in any category.* For military aircraft not covered by paragraphs (a) and (b) of this section, the certification procedure will be that specified in § 8.10-3 upon completing the following initial steps:

(1) The applicant should first submit a letter to the CAA, Aircraft Division, Washington 25, D. C., identifying the military model and the proposed special purpose, and requesting certification under Part 8.

(2) The CAA will check the military record of the aircraft type. If the record discloses unsafe characteristics, the CAA will inform the applicant of these, and the aircraft will not be eligible for certification unless they are corrected or can be compensated by operating restrictions. If the military record is considered satisfactory, the applicant will be so informed, and a type certificate issued for the basic type.

The certification procedure will then continue as specified in § 8.10-3.

§ 8.10-3 *Aircraft modified from a previously approved type (CAA policies which apply to § 8.10 (b))*. Under the provisions of §§ 8.10 (b) and 8.20 (a), a modification to the type certificate must be issued for an aircraft which has been previously type certificated in another category and then modified for a special purpose, in order to make the aircraft eligible for an airworthiness certificate in the restricted category. A modification of the type certificate will be issued by means of Repair and Alteration Form ACA-337 upon completion of the procedure specified in paragraphs (a) through (f) of this section.

The term "another category", as used in § 8.10 (b), includes normal, utility, acrobatic, transport or limited categories, under Parts 3, 4a, 4b, 6, or 9 of this chapter, but does not include experimental. For aircraft previously certificated in the restricted category, see § 8.0-2.

(a) *Classes of modifications.* Since modifications may vary in scope from minor alterations to complete redesign

of major components, the basis for determining the airworthiness of a modified aircraft will depend upon the nature and extent of the modification. For this purpose, modifications are divided into two classes:

(1) *Visual basis modifications.* Modifications in this class are those for which airworthiness can be determined by visual examination, using as guides the original design of the aircraft and available information on modification practices. (See § 8.10-4.)

The procedure for this class is given in paragraphs (b) through (f) of this section. The submittal of technical data, such as drawings and stress analysis, is not required; however, for some modifications of this class it may be desirable to obtain engineering advice.

Examples of this class are:

(1) The removal of a diagonal from a lower fuselage bay and substitution of equivalent bracing, installation of a hopper, and increase of engine weight and power, using information referenced in § 8.10-4 as a guide.

(2) Reduction in span of a strut braced monoplane. In this case engineering advice should be obtained, since the loads in the wing spars may or may not be seriously changed, depending on the relative location of the strut attachment point in the original and modified designs. In such cases, the CAA will furnish technical assistance upon request by the applicant.

(3) *Design requirement modifications.* Some modifications may be so extensive that the original design of the aircraft and available information on modification practices no longer furnish a suitable basis for determining airworthiness.

An example is the conversion of a monoplane to a biplane, in which case the original design does not furnish an adequate basis of comparison for judging the structural strength of the new lift truss.

The airworthiness of this class of modifications should be determined in accordance with the applicable parts of the airworthiness requirements for new design aircraft, as specified in § 8.10-1 (b) or (c). Technical data or other proof of compliance should be submitted in accordance with those requirements.

(b) *Application.* The applicant should apply to a CAA Aviation Safety District Office, CAA Aviation Safety Agent, or a Designated Aircraft Maintenance Inspector (DAMI) who has been specifically authorized to perform restricted category certification, and request certification of the modified aircraft in the restricted category. The following documents should be submitted by the applicant:

(1) Duplicate copies of Repair and Alteration Form ACA-337. (See paragraph (d) of this section.) These forms are prepared by the agency performing the modification.

(2) Application for Airworthiness Certificate and/or Annual Inspection of an Aircraft Form ACA-305. (See § 8.20-1 (a).)

These forms are obtainable from all CAA Regional and District Offices and

¹ Not filed with the Federal Register Division.

RULES AND REGULATIONS

DAMI's. The applicant may consult with CAA or proceed with the modification prior to making formal application.

(c) *Performance of modification.* The modification to the aircraft should be performed by or under the supervision of an authorized agency (i. e., a certificated mechanic, or approved repair station having the proper ratings, or the manufacturer of the aircraft) as specified by § 18.10. Information for guidance in performing modifications is referenced in §§ 8.10-4 and 8.10-5.

(d) *Form ACA-337.* Two copies of Repair and Alteration Form ACA-337 should be prepared by the agency performing the modification, in accordance with the following:

(1) Under Item 7 of Form ACA-337, state that the aircraft has been modified in accordance with Part 8 and briefly describe the modifications which have been made to the aircraft from its previously approved configuration. Examples of this entry are given in § 8.20-3 (b) (2) (ii).

(2) It is not required that the aircraft empty weight, empty center of gravity or useful load be listed under item 4 of Form ACA-337; however, if this information is being voluntarily maintained by the aircraft owner it may be entered in this space. (See §§ 8.10-4 (b) and (c).)

(3) When the flight check specified in paragraph (d) has been completed, it should be recorded on the back of Form ACA-337.

(e) *Flight check.* (1) The applicant should have the modified aircraft flight checked by a certificated pilot holding at least a private pilot rating to determine that it is safely controllable and operates satisfactorily in flight under the most adverse loading conditions anticipated in service. (See §§ 8.10-4 (b) and (c).) For agricultural aircraft, the hoppers or tanks should be loaded to the maximum weights selected by the applicant and discharged in flight. For other aircraft, flight checks should be made with the special purpose loads, such as equipment (or equivalent weights), installed, and with such loads removed, if the aircraft is intended to be operated in that condition. The maximum capacity weights should be approached in stages, if there is any doubt concerning the controllability or performance of the airplane.

(2) The take-off should be made from a field of ample size or over suitable open terrain. The flight check should include maneuvers simulating the intended special purposes operations. The maneuvers should first be performed at a safe altitude over open terrain. Any undue tendency to go into a stall or dive (instability) or to roll should be considered unsatisfactory.

(3) Upon completion of a satisfactory flight check, the following entry should be made on the back of Form ACA-337 and signed by the pilot who performed the flight check:

Modified aircraft flight checked on _____
(date)
by _____
(name) (pilot certificate number)
in accordance with § 8.10-3 (e), and found to be safely controllable and to operate sat-

isfactorily with the following special purpose load: _____ pounds.

(4) Entries similar to those specified in subparagraph (3) of this paragraph should also be made in the aircraft logbook.

(f) *Inspection of modifications.* A CAA Agent, or a DAMI specifically authorized to perform this function, will visually inspect the aircraft modifications for the following, using the information referenced in § 8.10-4 as a guide:

(1) Good aeronautical practice in respect to materials, techniques, and workmanship.

(2) Obvious unsafe features or hazards, of which the following are examples:

(i) Structure—removal of structural members or material without adequate re-inforcing; attachment of heavy loads to members at improper points.

(ii) Fire and toxicity—improper location, construction or installation of hoppers, tanks, discharge devices, inflammable fluid lines, pumps, and connections; lack of ventilation, drainage, and cleaning provisions; special fire prevention features if the aircraft is to be used for sulphur dusting; otherwise such operations will be restricted by operating limitations (see § 8.3-1 (a) (2) (i)).

(iii) Crash hazards—inadequate attachment of seats and safety belts; tanks or hoppers located aft of pilot and not adequately supported for forward acting inertia loads.

(iv) Vision—any appreciable reduction in angles of vision.

(g) *Approval of modified type aircraft.* Upon satisfactory completion of items (b) through (f), the Forms ACA-337 will be checked "approved." The original copy of the Form ACA-337 will be returned to the aircraft owner for inclusion in the aircraft's records, and will constitute the modification of the type certificate required in § 8.10 (b).

The agent or designee will also inspect the entire aircraft for general airworthiness condition, issue an airworthiness certificate, and prescribe the operating limitations in accordance with §§ 8.20-1 and 8.30-1.

(h) *Approval of alternate installations.* Approval of alternate installations (e. g. hopper or tank) may be obtained on the same Form ACA-337, provided both are described and meet the requirements for approval.

(i) *Additional modified aircraft.* After the first modified type aircraft has been approved in accordance with paragraph (g) of this section, additional aircraft of the same type may be approved on the basis of conformity with the original, without requiring the complete flight check speed specified in paragraph (f) of this section. The following entry should be made at the end of item 7 of the Forms ACA-337 for the additional aircraft:

These modifications are the same as described on approved Form ACA-337, dated _____
for _____
(CAA Registration Mark of original approved aircraft).

§ 8.10-4 *Agricultural aircraft modifications (CAA policies which apply to § 8.10 (b))*—(a) *General.* This section applies to aircraft used for agricultural

and similar special purpose operations which are normally conducted over open areas.

Information for the guidance of operators in modifying and operating aircraft for agricultural purposes is given in CAM 8, Appendix A.¹ Compliance with this guide material is not required to obtain approval of a modified aircraft; however, precautions should be taken to avoid hazards such as those listed in § 8.10-3 (f). Sections 18.20-1 through 18.20-15, manufacturer's bulletins, military manuals, industry specifications, and previous satisfactory modifications may also be used as guides in modifying aircraft.

The CAA will, upon request, furnish consulting service on the safety aspects of aircraft modifications and installations.

(b) *Maximum weight.* (1) It is not required that a maximum (total) weight be established as an operating limitation for agricultural aircraft. In lieu thereof, maximum weights for the special purpose loads (e. g. hopper or tank capacities) should be selected by the applicant and demonstrated in the flight check in accordance with § 8.10-3 (e).

(i) These maximum capacities (weights) for the hoppers or tanks should be listed on placards on or adjacent to the appropriate filler covers.

(ii) If subsequent modifications change the aircraft weight or balance appreciably, or the operator desires to increase the special purpose loads, the flight check specified in §§ 8.10-3 (e) (1) and (2) should be conducted with the revised loadings. Hopper or spray tank placards may be revised accordingly. The flight check should be recorded in the aircraft logbook as specified in § 8.10-3 (e) (4). Form ACA-337 is not required to be submitted when the special purpose load is changed without modification of the aircraft.

(iii) When a previously certificated agricultural aircraft is recertificated under Part 8 without changing the aircraft (See §§ 8.0-2 (b) and 8.0-3 (b)), the placard capacities may be determined by calculation from the previous "useful load" data, without flight check.

(2) Under the aircraft operating limitations, the operator is responsible for adjusting the actual operating weight to provide a safe margin of performance for the existing flight conditions. (See § 8.30-1). Appendix A contains information from which the effects of drag, weight, altitude, and temperature on aircraft performance may be estimated.

(3) Any increase in maximum weight will, of course, impose higher loads on the aircraft structure. The extent to which the weight may be safely increased will depend on the maneuvers and speeds used in the special purpose operations and the strength requirements to which the aircraft was originally designed. Information on the strength requirements to which a previously type certificated aircraft was originally designed may usually be obtained from the CAA.

(c) *Center of gravity.* (1) A weight and balance report is not required to be

¹ Not filed with the Federal Register Division.

submitted. However, to prevent possible dangerous flight characteristics, it is recommended that the modification be planned so as to avoid excessive change in center of gravity. Information on this subject is given in Appendix A and in § 18.20-15.

(2) One purpose of the flight check specified in § 8.10-3 (e) is to determine that the aircraft is safely controllable at the most forward and most aft loading conditions anticipated in service. For agricultural aircraft this may usually be accomplished by conducting the flight check with maximum and minimum fuel loads intended to be carried in combination with the corresponding hopper or spray tank loads. For large aircraft, or those with more complicated arrangements of the variable loads, weight and balance calculations should be made to determine critical combinations for the flight check.

(d) *Powerplant modifications.* (1) It is recommended that CAA type certificated or military approved aircraft engines and propellers be installed, and that a propeller stress survey be made for all metal propeller-engine combinations which have not been previously surveyed to determine the existence of dangerous vibration ranges.

(2) If the recommendations in (1) are not followed, the aircraft operating limitations will state that the aircraft shall not be operated over congested areas and is not eligible for a waiver to conduct such operations. (See §§ 8.30-1 and 8.31-1).

(3) Information for guidance in making engine installations is given in CAM 8, Appendix A.¹

§ 8.10-5 *Advertising aircraft modifications (CAA policies which apply to § 8.10 (b)).* Since aerial advertising operations are normally conducted over congested areas, for which a certificate of waiver or authorization would be required under the provisions of §§ 8.31 and 8.31-1, it is important that high standards for powerplant reliability, structural integrity, and safe flight characteristics be maintained in modifying aircraft for such purposes.

§ 8.20 *Eligibility for airworthiness certificate.* An aircraft shall be issued an airworthiness certificate in the restricted category if it complies with all of the following provisions:

(a) The aircraft is type certificated under the provisions of § 8.10 (a), or modified under the provisions of § 8.10 (b);

(b) The aircraft has been inspected by the Administrator and found by him to be in a good state of preservation and repair and in a condition for safe operation; and

(c) The Administrator has prescribed operating limitations for the aircraft in accordance with § 8.30.

§ 8.20-1 *Issuance of airworthiness certificates for aircraft modified from a previously approved type (CAA policies which apply to § 8.20 (b)).* The following procedure applies to aircraft which have been modified from a previously approved type or a military type under the provisions of §§ 8.10 (b) or 8.10 (a) (2), and 8.10-3:

(a) *Procedure to be followed by applicant.* The applicant should make application for a restricted category certificate of airworthiness on Form ACA-305, entitled "Application for Airworthiness Certificate and/or Annual Inspection of an Aircraft." This form is obtainable from all CAA Regional and District Offices, and Designated Aircraft Maintenance Inspectors (DAMI's). It is suggested that the applicant discuss the entries required to complete the form with an Aviation Safety Agent, or a DAMI authorized to perform restricted category certification, at the time the form is secured.

One copy of Form ACA-305 should be completed by the aircraft owner, or his agent. Items 1 through 12 should be completed by the applicant and in addition he should indicate in space 21, "Remarks", the special purpose operations he proposes to conduct with the aircraft. All entries on this form should be typed or printed with pen and ink.

The CAA representative will complete items 13 through 20 at the time of inspection. This application, Form ACA-305, will eventually be filed in the Aircraft Records Branch, Ref. W-300, Washington, D. C.

Normally, restricted category certificates will be issued by a CAA aviation safety agent; however, the Administrator may authorize DAMI's who are especially experienced with restricted category aircraft to issue restricted category airworthiness certificates. In order that applications may be processed expeditiously, they should be directed to the local aviation safety district office, unless the applicant knows of a DAMI who has been given specific authority to issue restricted category airworthiness certificates.

(b) *Inspection for state of preservation and repair—(1) Inspection.* In addition to the inspection of the modification referred to in § 8.10-3 (f), the CAA representative will make an inspection for determining the state of preservation and repair, approximating the scope of a periodic inspection. (See instruction items 3 through 11 contained on the reverse side of Form ACA-319 (revised 11-49) for the scope of a periodic inspection). Form ACA-319, entitled, "Periodic Aircraft Inspection Report", is obtainable from any CAA District Office or Regional Office, or CAA representative.

(2) *Airworthiness directives.* Compliance with CAA airworthiness directives (Appendix A to Part 1 of this chapter) issued for the basic (unmodified) type will not be mandatory for aircraft certificated under Part 8. However, the owner should review these airworthiness directives to determine if they are applicable to the modified aircraft and special purpose involved. The CAA representative may use the airworthiness directives as a guide and will not approve the aircraft if he finds that an unairworthy condition actually exists at the time of the inspection.

(3) *Aircraft identification marks.* In accordance with the provisions of § 43.10 of this chapter, as amended effective October 11, 1950, all restricted category aircraft must display aircraft identifica-

tion marks which comply with the following:

(i) The word "restricted" must be prominently displayed near each entrance to the cabin or cockpit.

(ii) If the symbol "R" appears in the aircraft identification marks, it need not be removed until the aircraft is refinished; except that such symbol must be removed from aircraft operating outside the United States after December 31, 1950.

(iii) If the aircraft was previously certificated in another category and bears the symbol "C", "X", or "L" in the identification marks, such symbol must be removed prior to certification in the restricted category. In such cases it will not be necessary to relocate the remaining symbols or numbers.

§ 8.20-2 *Issuance of airworthiness certificates for aircraft manufactured under a restricted category type certificate (CAA policies which apply to § 8.20 (b)).* An airworthiness certificate will be issued for an aircraft manufactured under a restricted category type certificate (for example, a new design type certificated under the provisions of §§ 8.10 (a) (1) and 8.10-1) when the following procedure is completed:

(a) For aircraft manufactured under a type certificate only:

(1) An application for an airworthiness certificate is made on Form ACA-305.

(2) A statement of conformity, Form ACA-317, signed by the manufacturer, is submitted with the application.

(3) A representative of the Administrator has inspected the aircraft and finds that it conforms to the type design and is in condition for safe operation.

(b) For aircraft manufactured under a production certificate: The procedure will be as specified in paragraph (a) of this section, except that a statement of conformity is not required, and the conformity inspection may be omitted.

§ 8.20-3 *Repairs and alterations (CAA policies which apply to § 8.20 (b)).* The procedures specified in this section apply to repairs and alterations which are made subsequent to the original certification of an aircraft in the restricted category under Part 8. (Aircraft certificated under Part 8 are so designated on the Aircraft Operation Limitations Form ACA-309.) For such aircraft, the provisions of the Administrator's policies and interpretations in this part modify the provisions of §§ 18.16-2, 18.16-4, 18.16-5, and 18.16-6 concerning submittal of technical data for major alterations and major repairs.

For restricted category aircraft which have not been recertificated under Part 8 (see § 8.0-2 (a)) repairs and alterations should continue to be accomplished in accordance with Part 18 of this chapter including the Administrator's policies and interpretations.

For aircraft which have been issued a multiple airworthiness certificate under the provisions of § 8.21, repairs and alterations should be accomplished in accordance with § 8.21-1 (f).

(a) *Owner's procedure.* It is the responsibility of the aircraft owner, or his agent, to assure that all mechanical

¹ Not filed with the Federal Register Division.

work, other than routine maintenance, is performed by or under the supervision of an authorized agency (i. e., a certificated mechanic or approved repair station having the proper ratings, or the manufacturer of the aircraft) as specified in § 18.10, and in accordance with this manual.

Prior to returning the aircraft to service, the owner should determine that the repairing or altering agency has completed the record of such repairs and/or alterations in the appropriate aircraft or engine records, in accordance with § 43.23, and that a flight check has been made, if applicable. (See § 8.20-3 (b) (2) (iii).)

(b) *Repair agency procedure.* A repair agency (i. e., a certificated mechanic, approved repair station, or the manufacturer of the aircraft) should be guided by the following when accomplishing repairs and/or alterations to an aircraft certificated in the restricted category under Part 8:

(1) *Good practices.* All repairs and/or alterations should be made in accordance with good aeronautical practice. The Administrator's policies and interpretations in Part 18 of this chapter describe in detail the operations which the Administrator of Civil Aeronautics considers to be routine maintenance, minor and major repairs, and minor and major alterations. They set forth in detail repair methods, techniques, and practices which the Administrator has found acceptable. Sections 8.10-4 and 8.10-5, Appendix A to CAM 8,¹ and other publications such as Army-Navy specifications, maintenance manuals for military aircraft, and recognized industry specifications are also acceptable guides to good aeronautical practice.

(2) *Major repairs and alterations—(i) Technical data.* Repair agencies are authorized, by the provisions of this CAM, to waive the CAA policies set forth in §§ 18.16-2, 18.16-4, 18.16-5, 18.16-6, and with regard to the data required to be submitted with Repair and Alteration Form ACA-337, for all major repairs and for those major alterations in the class for which airworthiness may be determined by visual examination in accordance with § 8.10-3 (a). In lieu of submitting such technical data, the repair agency should prepare Form ACA-337 as specified in subdivision (ii) of this subparagraph. However, the fact that the repairing agency is not required to submit substantiating data does not preclude its responsibility for determining that the repair and/or alteration is airworthy in accordance with good aeronautical practices.

(ii) *Form ACA-337.* Repair agencies should complete Form ACA-337, Repair and Alteration Form, for every major repair and/or alteration. Form ACA-337 should be completed in accordance with the instructions contained on the reverse, except that item 4 (weight and balance) need not be completed unless this information is voluntarily being maintained by the aircraft owner. (See §§ 8.10-4 (b) and (c)).

In lieu of the information and data referred to in Subdivision (i) of this subparagraph, the repair agency should insert under item 7 a narrative description of the repair and/or alteration. The first statement under item 7 should indicate that the repair or alteration has been made under the provisions of Part 8. It is not necessary to include details in the description such as method of attachment, size and gauges of material, etc., since these items will be visually inspected when the aircraft is examined and approved. If the repair agency finds it easier, or preferable, to describe the repair and/or alteration by the use of photographs or sketches, these may be used to supplement the narrative description. If equipment shown on CAA Aircraft Specifications (e. g. a spray kit) is installed, it may be identified by the specification and item number. Standard repairs such as a spar splice which has been made in accordance with the Administrator's policies and interpretations in Part 18 may be described by reference to the appropriate figure contained in the Administrator's policies and interpretations in Part 18.

For example, a typical statement might read as follows:

The repair described below to this duster aircraft has been accomplished under the provisions of Part 8, the welding and long-eron splicing have been made in accordance with figures _____ (continue with description of repair).

(iii) *Flight check.* Whenever a repair or alteration is likely to adversely effect the weight and balance, or flight characteristics (See § 8.10-4 (b) and (c)), the repair agency should advise the owner to conduct a flight check as specified in § 8.10-3 (e). Hopper and tank capacity (weight) placards and other special purpose weights may be changed on the basis of the flight check, as specified in § 8.10-4 (b).

(c) *Approval of major repairs and alterations performed by certificated mechanics.* Major repairs and/or alterations accomplished by certificated mechanics should be inspected, examined, and approved by an authorized representative of the Administrator prior to returning the aircraft to service.

(1) Major repairs which have been accomplished in accordance with a manual or specification approved by the Administrator may be submitted to either a DAMI or a CAA agent for inspection and approval.

(2) All major alterations, and those major repairs not made in accordance with a manual or specification approved by the Administrator, should be submitted only to a CAA aviation safety agent or to a DAMI who has been specifically authorized to perform restricted category certification for inspection and approval.

(3) It is suggested that mechanics making major repairs and/or alterations notify the CAA agent or DAMI as far in advance of the anticipated completion date as possible, in order that he may make the necessary arrangements to conduct the airworthiness inspection.

(4) The aircraft should be presented in condition for inspection, that is, all

work should be completed, the appropriate cowling and inspection plates should be removed, and the parts or installations to be inspected cleaned and visible for inspection. All aircraft and engine logbook entries should have been completed, the Repair and Alteration Form ACA-337, executed, and the flight check accomplished, if applicable.

(d) *Approval of major repairs and alterations performed by manufacturers and approved repair stations.* (1) Manufacturers of the aircraft and approved repair stations may return aircraft to service after major repairs and/or alterations without prior inspection and approval of the CAA, provided that:

(i) Repairs and alterations are performed in accordance with good aeronautical practice as defined in this manual. (See §§ 8.10-4, 8.10-5, and 8.20-3 (b) (1)).

(ii) Major alterations are in the class for which airworthiness can be determined by visual examination. (See § 8.10-3 (a)).

(iii) Major alterations are examined to determine that they do not result in unsafe features or hazards. (See § 8.10-3 (f)).

(iv) A satisfactory flight check has been accomplished, if applicable. (See § 8.20-3 (b) (2) (iii)).

(2) Major alterations in the design requirement modification class (see § 8.10-3 (a) (2)) should be approved by the CAA prior to returning the aircraft to service.

(3) When the Repair and Alteration Form ACA-337 has been completed in accordance with § 8.20-3 (b) (2) (ii) and the required logbook entries made, the original copy of the Form ACA-337 should be given to the owner of the aircraft and made part of the official aircraft record. The copy of Form ACA-337 should be forwarded to the nearest CAA Aviation Safety District Office in accordance with the instructions contained on the reverse of the form.

§ 8.21 *Multiple airworthiness certification.* (a) An aircraft shall be issued an airworthiness certificate in the restricted category and in any one or more of the other airworthiness categories prescribed in this subchapter, if the applicant shows compliance with the requirements for each category when the aircraft is in the configuration for that category and if the aircraft can be converted from one category to another by removal or addition of equipment by simple mechanical means.

(b) Any aircraft certificated in the restricted and any other category shall be inspected and approved by an authorized representative of the Administrator, or by a certificated mechanic with an appropriate airframe rating, to determine airworthiness each time the aircraft is converted from the restricted category to another category for the carriage of passengers for compensation or hire, unless the Administrator finds this unnecessary for safety in a particular case.

§ 8.21-1 *Multiple airworthiness certification (CAA policies which apply to § 8.21).* Since the operating limitations for the restricted category differ from those of other categories (e. g. in respect to maximum weights and the carriage of passengers) an owner may desire multiple airworthiness certification in the restricted and other categories

¹Not filed with the Federal Register Division.

in order to avoid the need for revising the airworthiness certification documents each time the aircraft is converted from one category to another. The following procedure applies to multiple certification:

(a) *Eligibility of aircraft.* An aircraft will be eligible for multiple airworthiness certification in the restricted category and another (passenger-carrying) category when:

(1) The aircraft complies with the requirements for a normal, utility, acrobatic, transport or limited category aircraft under Parts 3, 4a, 4b, 6, or 9 of this chapter, when in the appropriate configuration. This configuration may include alterations from the basic type (e. g. to accommodate the subsequent installation of special purpose equipment), provided these alterations are accomplished and approved in accordance with Part 18 of this chapter. This configuration will be called the "standard" configuration for the aircraft.

(2) The aircraft is shown to comply with the requirements for the restricted category in accordance with § 8.10-3 when in the restricted category configuration.

(3) The aircraft can be converted from one category to another by the addition or removal of equipment by simple mechanical means within the scope of a minor alteration. Examples of minor alterations are given in § 18.7-1.

(b) *Application.* An applicant for multiple airworthiness certification should make application for such certificate on Form ACA-305, entitled, "Application for Airworthiness Certificate and/or Annual Inspection of Aircraft." This form is available at all CAA aviation safety district and regional offices. It is suggested that the applicant discuss the requirements and information that must be submitted with the application at the time the form is secured. The completed application form should be submitted to the local aviation safety district office.

(c) *Information to be submitted with application.* The applicant for multiple certification should submit with the application form the following information:

(1) *Form ACA-337.* Duplicate copies of Repair and Alteration Form ACA-337 should be prepared by the repair agency. The alterations should be listed under two headings as follows:

(i) *Standard configuration*—the alterations to the basic type and the equipment which will remain in the aircraft in this configuration. This portion of the form should be executed in accordance with § 18.16.

(ii) *Restricted configuration*—description of restricted category equipment and record of flight check, as specified in § 8.10-3 (d).

(2) *Conversion instructions.* Detailed step by step instructions should be prepared covering the installation and removal of the components or equipment required for each category in which certification is being sought.

(d) *Issuance of multiple airworthiness certificates*—(1) *CAA inspection.* Upon receipt of the information specified in

paragraph (c) of this section, the CAA agent will inspect the aircraft as follows:

(i) For the standard configuration, the inspection will cover conformity with the pertinent CAA aircraft specifications and airworthiness directives, compliance with Part 18 and the Administrator's policies and interpretations in Part 18 for any alterations included in this configuration, and general airworthiness (i. e., state of preservation and repair).

(ii) For the restricted configuration, the restricted category installations will be inspected in accordance with § 8.10-3 (f).

(iii) The Repair and Alteration Form ACA-337 and the instructions for conversion will be examined for completeness. The agent, at his discretion, may require the applicant to demonstrate that the aircraft can be converted from one category to the other by simple mechanical means in accordance with the conversion instructions specified in paragraph (c) (2) of this section.

(2) *Identification marks.* Aircraft issued multiple airworthiness certificates are required to display identification and airworthiness classification marks prescribed by § 43.10 (c) (6), of this chapter, as amended effective October 11, 1950. If the aircraft bears the symbol "C" or "R" following the nationality symbol "N" in the identification marks, the symbol "C" or "R" should be removed prior to multiple airworthiness certification. When restricted category operations are being conducted, the airworthiness classification mark "Restricted" should be displayed at each entrance to the cockpit or cabin.

When the aircraft is operated in the standard (passenger-carrying) category, the airworthiness classification mark "Restricted" should be removed. In order to facilitate installation and removal of this mark, it may be a separate placard fastened in place by bolts, or by any other method of attachment that is easily installed or removed. The installation and removal of this airworthiness classification mark should be incorporated in the detailed conversion instructions described in § 8.21-1 (c) (2).

(3) *Airworthiness documents.* Upon completion of the inspection, and when the agent finds the aircraft conforms to the requirements for multiple certification, he will issue a Certificate of Airworthiness, Form ACA-1362, and Operation Limitations, Form ACA-309, and attach to the latter the detailed conversion instructions. The original copy of the Form ACA-337 will be returned to the owner for inclusion in the aircraft records.

(e) *Converting aircraft from one category to the other.* Aircraft having multiple airworthiness certification should be converted from one category to the other in accordance with the approved conversion instructions and the following:

(1) *Non-revenue operations.* Any certificated mechanic or pilot may convert the aircraft from one category to the other; provided, the aircraft does not carry passengers for compensation or hire.

(2) *Carriage of passengers for compensation or hire.* In order for an aircraft certificated in the multiple airworthiness classification to carry passengers for compensation or hire, the aircraft must, under the provisions of § 8.21, be inspected by a certificated mechanic having an airframe mechanic rating or a representative of the Administrator, and found to be in airworthy condition each time the aircraft is converted from the restricted category to a standard (passenger-carrying) category, unless the Operation Limitations Form ACA-309, described in § 8.34-1, specifically states that such inspection is not necessary.

(i) *Scope of inspection.* The airworthiness inspection should be the equivalent of the inspection described in items 3 through 11 on the reverse side of the Periodic Aircraft Inspection Report, Form ACA-319 (Revised 11-49). The periodic aircraft inspection form may be used as an inspection guide; however, it is not mandatory.

(ii) *Recording of inspections.* A record of each such inspection should be made in the aircraft record or logbook in accordance with § 43.23 (a) of this chapter. This entry should include a statement as to the airworthiness of the aircraft, which should be dated and signed by the mechanic or representative making the inspection. A mechanic should include his certificate number following his signature, and a representative of the Administrator should place his designation identification and number following his signature. (For example, DAMI #01234).

It is the owner's responsibility to determine that the inspection and recording of the inspection have been made prior to carrying passengers for compensation or hire.

(f) *Repairs and alterations to aircraft issued multiple airworthiness certificates.* (1) All repairs and/or alterations to the standard configuration portion of the aircraft, including powerplant and propeller, must be accomplished in accordance with Part 18 and the Administrator's policies and interpretations in Part 18.

(2) All major repairs and/or alterations to aircraft certificated in multiple airworthiness classifications must be examined, inspected, and approved in accordance with § 18.11.

(3) Repairs and/or alterations to any part of the removable equipment, not included in the aircraft in the standard configuration, may be handled in accordance with § 8.20-3.

(g) *Application of airworthiness directives.* Compliance with airworthiness directives issued by the CAA for the standard (passenger-carrying) category aircraft will be mandatory for all aircraft certificated in the multiple airworthiness classification, without regard to the category in which the aircraft is being operated.

§ 8.30 *Operating limitations—Administrator's authority to prescribe.* In addition to the operating limitations set forth in §§ 8.31 through 8.34, the Administrator shall prescribe such operating limitations and restrictions as he finds necessary for safe

operation of the aircraft and for the protection of the public.¹

§ 8.30-1 *Operating limitations (CAA policies which apply to § 8.30)*—(a) *Form ACA-309.* The special purpose operations authorized for the aircraft and the operating limitations prescribed in § 8.30 will be listed on CAA Form ACA-309, which is entitled "Operation Limitations." The operating limitations prescribed in §§ 8.31 through 8.34 will also be listed in that portion of Form ACA-309, entitled "Limitations." The Form ACA-309 will be issued by the CAA representative at the time he issues the airworthiness certificate as specified in § 8.20-1. The Form ACA-309 must be carried in the aircraft in accordance with § 43.10 (b) (1).

(b) *Agricultural aircraft.* The example of operating limitations given in subparagraph (1) of this paragraph, indicates the scope of the operating limitations which may be listed under "Limitations" on Form ACA-309 for an aircraft certificated under Part 8 and intended for agricultural operations, such as spraying, dusting, seeding, and pest control. The CAA representative may modify these or prescribe additional aircraft limitations if he finds they are necessary for the safe operation of the aircraft and protection of the public.

(1) *Example of operating limitations.* This aircraft has been certificated under the provisions of Part 8 as a special purpose agricultural and pest control aircraft.

(i) This aircraft shall not be operated in any manner which will endanger public life and property. The operator shall adjust the take-off weight to provide a safe margin of performance for the existing operating conditions, considering the take-off area, altitude, temperature, and terrain. For maximum capacities of hoppers and spray tanks see placards.

NOTE: These placards may be revised in accordance with § 8.10-4 (b).

(ii) Maneuvers shall be limited to those normally performed in agricultural operations.

(iii) Agricultural and pest control operations shall not be conducted over densely populated areas, in congested air lanes, or in the vicinity of busy airports where passenger transport operations are being conducted, unless the Administrator finds it in the public interest to authorize such operation and has issued a Certificate of Waiver or Authorization, Form ACA-663, permitting such operation.

(iv) Persons and cargo shall not be carried for compensation or hire.

(v) Persons other than the minimum crew necessary for the agricultural operations shall not be carried during these operations.

(vi) No person shall be carried in the aircraft unless a seat and safety belt, in-

stalled in accordance with good aeronautical practice, is provided for his use.

(2) *Examples of additional limitations.* Examples of additional limitations which the CAA representative may prescribe for safe operation and the protection of the public are:

(i) A prohibition against sulphur dusting, unless special fire prevention measures have been incorporated in the aircraft.

(ii) A statement in the area operating limitations (subparagraph (1) (iii) of this paragraph) that the aircraft is not eligible for a waiver to operate over congested areas because of uncertificated powerplant components. (See § 8.10-4 (d)).

(iii) Restricted engine speed (rpm) ranges, if a metal propeller stress survey indicates the need for such restrictions.

(c) *Aerial advertising aircraft.* For special purpose operations such as banner towing, skywriting, and similar operations normally conducted over populated areas, aircraft limitations, such as weight, airspeed and engine limits, will be prescribed and will be essentially the same as those established under the airworthiness requirements for the basic type, unless the nature of the special purpose operations or the design of the basic aircraft or the modifications indicate that a particular limitation should be altered. (See § 8.10-5.)

§ 8.31 *Area operating limitations.* Special purpose operations in restricted category aircraft shall not be conducted over densely populated areas, in congested air lanes, or in the vicinity of busy airports where passenger transport operations are being conducted, unless the Administrator finds it in the public interest to allow operations in such area, in which case he shall prescribe specific operating limitations to provide the highest degree of public safety compatible with the type of operation involved.

§ 8.31-1 *Waiver of area operation limitations (CAA policies which apply to § 8.31)*—(a) *Application.* If an operator desires to conduct special purpose operations in the areas described in § 8.31, using a restricted category aircraft, he should submit to the local aviation safety district office an Application for a Certificate of Waiver, Form ACA-400, requesting that the area limitations, as set forth in § 8.31, be waived for the type of operation involved. The aircraft Operation Limitations Form ACA-309 should also be submitted for examination.

If there is any question as to what constitutes a densely populated area, congested air lane or busy airport, it is suggested that the operator contact the local aviation safety district office for a determination.

The same application may be used for requesting waiver of § 60.17 (b) of this chapter for operation below the minimum altitudes specified in that section for congested areas.

(b) *Certificate of waiver or authorization.* After examining the application and the aircraft operation limitations, the CAA will issue a Certificate of Waiver or Authorization, Form ACA-663, where it is found in the public interest to allow the proposed operations. Where the op-

eration conflicts with any state law or local ordinance or requires permission of local authorities or property owners, it is the responsibility of the operator to obtain such permission. The certificate may include special provisions considered necessary to provide the highest degree of safety compatible with the special purpose involved.

§ 8.32 *Economic operating limitations.* Persons and cargo shall not be carried for compensation or hire in restricted category aircraft. For purposes of this section crop dusting, seeding, and other similar specialized operations, including the carriage of materials necessary for such operations, shall not be considered as the carriage of persons or cargo for compensation or hire.

§ 8.32-1 *Economic operating limitations (CAA interpretations which apply to § 8.32).* Under the provisions of § 8.32 restricted category aircraft are not permitted to carry passengers or cargo for hire. This section does not prohibit the non-revenue carriage of personnel in addition to crew members from one location to the other; provided, the aircraft does not engage in special purpose operations during the flight. (See § 8.33.) For example, an operator might fly his ground-crew to a location where special operations are to be conducted. The carriage of such persons, their personal luggage, and spare parts would not be considered as the carriage of passengers or cargo for hire or compensation. When such persons are carried, they should have available seats and safety belts, installed in the aircraft in accordance with good aeronautical practice.

§ 8.33 *Passengers prohibited during special purpose operations.* Persons, other than the minimum crew necessary for the purpose involved, shall not be carried during special purpose operations in restricted category aircraft.

§ 8.33-1 *Passengers prohibited during special purpose operations (CAA interpretations which apply to § 8.33).* The minimum crew specified in § 8.33 includes those persons necessary to navigate the aircraft, such as pilot, co-pilot, and flight engineer, and such other persons as may be required to perform the special purpose operations. For example, a multi-engine aircraft engaged in an agricultural operation of dispersing poison bran might be navigated by a pilot and co-pilot, and also have as part of its crew persons engaged in the dispersing of the bran. All of these persons would be considered crew members since each has a specific job to perform in connection with the special purpose operation. Persons other than crew members are not permitted to be carried during special purpose operations. A pilot or other crew member who is being given training in the special purpose operations may be considered an essential crew member. However, no charge may be made for such training in aircraft certificated under Part 8, because of the economic operating limitations prescribed in § 8.32.

§ 8.34 *Separate operating limitations for multiple airworthiness certification.* In case of multiple airworthiness certification under the provisions of § 8.21, the Administrator

¹Where the special purpose operations require deviation from the Air Traffic Rules in Part 60 of this chapter, a waiver of such rules must be obtained from the Administrator in accordance with the provisions of Part 60.

shall establish separate operating limitations for each category and shall specify the approved changes necessary to convert and reconvert the aircraft from one category to another.

§ 8.34-1 *Operating limitations for multiple airworthiness certification (CAA policies which apply to § 8.34)*—
(a) *Form ACA-309.* The operating limitations referred to in § 8.34 will be established by the CAA representative at the time he issues the airworthiness certificate as specified in § 8.21-1 (d). These operating limitations will be listed on CAA Form ACA-309, "Operation Limitations", under two headings as follows:

(1) The operating limitations for the standard configuration (i. e. categories other than restricted category) will be listed in the appropriate spaces on the Form ACA-309, or, if applicable, in the CAA approved airplane flight manual.

(2) The operating limitations for the restricted category operations will be listed on Form ACA-309 under "Limitations." These limitations will be designated as applicable to the restricted category and will be prescribed in accordance with § 8.30-1. Provisions will also be included covering the conversion of the aircraft from one category to another (see § 8.21-1 (c) (2)), and inspection of the aircraft prior to the carriage of passengers for hire. (See § 8.21-1 (e) (2)).

(b) *Conversion instructions.* The approved changes necessary to convert the aircraft from one category to the other as specified in § 8.21-1 (c) (2), will be attached to and are considered part of the operating limitations and should not be changed or amended without the approval by the CAA.

(c) *Owner's responsibility.* It will be the responsibility of the aircraft owner to keep the operating limitations available in the aircraft in accordance with § 43.10 (b) (1) of this chapter, and to assure that the changes necessary to convert from one category to the other are made in accordance with the approved instructions.

The CAA supplementary material shall become effective January 1, 1951.

[SEAL] LEONARD W. JURDEN,
Acting Administrator of
Civil Aeronautics.

[F. R. Doc. 50-12179; Filed, Dec. 22, 1950;
8:45 a. m.]

[Supp. 3]

PART 26—AIR-TRAFFIC CONTROL-TOWER OPERATOR CERTIFICATES

CONTENT AND SCOPE OF WRITTEN EXAMINATION

The following policies are hereby adopted:

§ 26.3-1 *The content and scope of the written examination required for a control-tower operator certificate in proof of aeronautical knowledge (CAA policies which apply to § 26.3).* The written examination is designed for the purpose of

determining whether an applicant possesses the basic theoretical knowledge required for the safe performance of his duties as a control-tower operator. Since a control-tower operator's aeronautical knowledge is extensive in scope, complete coverage in the examination is not feasible. The written theoretical examination is offered, therefore, as a sampling device wherein a limited number of questions are proposed for the purpose of determining knowledge.

NOTE: The Administrator has compiled a study guide to aid applicants in preparing for the control-tower operator certificate examination. This guide is contained in Appendix A of Civil Aeronautics Manual 26.

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interpret or apply sec. 602, 52 Stat. 1008, as amended; 49 U. S. C. 552)

These policies shall become effective upon publication in the FEDERAL REGISTER.

[SEAL] LEONARD W. JURDEN,
Acting Administrator of
Civil Aeronautics.

[F. R. Doc. 50-12181; Filed, Dec. 22, 1950;
8:45 a. m.]

[Supp. 2]

PART 27—AIRCRAFT DISPATCHER CERTIFICATES

CONTENT AND SCOPE OF WRITTEN EXAMINATION

The following policies are hereby adopted:

§ 27.6-1 *The content and scope of the written examination required for an aircraft dispatcher certificate in proof of aeronautical knowledge (CAA policies which apply to § 27.6 (a) through (m) of the Civil Air Regulations).* The written examination is designed for the specific purpose of determining whether an applicant possesses the basic theoretical knowledge required for the safe performance of his duties as an aircraft dispatcher. Since an aircraft dispatcher's aeronautical knowledge is extensive in scope, complete coverage in the examination is not feasible. The written examination offered is a sampling device wherein a limited number of questions are proposed for the purpose of determining knowledge.

NOTE: The Administrator has compiled a study guide to aid applicants in preparing for the aircraft dispatcher certificate examination. This guide is contained in Appendix A of Civil Aeronautics Manual 27.

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interpret or apply sec. 602, 52 Stat. 1008, as amended; 49 U. S. C. 552)

These policies shall become effective upon publication in the FEDERAL REGISTER.

[SEAL] LEONARD W. JURDEN,
Acting Administrator of
Civil Aeronautics.

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[Supp. 3, Amdt. 1]

PART 40—AIR CARRIER OPERATING CERTIFICATION

[Supp. 8, Amdt. 1]

PART 41—CERTIFICATION AND OPERATION RULES FOR SCHEDULED AIR CARRIER OPERATIONS OUTSIDE THE CONTINENTAL LIMITS OF THE UNITED STATES

PREFACE PAGES TO OPERATIONS SPECIFICATIONS

1. Section 40.1-1 published on November 29, 1950, in 15 F. R. 8161 is amended to read:

§ 40.1-1 *Preface pages to operations specifications (CAA policies which apply to § 40.1).* Preface pages to the operations specifications, which are a part of the air carrier operating certificate issued by the Administrator, will be prepared by the air carrier on a Form ACA-1014. This form is prescribed by the Administrator, and copies of it may be obtained from the Aviation Safety Agent assigned to the air carrier or from a district or regional office of the Civil Aeronautics Administration.

2. Section 41.1-1 published on November 29, 1950, in 15 F. R. 8161 is amended to read:

§ 41.1-1 *Preface pages to operations specifications (CAA policies which apply to § 41.1).* Preface pages to the operations specifications, which are a part of the air carrier operating certificate issued by the Administrator, will be prepared by the air carrier on a Form ACA-1014. This form is prescribed by the Administrator, and copies of it may be obtained from the Aviation Safety Agent assigned to the air carrier or from a district or regional office of the Civil Aeronautics Administration.

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interpret or apply sec. 604, 608, 52 Stat. 1010, 1011, as amended; 49 U. S. C. 554, 558)

These policies shall become effective upon publication in the FEDERAL REGISTER.

[SEAL] LEONARD W. JURDEN,
Acting Administrator of
Civil Aeronautics.

[F. R. Doc. 50-12180; Filed, Dec. 22, 1950;
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[Supp. 9]

PART 41—CERTIFICATION AND OPERATION RULES FOR SCHEDULED AIR CARRIER OPERATIONS OUTSIDE THE CONTINENTAL LIMITS OF THE UNITED STATES

MISCELLANEOUS AMENDMENTS

The substance of §§ 41.49-1, 41.65-1, 41.68-1, and 41.73-1 was published as notice of proposed rule making in 15 F. R. 4446 on July 13, 1950. That of § 41.130-1 was published as a notice of proposed rule making under § 61.341-1 on August 30, 1950, in 15 F. R. 5850. All comments received have been given full consideration and the following rules

and interpretations are hereby adopted to read as follows:

§ 41.49-1 *Crew complement; number of pilots required (CAA rules which apply to §§ 41.49 and 41.65)*. The number of pilots required on aircraft certificated in accordance with T-category requirements will not be less than the pilot personnel specified in the minimum crew as set forth in the airplane flight manual of the particular aircraft. In the case of aircraft certificated in accordance with non T-category requirements, not less than two pilots will be required when (a) the aircraft incorporates multi-engine features combined with retractable landing gear or wing flaps, or (b) in the conduct of a flight, the duties of a pilot serving as pilot-in-command would be unduly interfered with through the necessity of performing other duties usually performed by a co-pilot.

§ 41.54-1 *Flight time limitations for a crew of one or two pilots; one month (CAA interpretations which apply to § 41.54 (d))*. The term "in any one month" as used in § 41.54 (d) is interpreted as meaning a month of the calendar year commencing on the first day and ending on the last day thereof.

§ 41.54-2 *Flight time limitations for a crew of one or two pilots; 12-month period (CAA interpretations which apply to § 41.54 (e))*. The term "in any 12-month period" as used in § 41.54 (e) is interpreted as meaning any 12 consecutive months computed as any given day of any month to the day of the corresponding number of the same named month of the following or previous year.

EXAMPLE: January 24, 1950, would extend to and include January 23, 1951.

§ 41.55-1 *Flight time limitations for a crew of two pilots and one additional flight crew member; 12-month period (CAA interpretations which apply to § 41.55 (d))*. The term "in any 12-month period" as used in § 41.55 (d) is interpreted as meaning any 12 consecutive months computed as any given day of any month to the day of the corresponding number of the same named month of the following or previous year.

EXAMPLE: January 24, 1950, would extend to and include January 23, 1951.

§ 41.56-1 *Flight time limitations for a crew of three or more pilots and an additional flight crew member; 12-month period (CAA interpretations which apply to § 41.56 (d))*. The term "in any 12-month period" as used in § 41.56 (d) is interpreted as meaning any 12 consecutive months computed as any given day of any month to the day of the corresponding number of the same named month of the following or previous year.

EXAMPLE: January 24, 1950, would extend to and include January 23, 1951.

§ 41.65-1 *Composition of flight crew (CAA rules which apply to § 41.65)*. (a) *General*. The minimum flight crew as determined by the Administrator, and specified in the air carrier operating certificate, shall be the type and number of flight crew members required on the flight deck for the operation of the aircraft over a particular route or route

segment specified in the operating certificate. It is the responsibility of the air carrier to assign such additional flight crew members as necessary for compliance with flight time limitations and the performance of all required functions in accordance with § 41.65 (b).

(b) *Listing of flight crew members in the air carrier operating certificate*. The minimum number of flight crew members serving in the capacity of pilots and the minimum number of flight crew members serving in the capacity of flight engineers required for duty on the flight deck of an aircraft as prescribed in §§ 41.49-1 and 41.73-1 respectively are dependent on the type of aircraft authorized for use by the air carrier. As the minimum number of such crew members does not vary with the route or route segment over which the aircraft is flown, this shall be specified in the air carrier operating certificate on Form ACA-514-A by the following provisions: "Flight crew members holding pilot and flight engineer certificates shall be those prescribed in §§ 41.49-1 and 41.73-1."

The functional requirements of radiotelegraphy and celestial or other specialized means of navigation, as prescribed in §§ 41.68-1 and 41.80-1 respectively, are dependent on the particular route or route segment over which the aircraft is flown. When a flight crew member is required to perform one of such functions on the flight deck of the aircraft over a route or route segment, this shall be specified in the air carrier operating certificate on Form ACA-514-A by indicating the function required. This will be accomplished by the air carrier's inserting the letter "Y" on a line with the particular route or route segment under the required function; namely, radiotelegraphy—specialized means of navigation.

§ 41.68-1 *Crew complement; flight radio operator (CAA rules which apply to § 41.68)*. (a) *Determination of need*. Radiotelegraphy will be required over any area, route or route segment where it has been determined that this means of communication is necessary to insure adequate air-ground communication over the area, route or route segment under normal operating conditions.

§ 41.73-1 *Crew complement; flight engineer (CAA rules which apply to §§ 41.65 and 41.73)*. (a) *Design of aircraft*. A flight crew member serving in the capacity of a flight engineer shall be required on all four-engine aircraft certificated for more than 80,000 pounds maximum take-off weight as prescribed in § 41.73, and on all other four-engine aircraft certificated for more than 30,000 pounds maximum take-off weight when so specified in the airplane flight manual for the particular aircraft.

(b) *Type of operation*. The Administrator has considered the type of operation presently being conducted in aircraft of the 30,000-80,000 pound weight category and has determined that a flight engineer is not required as a result of such operation.

§ 41.130-1 *Mechanical hazard and difficulty reports (CAA rules which apply*

to § 41.130). See § 61.341-1 of this chapter.

§ 41.137-1 *Definitions; route segment (CAA interpretations which apply to § 41.137 (q))*. The term "continental or insular geographic location" is a means for identifying a route segment where navigation can be accomplished by visual reference for the conduct of (a) day VFR operations, and (b) night VFR operations provided the geographic land marks afford adequate visual reference during the hours of darkness.

The terms "a point at which some specialized aid to air navigation is located" and "a point at which a definite radio fix is located" are means for identifying a route segment where adequate navigational aids are available for day or night IFR operations.

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interpret or apply secs. 601, 604, 606, 608, 52 Stat. 1007, 1010, 1011; 49 U. S. C. 551, 554, 556, 558)

These rules and interpretations shall become effective upon publication in the FEDERAL REGISTER.

[SEAL] LEONARD W. JURDEN,
Acting Administrator of
Civil Aeronautics.

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[Supp. 11]

PART 60—AIR TRAFFIC RULES

STANDARD INSTRUMENT APPROACH PROCEDURES

The following rules and policies are hereby adopted. They are made effective without delay in order to promote safety of the flying public. Compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to the public interest, and therefore is not required. The rules issued under § 60.46-2 and the policies issued under § 60.46-8 herein amend and supersede those published under the same sections on November 16, 1949, 14 F. R. 6875, 6931.

§ 60.46-2 *Symbols used in ceiling and visibility minimums (CAA rules which apply to § 60.46)*. Letters that appear in the standard instrument approach procedures tables under the column on ceiling and visibility minimums are explained as follows:

"R" means regular landing minimums. They are authorized when it is necessary to circle the airport or maneuver in any manner for landing. They apply to aircraft having stall speed as established in Airplane Operating Manual of more than 75 miles per hour at maximum certificated landing weight with full flaps, landing gear extended, and power off.

"(R)" means regular landing minimums for aircraft having stall speeds as established in the Airplane Operating Manual of 75 miles per hour or less at maximum certificated landing weight with full flaps, landing gear extended, and power off. When regular landing minimum for all aircraft are identical, only "R" will be used.

"S" means straight-in landing minimums¹ where minimums lower than regular landing minimums are possible. If no reduction for straight-in landings is authorized, regular landing minimums will apply for straight-in and "S" will not be shown. Reductions in regular minimums will be authorized only when landing can be accomplished straight in from the navigational facilities being used to the near end of the runway without exceeding 500 feet per minute rate of descent and without change of direction of more than 30 degrees. These reductions will apply to all types of aircraft, unless "(R)" is less than "S" in which case the lower minimum applies to the lower stall speed aircraft.

"A" means alternate minimums. They are authorized when an alternate airport is required. They apply to all types of aircraft.

"T" means take-off minimums. They apply to all types of aircraft.

"NA" means not authorized.

§ 60.46-8 *Instrument landing system procedures determination* (CAA policies which apply to § 60.46). (a) *General*. The policies set forth herein will be used by the Civil Aeronautics Administration in formulating and approving all instrument landing system procedures including those prescribed in § 60.46-9.

(b) *Initial approach procedure*. The initial approach to the ILS will normally be made on the associated primary navigation facility, radio range or radio beacon, or from an intersection thereof. Transition from the primary radio facility to the ILS localizer course will be made from specified points (radio range, reliable intersections—including bearings, localizer courses, fan markers, or compass locators) on predetermined established tracks between such fixes and the localizer course or the outer marker compass locator of the ILS. In some cases, however, it may be desirable to proceed first to the radio range station, thence to the ILS localizer course to start the approach.

All altitudes pertaining to initial approach including outbound flight on the localizer will provide vertical and lateral clearance in accordance with § 60.46-3 (b).

(c) *Procedure turn*—(1) *Establishment*. Procedure turns are established and specified in ILS procedures for use in a return to final approach course (inbound) when dictated by direction of approach. In this connection and in order to expedite the handling of traffic, the specified procedure turn need not necessarily be made, unless so desired, when the final approach course can be established prior to commencing descent on the glide path to final approach minimums, and (i) the final approach course (inbound) can be intercepted at an angle of less than 90 degrees and within five miles of the outer marker from an established radio fix on a course specified in the ILS procedure, or (ii) the final ap-

proach can be accomplished from an established holding pattern.

(2) *Procedure turn within five miles of the outer marker*. A procedure turn within five miles of the outer marker, and with an initial turn to the left, followed by a turn to the right for a return to the final approach course will be standard whenever terrain, obstructions, and traffic will permit. The degree at which the turns are to be made is left to the discretion of the pilot but the maneuver will be completed within that area for which the altitude has been established to provide the required obstruction clearance.

(i) *Altitude*. The minimum altitude, at which the procedure turn within five miles of the outer marker is to be executed, will not be less than the altitude of the glide path at the outer marker and will be established on an assumption that the turn will be made within five miles of the outer marker. Accordingly, the established altitude will provide clearance of at least 1,000 feet above the terrain and all obstructions for an area five miles on each side of the center line of the localizer course. Where necessary, however, an upward adjustment of the minimum altitude will be made to insure safe clearance of any prominent obstruction or terrain immediately beyond the specified area.

(3) *Procedure turn beyond five miles from outer marker*. Where necessary or advisable to effect proper interception with the glide path, a procedure turn may be made beyond five miles from the outer marker.

(i) *Altitude*. The minimum altitude, at which the procedure turn beyond five miles from the outer marker is to be executed, will not be less than the altitude of the glide path at the outer marker and will provide clearance of at least 1,000 feet above the terrain and all obstructions in an area five miles on each side of the center line of the localizer course.

(4) *Altitude prior to interception of the glide path*. Prior to the interception of the glide path on the localizer course from (i) an established radio fix, (ii) a holding pattern, and (iii) a procedure turn, the minimum altitude will provide clearance of at least 1,000 feet above the terrain and all obstructions and will not be less than the altitude of the glide path at the outer marker. This altitude and clearance will also be maintained until interception of the glide path in the case of a straight-in approach on the localizer course.

(5) *Deviations*. Where strict adherence to the distances specified in the preceding subparagraphs would establish an undesirable instrument approach procedure, minor deviations may be permitted provided safety will not be adversely affected.

(d) *Final approach*. The term "final approach" as used in the ILS procedure is defined as that portion of the approach (inbound) on the localizer course after the glide path has been intercepted at or immediately beyond the outer marker and descent to authorized landing minimum altitude is started.

The altitude on the final approach will provide for clearance of terrain and obstructions in the approach area as hereinafter specified in "Obstruction Clearance for Final Approach."

(e) *Obstruction clearance for final approach*. The approach zone to instrument runways, together with the minimum obstruction clearances required for glide path, is defined as:

(1) *Approach surface*. The approach surface is an inclined surface located directly above the approach area. The dimensions of the approach area are measured horizontally.

(i) *Length*. The approach area has a length of 50,000 feet beginning 200 feet from the approach end of each instrument runway and extending outward on the extended center-line of the runway.

(ii) *Slope*. The slope of the approach surface along the runway center-line extended is fifty to one (50:1) for the inner 10,000 foot section and forty to one (40:1) for the outer 40,000 foot section.

(iii) *Width*. The approach area is symmetrically located with respect to the extended runway center-line, and has a total width of 1,000 feet at a point 200 feet outward from the approach end of the runway. The approach area flares uniformly to a total width of 4,000 feet at the end of the 10,000 foot section, and to a total width of 16,000 feet at the end of the additional 40,000 foot section.

(2) *Horizontal surface*. The horizontal surface is a circular plane, 150 feet above the established airport elevation, having a radius of approximately 12,000 feet from the reference point at the center of the airport and connecting with the transitional surfaces or approach surfaces as hereinafter specified.

(3) *Transitional surfaces*. The transitional surfaces are inclined planes with a slope of seven to one (7:1) extending upward on either side of, and at right angles to, the runway center-line or the runway center-line extended.

Transitional surfaces inward from the approach end of the runway extend upward to an intersection with the horizontal surface from lines which are level with, parallel to, and 500 feet from the runway center-line.

The transitional surfaces for 200 feet outward from the approach end of the runway extend upward to an intersection with the horizontal surface from lines which are level with the runway center-line at the approach end of the runway, and are parallel to and 500 feet from the runway center-line extended.

Transitional surfaces more than 200 feet outward from the approach end of the runway extend upward from the outer edges of the approach surface to an intersection with the horizontal surface where the approach surface is below the horizontal surface, and for a lateral distance of 5,000 feet where the approach surface is outward from the horizontal surface.

(4) *Minimum obstruction clearance*. For that part of the approach from the interception of the glide path by the aircraft, the minimum terrain and obstruction clearance is that obtained between a two and one-half degree path passing through a point 20 feet above and 500

¹ ILS Procedures: Straight-in landing minimums apply only when all components of ILS are operating and only to runway indicated. In other cases, minimums are designated by "R" and apply to aircraft with stall speed of more than 75 miles per hour. For aircraft with stall speed of 75 miles per hour or less, circling minimums may be reduced by 100 feet and one-half mile but in no case less than 500-1.

feet inward from the approach end of the runway and the fifty to one (50:1) and forty to one (40:1) approach surface as previously defined.²

(5) *Criteria.* The minimum clearance in feet is a function of the distance D outward from the glide path unit as follows:

(i) For D less than 10,950 feet, minimum clearance $0.02366D + 28$ feet.

(ii) For D between 10,950 feet and five miles, minimum clearance $0.01866D + 83$ feet.

EXAMPLE: If an obstruction is 10,250 feet from the glide path unit, formula (i) would apply, and the minimum clearance above the obstruction $(10,250 \times 0.02366) + 28 = 243' + 28' = 271'$.

It should be noted that the criteria provides a minimum clearance of approximately 500 feet at the interception of the glide path with a gradually reduced clearance from that point inward. This clearance is a minimum requirement. However, a greater clearance may be necessary due to terrain features adjacent to the approach area of the instrument runway or peculiarities of the installation which are revealed by flight check.

(f) *Glide path setting.* Where the minimum obstruction clearance can be obtained in the approach area and adjacent transition surfaces inward from the point of interception of the glide path, the glide path will be set to the normal optimum setting of two and one-half to two and three-fourths degrees. This will result in obtaining the desirable intersection of the glide path and middle marker at an elevation of about 200 feet above the runway.

Where terrain and obstruction clearances more than that established by the criteria can be provided, the glide path may be set at a lesser angle. The minimum glide path angle will be two degrees.

When necessary to obtain the minimum obstruction clearance, the glide path may be raised to a maximum angle of three degrees. Angles greater than three degrees will not normally be used. Where the minimum obstruction clearance cannot be obtained with the maximum three degree glide angle and the length of the runway permits, consideration may be given to locating the glide path unit inward from the standard location a distance necessary to obtain the specified minimum clearance.

(g) *Adjustment of ceiling minimums for obstruction clearance.* When minimum obstruction clearance cannot be obtained with a maximum three degree glide path angle, and the length of the runway does not permit a compensating adjustment, consideration will be given to establishing ceiling minimums which will afford comparable safety. In this event, the ceiling minimums will be de-

termined by application of the following formula to all obstructions projecting above the established slope line and located in the approach area within a distance of five miles outward from the end of the runway.

(1) *Formula.* Extend a line horizontally outward from the top of each obstruction and parallel with the runway center line to a point of intersection with the established slope line, and from that point extend a line vertically to a point of intersection with the glide path. The point of intersection at the highest level of the glide path as established by the foregoing formula will determine the minimum ceiling that may be considered.

Where minimum obstruction clearances cannot be met in the transitional and horizontal surfaces immediately adjacent to the approach area and when deemed necessary, consideration will be given to an adjustment in the ceiling minimums commensurate with the degree of interference presented by the particular obstruction or obstructions.

(h) *Clearance on back course of ILS.* The minimum obstruction clearance required for pull-out on the end of the runway opposite the approach and will normally be that required for take-off of all types of aircraft or for the class and weight of particular aircraft being used.

(i) *Standard missed approach procedure.* A standard missed approach procedure will be formulated and approved for use when necessary. The recovery will be made normally on a course which most nearly approximates a continuation of the final approach course after due consideration of obstructions, terrain, and other factors influencing the safety of the operation. A missed approach will be initiated at the point where the aircraft has descended to authorized landing minimums if (1) visual contact is not established, (2) the landing has not been accomplished, or (3) directed by Air Traffic Control.

(j) *Alternate missed approach procedure.* Where considered necessary, an alternate missed approach procedure will be formulated. An alternate missed approach procedure will be used only on prior approval of Air Traffic Control.

(k) *Utilization of back course of ILS.* Utilization of the back course of an ILS may be authorized if suitable fixes exist which will allow a pilot to establish his position and proceed on the localizer back course to the airport. Use of the back course will not be authorized, however, where there is likely to be interference with another ILS located in close proximity, or where the terrain or other features make use of the back course inadvisable from a safety standpoint.

(1) *With glide path.* If the instrument approach runway is equipped with a glide path serving the back course of the Instrument Landing System localizer, separate procedure may be formulated and approved. When such a procedure is established, consideration will be given to ceiling and visibility minimums in accordance with the minimum terrain and obstruction clearance for glide path settings.

(2) *Without glide path.* Where there is no glide path but a fan marker, compass locator, or other suitable fix exists on the localizer back course within seven miles of the airport, a straight-in approach may be formulated and approved using the minimums equivalent to straight-in range minimums.

§ 60.46-10 *Ground controlled approach procedures determination (CAA policies which apply to § 60.46)*—(a) *General.* The policies set forth herein will be used by the Civil Aeronautics Administration in formulating and approving ground controlled approach procedures prescribed in § 60.46-11. However, the safe completion of a ground controlled approach procedure involves a dual responsibility. This responsibility includes (1) the interpretation of the information received by the controller on the radar scope and the relaying of this information to the pilot of the aircraft, and (2) the acceptance and compliance by the pilot with the advice received from the controller.

(b) *Initial approach procedure.* The initial approach to the GCA will normally be made on the associated primary navigation facility, radio range or radio beacon, or from an intersection thereof.

All altitudes pertaining to initial approach on any approved route will not be less than the minimum initial approach altitude established for the associated radio facility. Where it is necessary to establish an initial approach altitude from directions other than over an approved route, an altitude will be prescribed which will provide vertical and lateral clearance in accordance with standardized radio range procedures set forth in § 60.46-3.

(c) *Transition to GCA.* During the approach on the associated primary facility, the pilot will notify approach control of his intention to use the GCA system. The ground controller will normally take over when the aircraft is within approximately 25 miles of the airport. When necessary to insure positive identification, and on being so advised by the ground controller, the pilot will execute turns as directed by the ground controller.

(d) *Pattern*—(1) *Establishment and approval.* Patterns will be established and approved by the Civil Aeronautics Administration for the completion of a GCA procedure and the guidance of the ground controllers. A pattern will normally provide for a final turn and/or interception of the final approach course at a distance of not less than five miles from the approach end of the runway to be used, and, wherever possible, a pattern will be designed to accommodate both right and left-hand turns into the final approach course. The ground controller will advise the pilot of the headings and altitudes to be flown and will also issue instructions to be followed in the event radio communications with the aircraft cannot be maintained.

To provide the flexibility required for air traffic control purposes, the ground controller may deviate from the pattern courses as required to provide separation from other aircraft and to make al-

² This is the condition when the glide path unit is located the minimum distance of 750 feet from the runway end. The lower end of the glide path is assumed to be 20 feet above the runway at a distance of 250 feet outward from the glide path unit, at which distance the aircraft would be in contact with the runway and the aircraft antenna exactly on course.

lowances for wind conditions, speed of aircraft, direction from which aircraft are approaching, or other reasons which may require deviations therefrom, provided that the minimum obstruction clearances are strictly adhered to.

(2) *Altitudes.* Except as provided below, all altitudes pertaining to the GCA pattern prior to interception of the final approach course will be at least 1,000 feet above all terrain or obstructions to flight within at least three miles on either side of the pattern track, and will provide at least 500 feet above all terrain and obstructions to flight located within an additional two miles on either side of the pattern track. When an aircraft is observed to have definitely passed an altitude limiting feature or obstruction, the ground controller may descend the aircraft to a lower altitude, provided that the lower altitude affords the minimum obstruction clearances set forth above with respect to other obstructions farther along the course to be flown.

The interception of the final approach course shall normally be made at a distance not less than five miles from the approach end of the runway to be utilized, and the minimum altitude shall not be less than 1,000 feet above airport elevation and not less than 500 feet above all terrain and obstructions to flight, provided the reduction in terrain clearance is made within five miles of the point of interception. If, due to obstructions, it is necessary to intercept the final approach course at an altitude higher than 1,000 feet above airport elevation, sufficient distance must be available along the course line to allow descent to the established ceiling minimums.

(3) *Partial execution of pattern.* Where the foregoing terrain and obstruction clearance can be maintained, and at the discretion of the ground controller, a GCA pattern may be executed in part only, provided the final approach course can normally be intercepted not less than five miles from the approach end of the runway.

(e) *Final approach.* The term "final approach" is defined as that portion of the approach procedure where the ground controller signifies that the aircraft inbound has intercepted the final approach course, and descent to final approach altitude is commenced.

(f) *Obstruction clearance for final approach.* The approach zone to instrument runways, together with the minimum obstruction clearances required for glide path is defined as:

(1) *Approach surface.* The approach surface is an inclined surface located directly above the approach area. The dimensions of the approach area are measured horizontally.

(i) *Length.* The approach area has a length of 50,000 feet beginning 200 feet from the approach end of each instrument runway and extending outward on the extended center line of the runway.

(ii) *Slope.* The slope of the approach surface along the runway center line extended is fifty to one (50:1) for the inner 10,000 foot section and forty to one (40:1) for the outer 40,000 foot section.

(iii) *Width.* The approach area is symmetrically located with respect to the extended runway center line, and has a total width of 1,000 feet at a point

200 feet outward from the approach end of the runway. The approach area flares uniformly to a total width of 4,000 feet at the end of the 10,000 foot section, and to a total width of 16,000 feet at the end of the additional 40,000 foot section.

(2) *Horizontal surface.* The horizontal surface is a circular plane, 150 feet above the established airport elevation, having a radius of approximately 12,000 feet from the reference point at the center of the airport and connecting with the transitional surfaces or approach surfaces as hereinafter specified.

(3) *Transitional surfaces.* The transitional surfaces are inclined planes with a slope of seven to one (7:1) extending upward on either side of, and at right angles to, the runway center line or the runway center line extended.

Transitional surfaces inward from the approach end of the runway extend upward to an intersection with the horizontal surface from lines which are level with, parallel to and 500 feet from the runway center line.

The transitional surfaces for 200 feet outward from the approach end of the runway extend upward to an intersection with the horizontal surface from lines which are level with the runway center line at the approach end of the runway, and are parallel to and 500 feet from the runway center line extended.

Transitional surfaces more than 200 feet outward from the approach end of the runway extend upward from the outer edges of the approach surface to an intersection with the horizontal surface where the approach surface is below the horizontal surface, and for a lateral distance of 5,000 feet where the approach surface is outward from the horizontal surface.

(4) *Minimum obstruction clearance.* For that part of the approach from the interception of the ground controller's glide path by the aircraft, the minimum terrain and obstruction clearance is that obtained between a two and one-half degree glide path passing through a point 20 feet above and 500 feet inward from the approach end of the runway, and the fifty to one (50:1) and forty to one (40:1) approach surface as previously defined.³

(5) *Criteria.* The minimum clearance in feet is a function of the distance D outward from the point at which the glide path intercepts the runway at zero altitude as follows:

(i) For D less than 10,950 feet, minimum clearance $0.02366D + 28$ feet.

(ii) For D between 10,950 feet and 5 miles, minimum clearance $0.01866D + 83$ feet.

EXAMPLE: If an obstruction is 10,250 feet from the glide path unit, formula (i) would apply, and the minimum clearance above the obstruction = $(10,250' \times 0.02366) + 28' = 243' + 28' = 271'$.

It should be noted that the criteria provides a minimum clearance of ap-

³ This is the condition when the glide path extended inward and downward from the point 20 feet above and 500 feet inward from the approach end of the runway intersects the runway at zero altitude 750 feet inward from the approach end of the runway or at normal position of the ILS glide path unit.

proximately 500 feet at five miles from the runway intersection point with a gradually reduced clearance from that point inward. This clearance is a minimum requirement. However, a greater clearance may be necessary due to terrain features adjacent to the approach area of the instrument runway or peculiarities of the installation which are revealed by flight check.

(g) *Glide path setting.* Where the minimum obstruction clearance can be obtained in the approach area and adjacent transitional surfaces inward from the point of interception with the controller's glide path, the glide path will be set to the normal optimum setting of two and one-half to two and three-fourths degrees. This will result in obtaining the desirable intersection of the glide path at a point approximately 200 feet above and 4,250 feet outward from the runway intersection point.

Where terrain and obstruction clearances more than that established by the criteria can be provided, the glide path may be set at a lesser angle. The minimum glide path angle will be two degrees.

When necessary to obtain the minimum obstruction clearance, the glide path may be raised to a maximum angle of three degrees. Angles greater than three degrees will not normally be used. Where the minimum obstruction clearance cannot be obtained with the maximum three degree glide path angle and the length of the runway permits, consideration may be given to locating the point at which the glide path intercepts the runway inward from the standard location at a distance necessary to obtain the specified minimum clearance.

(h) *Adjustment of ceiling minimums for obstruction clearance.* When minimum obstruction clearance cannot be obtained with a maximum three degree glide path angle, and the length of the runway does not permit a compensating adjustment, consideration will be given to establishing ceiling minimums which will afford comparable safety. In this event, the ceiling minimums will be determined by application of the following formula to all obstructions projecting above the established slope line and located in the approach area within a distance of five miles outward from the end of the runway.

(1) *Formula.* Extend a line horizontally outward from the top of each obstruction and parallel with the runway center line to a point of intersection with the established slope line, and from that point extend a line vertically to a point of intersection with the glide path. The point of intersection at the highest level of the glide path as established by the foregoing formula will determine the minimum ceiling that may be considered.

Where minimum obstruction clearances cannot be met in the transitional and horizontal surfaces immediately adjacent to the approach area and when deemed necessary, consideration will be given to an adjustment in the ceiling minimums commensurate with the degree of interference presented by the particular obstruction or obstructions.

(i) *Surveillance (PPI) approach.* The ground controlled approach utilizing the surveillance scope may be authorized

[Supp. 10]

**PART 61—SCHEDULED AIR CARRIER RULES
MECHANICAL HAZARD AND DIFFICULTY
REPORTS**

Public notice of proposed rule making under § 61.341-1 was given in 15 F. R. 5850 on August 30, 1950. All comments received have been given full consideration and the following rules are hereby adopted:

§ 61.341-1 *Mechanical hazard and difficulty reports (CAA rules which apply to § 61.341)*—(a) *Daily mechanical reports.* Whenever a failure, malfunctioning, or other defect is detected in flight or on the ground in an aircraft or aircraft component which may reasonably be expected by the air carrier to cause a serious hazard in the operation of any aircraft, notice thereof shall be transmitted through the air carrier's principal maintenance base to the Civil Aeronautics Administration maintenance agent-in-charge assigned to the air carrier.

NOTE: Failures, malfunctionings, or other defects required to be reported under this part comprise generally the following basic items:

- Fire hazards.
- Structural hazards.
- Serious system or component malfunctioning or failure.
- Unsafe procedures or conditions, and
- Defects in design or quality of parts and materials found installed on aircraft or intended for such installation.

Such daily reports shall be required only where mechanical hazards have been detected; shall cover the 24-hour period from midnight to midnight of each day; and shall be transmitted to the assigned maintenance agent of the Civil Aeronautics Administration before noon of the following working day, except that reports for Fridays, Saturdays, and Sundays may be submitted not later than noon of the following Mondays.

Such reports may be transmitted in a manner and on a form convenient to the air carrier's system of communications and procedures.

(1) *Guide for preparation of daily reports.* Whenever practicable, the following guide for each aircraft category should be used by the air carrier in the preparation of the daily reports:

- (i) Category, "N" identification of aircraft, airline and trip number.
- (ii) Emergency procedure effected (unscheduled landing, dumped fuel, etc.).
- (iii) Nature of condition (fire, structural failure, etc.).
- (iv) Identification of part and system involved.
- (v) Apparent cause of trouble (wear, cracks, design, personnel error, etc.).
- (vi) Disposition (repaired, replaced, aircraft grounded, etc.).
- (vii) Brief narrative summary to supply any other pertinent data required for more complete identification, determination of seriousness, etc.

The daily reports should not be withheld pending presentation of all specific details pertaining to such items of information. As soon as the additional information is obtained it may be submitted as a supplement to the report.

The rules requiring daily reports of mechanical hazards will become effective upon publication in the FEDERAL REGISTER.

(b) *Monthly report of mechanical difficulties*—(1) *General.* The following procedures are to be utilized in compliance with the requirement of a monthly report of chronic mechanical difficulties.

(2) *Scope of report.* The monthly report of chronic mechanical difficulties will be compiled by the Civil Aeronautics Administration from information furnished daily by the scheduled air carriers to the assigned Aviation Safety Agents. This report will include all aircraft occurrences due to known or suspected malfunctionings or mechanical difficulties which result in an interruption to a scheduled flight or a change of aircraft. The information required for the report shall be furnished to the CAA in the form of a daily summary of such occurrences. Any mechanical malfunctioning or suspected malfunction occurring in flight or on the ground during scheduled operation which results in a change in the aircraft schedule, regardless of cause, shall be included in the summary. The daily summary of mechanical delays, which is prepared for internal use by the air carriers, will in almost all cases, contain the information necessary for this requirement. Submission of copies of this report will be satisfactory, provided it contains sufficient information as outlined below. In some cases it may be necessary to make slight modifications or add further information if this report is to be used. The daily submission of information for compilation of the monthly chronic report does not affect, in any way, the reporting of items covered under the Daily Mechanical Report.

The summary shall also include the number of engines removed prematurely because of mechanical trouble, listed by make and model, and the number of propeller featherings for any reason indicating the flight attitude at the time of feathering, such as take-off, climb, cruise, etc. A statement of cause is not required with the numerical report of engine removals and propeller featherings.

(3) *Submission.* The period covered by each daily summary shall be for the preceding 24 hours during which reports of pertinent occurrences are received by the air carrier's main base. No daily summary will be submitted for those periods during which no interruptions to schedule were experienced; however, engine removal and propeller feathering data should be included in the next summary submitted. Each summary should be identified numerically to maintain continuity.

(4) *Format.* The daily summary shall include as much as possible of the following data that apply to the individual occurrences reported:

(i) Identification of the daily summary, including a consecutive serial number of the summary, name of operator, and date of occurrence of the items reported.

(ii) Type and CAA identification of aircraft to which each item pertains.

when the position of the aircraft can be definitely determined and the flight path controlled by means of the surveillance scope under the following conditions:

(1) The ground electronics equipment is sufficiently accurate and free from ground clutter, to assure positive aircraft identification and azimuth course guidance.

(2) The obstruction clearance between the end of the runway to be used and a point five miles out meets the criteria presently required for standard radio ranges (300 feet clearance above all obstructions two miles each side of the center line of the runway extended).

(3) Satisfactory patterns are provided which will insure that the aircraft on final approach will be at or above the altitudes specified in paragraph (d) of this section at a point five miles from the approach end of the runway to be used.

(4) Weather minimums are prescribed which are equal to or better than the regular (i. e., circling) minimums approved for that particular airport.

(j) *Missed approach*—(1) *Standard missed approach.* A standard missed approach will be specified and utilized when necessary. The missed approach will be initiated at the point where the aircraft has descended to the altitude of the authorized ceiling minimum for the type of approach being made (PAR or PPI), unless previously directed by the ground controller. In the case of a precision approach (PAR), the ground controller will not permit the aircraft to deviate below the center line of the glide path to a distance greater than that afforded by a line of one-half degree from the beginning of the glide path. Should the aircraft continue below this line, the ground controller will advise the pilot to initiate a missed approach procedure.

(2) *Alternate missed approach.* An alternate missed approach procedure will be specified where considered necessary. An alternate missed approach procedure may be used only on prior approval of Air Traffic Control.

(k) *Operation personnel for GCA equipment.* Normally, ground controlled approach procedures will be established at those installations operated by Civil Aeronautics Administration personnel. Before establishing a ground controlled approach procedure at an installation which is not operated by CAA the operating agent will be required to furnish a list of all personnel responsible for operating the GCA equipment, and to certify that the personnel are competent in their respective duties. The operating agency will also be required to establish a training program for the training of the personnel concerned in standardized GCA phraseology.

(Sec. 205, 52 Stat. 984; 49 U. S. C. 425. Interpret or apply sec. 601, 52 Stat. 1007; 49 U. S. C. 551)

These rules and policies shall become effective upon publication in the FEDERAL REGISTER.

[SEAL] LEONARD W. JURDEN,
Acting Administrator of
Civil Aeronautics.

[F. R. Doc. 50-12185; Filed, Dec. 22, 1950;
8:46 a. m.]

(iii) Brief statement describing or identifying the difficulty experienced. This statement shall identify the parts and system involved and any available related information, where possible, which can reasonably be expected to add to the value of the report from an informative or analytic standpoint. Desirable information would include, where possible, such items as corrective action, extraordinary conditions, whether or not difficulty was induced by personnel error or other extraneous occurrence, and recommendations.

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interpret or apply sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551, 555)

These rules shall become effective upon publication in the FEDERAL REGISTER.

[SEAL] LEONARD W. JURDEN,
Acting Administrator of
Civil Aeronautics.

[F. R. Doc. 50-12184; Filed, Dec. 22, 1950;
8:46 a. m.]

Subchapter B—Economic Regulations

[Regs., Serial No. ER-158]

PART 292—CLASSIFICATION AND EXEMPTION
OF ALASKAN AIR CARRIERS

ALASKAN PILOT-OWNER

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 18th day of December 1950.

The Alaskan pilot-owner authorization was originally adopted by the Board in April 1948. By its terms a pilot having a commercial or airline transport pilot rating may use in air transportation, with some limitations on the extent of such use, aircraft having a certificated capacity of no more than four passengers which is owned and flown exclusively in air transportation by him. An Alaskan pilot-owner is required to hold a nonscheduled operating certificate issued by the Administrator of Civil Aeronautics, and to comply with the Board's Economic Regulations to the same extent as other Alaskan air carriers not authorized to carry mail.

The results of this authorization appear to be satisfactory. Few complaints have been received from the general public or the certificated carriers regarding the operations of the pilot-owners, and a review of the monthly reports of financial and operating statistics submitted by these carriers indicates that they are conducting their small operations well within the intended scope of the exemption. While the current exemption should be continued, since the air transportation route pattern is still in transition and undergoing considerable change, the Alaskan pilot-owner authorization should again be considered in relation to other classes of Alaskan air carriers at the conclusion of a limited period of extension.

Interested persons have been afforded an opportunity to participate in the making of this rule; however, no comment has been received. Since this regulation imposes no additional burden on any person, it may be made effective without prior notice.

In consideration of the foregoing, the Civil Aeronautics Board hereby amends Part 292 of the Economic Regulations effective December 31, 1950.

By amending § 292.3 (d) by striking the date "December 31, 1950" therefrom and substituting in lieu thereof the date "December 31, 1951".

(Sec. 205, 52 Stat. 984; 49 U. S. C. 425. Interprets or applies secs. 401, 416, 52 Stat. 987, 1004; 49 U. S. C. 481, 496)

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 50-12178; Filed, Dec. 22, 1950;
8:45 a. m.]

TITLE 24—HOUSING AND
HOUSING CREDIT

Chapter VIII—Office of Housing
Expediter

[Controlled Housing Rent Reg., Amdt. 327]

[Controlled Rooms in Rooming Houses and Other Establishments Rent Reg., Amdt. 323]

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

CERTAIN STATES

Amendment 327 to the Controlled Housing Rent Regulation (§§ 825.1 to 825.12) and Amendment 323 to the Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments (§§ 825.81 to 825.92). Said Regulations are amended in the following respect:

The following new items are incorporated in Schedule C:

Name of defense-rental area	State	Localities affected by declarations for continuation of rent control after Dec. 31, 1950
(125b) Madisonville.....	Kentucky.....	In Hopkins County, the city of Madisonville and all unincorporated localities, if any, in magisterial districts 3 and 7.
(126a) Owensboro.....	Kentucky.....	In Daviess County, the city of Owensboro.
(139) Baltimore.....	Maryland.....	In Harford County, the city of Havre De Grace.
(162) Biloxi-Pasadenoula.....	Mississippi.....	In Harrison County, the city of Biloxi.
(170) Kansas City.....	Missouri.....	In Clay County, the city of Liberty.
(175) Great Falls.....	Montana.....	In Cascade County, the city of Great Falls and all unincorporated localities.
(190a) Ocean County.....	New Jersey.....	In Ocean County, the township of Lakewood.
(193) Albuquerque.....	New Mexico.....	In Bernalillo County, the city of Albuquerque and all unincorporated localities.
(218) Jacksonville.....	North Carolina.....	In Onslow County, the city of Jacksonville.
(234) Mansfield.....	Ohio.....	In Richland County, the village of Lexington.
(251a) Aberdeen.....	South Dakota.....	In Brown County, the city of Aberdeen.

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

(1) City of Aberdeen, South Dakota—October 3, 1950.

(2) City of Great Falls, Montana, and all unincorporated localities in the Defense-Rental Area, said City being the major portion of the Defense-Rental Area—November 13, 1950.

(3) City of Jacksonville, North Carolina, and Township of Lakewood, New Jersey—November 21, 1950.

(4) City of Albuquerque, New Mexico, and all unincorporated localities in the Defense-Rental Area, said City being the major portion of the Defense-Rental Area—November 27, 1950.

(5) City of Owensboro, Kentucky—November 27, 1950.

(6) City of Biloxi, Mississippi—November 30, 1950.

(7) City of Liberty, Missouri—December 1, 1950.

(8) City of Havre De Grace, Maryland, and Village of Lexington, Ohio—December 4, 1950.

(9) City of Madisonville, Kentucky, and all unincorporated localities in the Defense-Rental Area, said City being

the major portion of the Defense-Rental Area—December 8, 1950.

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

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

Issued this 20th day of December 1950.

TIGHE E. WOODS,
Housing Expediter.

[F. R. Doc. 50-12209; Filed, Dec. 22, 1950;
8:50 a. m.]

[Controlled Housing Rent Reg., Amdt. 328]

[Controlled Rooms in Rooming Houses and Other Establishments Rent Reg., Amdt., 324]

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

MINNESOTA

Amendment 328 to the Controlled Housing Rent Regulation (§§ 825.1 to 825.12) and Amendment 324 to the Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments (§§ 825.81 to 825.92). Said Regulations are amended in the following respects:

1. Schedule A, Item 159b, is amended to read as follows:

Name of defense-rental area	State	County or counties under rent regulation	Maximum rent date	Effective date of regulation	Date by which registration statement to be filed
(159b) International Falls	Minnesota	In Koochiching County, all of Township 71, Range 23, including Ranier; all of Township 70, Range 24, including South International Falls; all of Township 71, Range 24, including International Falls.	July 1, 1945	Mar. 1, 1946	Apr. 15, 1945

This recontrols the International Falls, Minnesota, Defense-Rental Area, which was heretofore decontrolled as of October 7, 1949.

2. A new Item is incorporated in Schedule B to read as follows:

78. Provisions relating to International Falls, Minnesota, Defense-Rental Area.

Recontrol of International Falls, Minnesota, Defense-Rental Area. Effective December 21, 1950, the provisions of §§ 825.1 to 825.12 and 825.81 to 825.92 shall apply to housing accommodations in the International Falls, Minnesota, Defense-Rental Area (which area was heretofore decontrolled as of October 7, 1949), except as modified by the following provisions:

a. All orders in effect on October 6, 1949, in accordance with §§ 825.1 to 825.12 or §§ 825.81 to 825.92, shall be in full force and effect.

b. If, on December 21, 1950, there was a ground for adjustment under § 825.5 (a) or § 825.85 (a) for which no order had previously been issued, and a petition for adjustment is filed on or before January 21, 1951, the adjustment shall be effective as of December 21, 1950.

c. If, on December 21, 1950, the services provided with any housing accommodations are less than the minimum required by § 825.3 or § 825.83, the landlord shall either restore and maintain such minimum services or file a petition on or before January 21, 1951, requesting approval of the decreased services. If, on December 21, 1950, the furniture, furnishings or equipment provided with any housing accommodations are less than the minimum required by § 825.3 or § 825.83, the landlord shall file, on or before January 21, 1951, a written report showing the decrease in furniture, furnishings or equipment. Except as modified by this paragraph "c", the provisions of §§ 825.5 (b) and 825.85 (b) shall be applicable to all such cases.

d. In the case of any action which, on December 21, 1950, was required or authorized by §§ 825.1 to 825.12 or §§ 825.81 to 825.92 to be taken within a specified period of time, the same time period shall be applicable, but such time period shall be counted from December 21, 1950.

e. The provisions of §§ 825.6 and 825.86 shall not apply to any case in which judgment was entered prior to December 21, 1950, by a court of competent jurisdiction for the eviction or removal of a tenant from housing accommodations.

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

This amendment shall become effective December 21, 1950.

Issued this 20th day of December 1950.

TIGHE E. WOODS,
Housing Expediter.

[F. R. Doc. 50-12216; Filed, Dec. 22, 1950; 8:50 a. m.]

[Controlled Housing Rent Reg., Amdt. 329]

[Controlled Rooms in Rooming Houses and Other Establishments Rent Reg., Amdt. 325]

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

CALIFORNIA

Amendment 329 to the Controlled Housing Rent Regulation (§§ 825.1 to 825.12) and Amendment 325 to the Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments (§§ 825.81 to 825.92). Said Regulations are amended in the following respect:

Schedule A, Item 30, is amended to read as follows:

(30) [Revoked and decontrolled.]

This decontrols (1) the City of Los Angeles, California, in the Los Angeles, California, Defense-Rental Area, based on a resolution submitted in accordance with section 204 (j) (3) of the Housing and Rent Act of 1947, as amended, and (2) the remainder of said Defense-Rental Area on the Housing Expediter's own initiative in accordance with section 204 (c) of said act.

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

This amendment shall become effective December 21, 1950.

Issued this 20th day of December 1950.

TIGHE E. WOODS,
Housing Expediter.

[F. R. Doc. 50-12211; Filed, Dec. 22, 1950; 8:50 a. m.]

TITLE 41—PUBLIC CONTRACTS

Chapter II—Division of Public Contracts, Department of Labor

PART 202—MINIMUM WAGE DETERMINATIONS

CHEMICAL AND RELATED PRODUCTS INDUSTRY

This matter is before the Department pursuant to the act of June 30, 1936 (49 Stat. 2036; 41 U. S. C. 35) entitled "An act to provide conditions for the purchase of supplies and the making of contracts by the United States and for other purposes", otherwise known as the Walsh-Healey Public Contracts Act. The currently effective wage determination (15 F. R. 382) was based upon information indicating that substantially all employees in the chemical and related products industry (hereinafter referred to as the industry) are engaged

in commerce or in the production of goods for commerce, as defined in the Fair Labor Standards Act, as amended, and thus come under the minimum wage provisions of that act which require payment of a wage rate of not less than 75 cents per hour on and after January 25, 1950. The survey¹ of selected chemical and related products establishments made by the Bureau of Labor Statistics as of April 1949 (hereinafter referred to as the BLS survey) indicated that the 75 cent rate now in effect might not reflect the prevailing minimum wage in the industry. This proceeding was, therefore, initiated for the purpose of considering an amendment to the determination for the industry which will reflect the minimum wages now prevailing.

General. Notice of a hearing in this matter was published in the FEDERAL REGISTER (14 F. R. 6294). Copies of the notice and of a press release announcing the hearing were mailed to trade associations, unions, and to individual companies in the industry. In addition, the press release was distributed to newspapers and trade publications.

This notice and release advised interested persons of the time and place at which they could appear and offer testimony: (1) As to what are the prevailing minimum wages in the industry; (2) as to whether the definition of the industry should be amended to read as follows:

The manufacture or packaging of (i) basic industrial inorganic chemicals; (ii) industrial organic chemicals except cyclic coal tar crudes, synthetic rubber, synthetic fibers, and explosives; (iii) compressed and liquefied gases; (iv) insecticides, fungicides, and agricultural chemicals; mucllagé, laundry soaps, writing inks and dextrine sizes; household pest control agents, disinfectants and deodorants, textile tints and dyes and bluing, adhesives and cements; and chemical foundry supplies such as binders, core oils, facings and flux; (v) sulfonated oils and assistants; (vi) bone black, carbon black, and lamp black; (vii) cleaning and polishing preparations except floor and furniture wax and paint and varnish removers; and (viii) glue, except animal.

In addition to the specific exceptions, enumerated in the foregoing, the following commodities are also excluded from the scope of the definition: Drugs and medicines; soap and glycerin; synthetic organic detergents for household and industrial use; paints, varnishes, lacquers, japans, and enamels; inorganic color pigments; whiting, putty, and wood fillers; gum and wood chemicals; fertilizers; vegetable and animal oils and fats; printing ink; essential oils; perfumes, cosmetics, and other toilet preparations; glues made from animal materials; gelatin; and salt;

and; (3) as to whether there should be included in any amended determination for this industry provision for employ-

¹ At the time of the hearing (November 16, 1949) the currently effective prevailing minimum wage determination provided a rate of 40 cents per hour in the States of Maryland, Virginia, North Carolina, South Carolina, Tennessee, Arkansas, Mississippi, Alabama, Georgia, Florida and the District of Columbia and 50 cents per hour for the remaining States of the United States. (41 CFR, Cum. Supp. 202.44.)

² Wage Structure Series 2, No. 73, Chemicals, 1949.

ment of learners and/or apprentices at subminimum rates, and if so, in what occupations, at what subminimum rates, and with what limitations, if any, as to length of period and number of proportion of such subminimum rate employees. Copies of the BLS survey were made available to interested persons upon request.

The hearing was held on November 16, 1949, pursuant to the notice. Representatives of employees and employers appeared at the hearing to present evidence and testimony, and the record was kept open for a specified period beyond the close of the hearing for receipt of additional data and briefs.

Among others present at the hearing were representatives of the following: District 50, United Mine Workers of America; the United Gas, Coke and Chemical Workers of America, CIO, and the International Union of Electrical, Radio and Machine Workers, CIO, jointly represented; the International Chemical Workers Union, AFL; the United Electrical, Radio and Machine Workers of America; the Chemical Alliance, Incorporated, and the Manufacturing Chemists' Association, Incorporated, jointly represented (both hereinafter referred to as the Associations); and the National Association of Photographic Manufacturers, Incorporated. In addition to the evidence and testimony presented at the hearing, the Associations and the International Chemical Workers Union, AFL, filed additional wage data for the record after the close of the hearing. The Association of Photographic Manufacturers submitted a brief in support of its contention that photographic chemicals should be excluded from this industry and be included in the photographic supplies industry.

Definition of industry. In formulating the proposed definition of the industry the Department's staff consulted with representatives of the principal parties. The scope of the proposed definition differs only slightly from the scope of the currently effective definition, and the proposed changes are designed primarily to clarify the present definition of the industry. At the hearing the Associations proposed that plastics materials be specifically listed in the definition of the industry and that the exclusion for ammunition and fireworks be specifically mentioned. These changes do not alter the scope of the definition, but add clarity and are therefore incorporated in the definition.

The photographic manufacturers association urged that prepared photographic chemicals be excluded from this industry and be included in the photographic supplies industry. Insofar as prepared photographic developers, fixers and toners are concerned, it is clear that these prepared photographic chemicals are prepared and sold by photographic manufacturers and are properly within the photographic supplies industry. The 1947 Census of Manufactures shows that the photographic equipment industry shipped 97.6 percent of the total shipments of prepared photographic developers, toners and fixers.

No opposition other than with respect to photographic chemicals was directed toward the proposed definition. The definition which is hereby adopted for this amended determination is essentially the same as was contained in the notice. Prepared photographic developers, fixers and toners are, however, excluded from the scope of the new definition. In the interests of clarity, the term "plastics materials" is specifically mentioned in the definition, and the term "ammunition and fireworks" is specifically listed as excluded.

Minimum wage. The basic data on minimum wages in the industry are contained in the BLS survey which was received as evidence at the hearing and was discussed by the various witnesses who testified. Neither the unions nor the employers questioned the adequacy of the coverage or the accuracy of the survey, although District 50, United Mine Workers of America, referred to an average increase of 7 cents in plant minima between December 1948 and November 1949 in plants under contract with it. In the "Monthly Labor Review" for August 1950, the Bureau of Labor Statistics indicates an increase of between 3 and 4 cents in average hourly earnings between April 1949, the date of the survey, and November 1949, the date of the hearing.

The survey was limited to establishments employing 8 or more workers, and covered 794 out of an estimated 907 such establishments in the industry. The 794 establishments employ 109,675 plant workers, or approximately 92 percent of all plant workers in establishments with 8 or more employees in the industry. The data were tabulated for the United States as a whole, by regions, and by segments within the industry. The most significant data are those showing the percentage distribution of straight-time earnings, plant minima, and distributions of plants (and of plant workers) according to the proportion of plant workers in each establishment earning less than specified amounts per hour.

The United Gas, Coke and Chemical Workers of America, CIO, and the International Union of Electrical, Radio and Machine Workers, CIO, urged that a prevailing minimum wage of \$1.20 an hour be determined on the ground that slightly more than half of the workers receiving plant minimum wages receive at least \$1.20. The International Chemical Workers Union, AFL, also urged a \$1.20 minimum upon the grounds that slightly more than half of all workers are employed in plants with a plant minimum of \$1.15 or more and only 12.8 percent of workers in the industry receive less than \$1.20 an hour. The United Radio, Electrical and Machine Workers of America urged a minimum of \$1.25 because this is the lowest wage interval for the entire industry which contains at least 5 percent of the workers. District 50, United Mine Workers of America, urged a minimum of \$1.23, stating that as of December 5, 1948, half of the plants covered by its contracts had a minimum of \$1.21 and that there had been an average 7 cents an hour increase in contracts negotiated since that time.

The unions opposed any regional wage differential.

Supplementary Table B (Exhibit G) of the BLS survey shows that only 283 of the 907 plants (31.2 percent) pay \$1.20 an hour or more to all plant workers (exclusive of learners and apprentices), and these plants employ only 37.3 percent of the experienced workers in the industry. In only one segment (carbon black) of the industry, do most of the plants have a minimum as high as \$1.20, and in only two segments are most of the workers employed in such plants (carbon black and industrial inorganic chemicals). On the basis of these figures it appears that 68.8 percent of the plants employing 62.7 percent of the workers would have to raise wages to meet even \$1.20, the lowest minimum rate proposed by the unions.

The Associations (representing companies producing over 90 percent of the chemicals in the United States) contended that the BLS survey shows there is no "prevailing minimum" wage in the industry because of the great variation in wage rates and plant minima, but that, if a prevailing minimum wage were to be determined, it should be 85 cents an hour for the Middle West, Border and Southeast¹ regions, and 95 cents for the remainder of the country. The Associations pointed out that some segments of the industry have markedly lower wages than others.

Supplementary Table C of the BLS survey (Exhibit H) shows that 64.7 percent of the plants in the area for which the Associations urge a 95-cent minimum rate have a plant minimum of \$1.00 an hour or more, and also shows that these plants employ 72.8 percent of the plant workers. In the regions for which the Associations urge an 85-cent minimum rate, this table shows that nearly 58 percent of the plants have a plant minimum of 90 cents an hour or more and that these plants employ 85.7 percent of the plant workers. For the country as a whole, Table 1 shows that only 4.2 percent of the workers receive below \$1.00 an hour, fairly evenly scattered over a wide range. The record accordingly shows that the rates of 85 and 95 cents an hour recommended by the Associations are not the prevailing minimum wages in the industry.

Several representatives of employers and employees stated at the hearing that the survey data of record disclosed the difficulty of a determination of one rate as the prevailing minimum wage in this industry because of the great disparity between wages in certain segments of the industry. Employer representatives also pointed to the sharp differences in wage patterns between the Southeast and the remainder of the country in most of the high wage segments of the industry.

After analysis of the data of record in the light of these comments, the Administrator requested retabulation by

¹ As the data were presented, the Middle West region consisted of the States of Iowa, Kansas, Missouri, Nebraska, North Dakota and South Dakota; the Border States region included Delaware, Kentucky, Maryland, Virginia, West Virginia and the District of Columbia; and the Southeast region Alabama, Florida, Georgia, Mississippi, North Carolina, South Carolina, and Tennessee.

the BLS of the original survey data (a) on the basis of three industry branches (1) industrial and refined basic chemical products; (2) cleaning and polishing preparations, insecticides and fungicides, and miscellaneous chemicals; and (3) bone black, carbon black, and lamp black; and (b) on the basis of inclusion of Arkansas in the Southeast region instead of the Southwest, and the inclusion of Maryland, Virginia, and the District of Columbia in the Southeast region instead of in the Border States. These retabulations are designated and made a part of the record as Supplementary Tables E, F, G, H, and I, and have been duplicated for distribution to interested persons.

The organization of the industry into these three branches for wage determination purposes is predicated both on similarity of wage structures and on product and process interrelationship among the several segments of the branches. Although some segments of the branches might have a slightly higher or lower minimum if considered separately, it is believed that the factors on which the grouping is based, coupled with the impracticability of a multiplicity of wage determinations for small segments of the industry, outweigh such small variations.

The readjustment of the Southeast region is based primarily on similarity of wage structures in the States affected. Maryland, Virginia and the District of Columbia are part of the Southeast region in the 1942 determination and are part of the Border States in the 1949 BLS tabulation. The BLS retabulation of the Border States and Arkansas data from the wage survey shows that Arkansas, Maryland, Virginia, and the District of Columbia have wage structures more similar to that of the Southeast than to that of the Southwest and Border States, respectively. Thus, Supplementary Table E, based on the Addition of Maryland, Virginia, the District of Columbia and Arkansas to the Southeast region, shows the median wage of employees in the Southeast lowered from \$1.20 to \$1.18 an hour, and that the exclusion of Maryland, Virginia, and the District of Columbia from the Border States raises the median wage of employees in the remaining Border States of Delaware, Kentucky, and West Virginia from \$1.61 to \$1.66 an hour, a rate which is higher than that of any other region. Therefore, in this determination Maryland, Virginia, the District of Columbia and Arkansas are included in the Southeast region.

The Associations urged that Louisiana be included in the Southeast region. The wage survey basic data show that wages in Louisiana are in general more closely comparable to wages paid outside of the Southeast, the median wage received by employees in Louisiana being \$1.64 an hour, which is higher than for the North generally. (See Supplementary Table E.)

The Associations also contend that there should be a wage differential for the Middle West because the wage data seem to indicate that the prevailing minimum wage for the industry as a whole is lower for this region. Considering each segment separately, however, the avail-

able data do not show a substantial difference between the minimum wages in the Middle West and other regions in the North.

The industrial and refined basic chemical products branch, includes the following segments of the industry, as defined by the Standard Industrial Classification Manual (herein referred to as SIC): industrial inorganic chemicals (SIC No. 281); intermediates, dyes, color lakes, and toners (SIC No. 2822); plastics materials and elastomers, except synthetic rubber (SIC No. 2823); industrial organic chemicals not elsewhere classified (SIC No. 2829, other than synthetic organic detergents); and compressed and liquefied gases (SIC No. 2896).

The BLS Supplementary Table F shows that in the industrial and refined basic chemical products branch (excluding the readjusted Southeast region) 277 (52.6 percent) of the 527 establishments pay no workers (other than learners or apprentices) less than \$1.15 an hour, and these plants employ 56.2 percent of the experienced workers. An additional 14.7 percent of the workers are employed in establishments having some experienced workers below \$1.15 an hour but not more than 1 percent. BLS Supplementary Table H shows that 2.4 percent of the workers are paid wages in the \$1.15-\$1.19 an hour wage interval, and 4.7 percent of the workers are paid wages in all wage intervals below \$1.15 an hour. In the Middle West, for which the Associations proposed a lower rate, only 3.7 percent of the workers received less than \$1.15 as appears from an analysis of Tables 1, 6 and 10 of the BLS survey (Exhibit E) if the lower paying segments producing cleaning and polishing preparations and insecticides and fungicides are excluded.

A rate above \$1.15 an hour, on the other hand, may affect over 50 percent of the establishments employing over 50 percent of the workers. For example, over 57 percent of the establishments employing 59.1 percent of the workers would have to raise wages in order to meet a minimum of \$1.20 an hour. After consideration of the entire record, including evidence of wage rate changes during the period covered by the record, I have concluded that the record supports a finding that \$1.15 per hour is the prevailing minimum wage in the industrial and refined basic chemical products branch (excluding the Southeast region).

In the industrial and refined basic chemical products branch in the Southeast, BLS Supplementary Table H shows that 37.9 percent of the workers receive wages below \$1.15. BLS Supplementary Table G shows that more than two-thirds of the establishments have no workers earning less than 90 cents an hour and that these establishments employ more than four-fifths of the workers. This table also shows that 51.5 percent of the establishments pay no workers (other than learners and apprentices) less than 95 cents an hour and that these establishments employ 44.4 percent of the workers in this branch. From this table it appears that an additional 26.7 percent of the workers in the Branch are employed in establishments having some workers below 95

cents an hour but no more than 1 percent, and that these establishments have at most 11 workers paid below 95 cents. Supplementary Table H giving the percentage distribution of all plant workers by straight-time hourly earnings shows there are approximately as many workers (6.4 percent) receiving wages in the 95-99 cents interval as there are workers (7.4 percent) in all intervals below 95 cents. Except for at most 11 workers, Table G shows that 37 establishments (56 percent) in the branch, employing 2948 workers (71.1 percent) would be unaffected by determination of a 95 cent minimum rate. On the basis of these considerations and evidence of wage rate changes during the period covered by the survey, I find that 95 cents an hour is the prevailing minimum wage in the industrial and refined basic chemical products branch in the States of Maryland, Virginia, North Carolina, South Carolina, Tennessee, Mississippi, Arkansas, Alabama, Georgia, Florida and the District of Columbia.

The cleaning and polishing preparations, insecticides and fungicides, and miscellaneous chemicals branch includes generally the following segments of the industry: Cleaning and polishing preparations (SIC No. 2842); Sulfonated oils and assistants (SIC No. 2843); insecticides and fungicides (SIC No. 2897); glue, except animal (part of SIC No. 2899); and miscellaneous chemicals and chemical products not otherwise covered by the other branches but included in the industry definition (SIC No. 2899). (Furniture and floor waxes and polishes, however, and waterproofing compounds are within the definition contained in the determination for the paint and varnish industry).

The evidence clearly shows that the wages paid in this branch are considerably lower than wages paid in other branches of the industry. The BLS Supplementary Table B (Exhibit G) shows that in the cleaning and polishing preparations, insecticides and fungicides, and miscellaneous chemicals branch, 48 percent of the establishments pay no workers (other than learners or apprentices) less than 85 cents an hour, and these establishments employ 54 percent of the experienced workers in this branch. Establishments which are primarily engaged in the higher paying industrial and refined basic chemical products branch produce a very substantial proportion of, and are very important suppliers to the Government of, the products classified in the cleaning and polishing preparations, insecticides and fungicides, and miscellaneous chemicals branch. Employees working on such chemicals classified in this latter branch as are produced and sold by establishments primarily in the higher paying industrial and refined basic chemical branch were not included in the wage data for the lower paying branch. There was no evidence adduced at the hearing showing that wages paid workers in this branch in the southeast States were substantially lower than in the remaining States, and no proposal was made at the hearing for a rate below 85 cents for any product or region. After consideration

of the entire record, I have concluded that the record supports a finding that 85 cents an hour is the prevailing minimum wage in the cleaning and polishing preparations, insecticides and fungicides, and miscellaneous chemicals branch.

Another branch consists of products of the bone black, carbon black, and lamp black segments (SIC No. 2895). The wage structure in this branch is entirely different from that of any other segment of the industry. BLS Table 8 (Exhibit E) and Supplementary Table B (Exhibit G) show that in this branch no 5 cent interval below \$1.35 has more than one percent of the workers in the branch, except the 90-94 cent interval which has 3 percent of the workers. The 3 percent of the workers in the 90-94 cent interval are employed in two establishments, which have a total employment of only 168 workers of a total of 2,120 workers in the branch, exclusive of learners and apprentices. There is a total of 1.9 percent of the workers in the four 5-cent intervals immediately below \$1.35; 4.9 percent of the workers are in the \$1.35-\$1.39 cent interval, and 5.1 percent in the \$1.40-\$1.49 cent interval. As indicated by BLS Supplementary Table I, a minimum of \$1.40 or more is paid by 70 percent of the establishments employing 70 percent of the workers. No data supporting a regional differential for this branch were adduced at the hearing. I have concluded that the data of record supports a finding that \$1.40 an hour is the prevailing minimum wage in the bone black, carbon black and lamp black branch.

The Associations proposed that there be established for the first 6 months of employment a starting or hiring rate of 5 cents an hour below the minimum rate. The Associations stated that the industry does not employ learners as such but that it is a common practice to hire beginners or probationary workers at a subminimum rate. A survey of starting or learners' rates made by the Associations showed that 70 out of 164 reporting establishments (employing 33,351 out of 57,537 workers) employ beginners or learners. The average differential between starting and the minimum rate appears as 11.8 cents an hour. The majority of the contracts of the United Electrical, Radio, and Machine Workers of America, were reported to contain provisions for a subminimum rate for beginners of about 5 cents an hour below the minimum wage. The International Chemical Workers Union, AFL, reported 39 contracts providing for a hiring-in rate of 2 to 8 cents an hour below the minimum, with an average differential of 3 cents. Also a number of CIO contracts were stated to have a special hiring-in rate. The record, accordingly, shows that a subminimum hiring rate for beginners is customary in the industry and that a 5-cent an hour differential is reasonable.

The Associations stated that in 70 establishments with subminimum rates, the average progression period from the starting to the normal rate was 3.9 months. The International Chemical Workers Union, AFL, stated that in 39 of their agreements the progression period

was from 30 to 90 days, but mostly 30 days. Because the record shows no uniformity of practice as to the length of the progression period, and because it usually requires a short time for employees working at minimum-rate jobs to adapt themselves to the job, I find that 320 hours is a reasonable tolerance for beginners.

No proposal for an apprentice tolerance was made although the notice of the hearing asked for information and arguments relative to the need for the employment of apprentices at subminimum rates. The Associations asserted that apprentices, as such, are more or less uncommon in the industry and that "we do not have apprentices." (R. 154, 155.) BLS Supplementary Table A (Exhibit F) shows that 87 percent of the apprentices receive \$1.15 an hour or more. Consequently, no provision is made for the employment of apprentices at subminimum rates.

The regulations (41 CFR 201.1102) permit employment of handicapped workers at subminimum rates on contract work under the act and this authorization was not an issue in the proceeding. It seems advisable to include in the determination, however, specific authorization for such employment.

Amendment of determination. After consideration of the entire record of this proceeding, the prevailing minimum wage determination for the chemical and related products industry is hereby amended to read as follows:

§ 202.44 *Chemical and related products industry—(a) Definition.* (1) The industrial and refined basic chemical products branch of the chemical and related products industry is defined as that industry which manufactures (including packaging) or furnishes any of the following products: Basic industrial inorganic chemicals; industrial organic chemicals; plastics materials; and compressed and liquefied gases.

(2) The cleaning and polishing preparations, insecticides and fungicides, and miscellaneous chemicals branch of the chemical and related products industry is defined as that industry which manufactures (including packaging) or furnishes any of the following products: Insecticides, fungicides, and agricultural chemicals; muckage, laundry soaps, writing inks and dextrine sizes; household pest control agents, disinfectants and deodorants; sulfonated oils and assistants; textile tints and dyes and bluing; glue (except animal), adhesives and cements; and chemical foundry supplies such as binders, core oils, facings, and flux, and cleaning and polishing preparations.

(3) The bone black, carbon black, and lamp black branch of the chemical and related products industry is defined as that industry which manufactures (including packaging) or furnishes any of the following products: Bone black, carbon black and lamp black.

Expressly excluded from the scope of the definition of the chemical and related products industry are: Cyclic coal tar crudes; prepared photographic developers, fixers and toners; petroleum gases; synthetic rubber; synthetic fibers; ex-

plosives, ammunition, and fireworks; drugs and medicines; soap, glycerin, and synthetic organic detergents for household and institutional use; paints, varnishes, lacquers, japans, and enamels; floor and furniture wax and polish, waterproofing compounds, and paint and varnish removers; inorganic color pigments; whitening, putty, and wood fillers; gum and wood chemicals; fertilizers; vegetable and animal oils and fats; printing ink; essential oils; perfumes; cosmetics, and other toilet preparations; gelatin; and salt.

(b) *Minimum wages.* (1) The minimum wage for persons employed in the manufacture or furnishing of products of the industrial and refined basic chemical products branch of the chemical and related products industry under contracts subject to the Walsh-Healey Public Contracts Act shall be 95 cents an hour arrived at either on a time or piece-rate basis in the States of Maryland, Virginia, North Carolina, South Carolina, Tennessee, Arkansas, Mississippi, Alabama, Georgia, Florida and the District of Columbia, and the minimum wage shall be \$1.15 an hour arrived at either on a time or piece-rate basis in the remaining States of the United States.

(2) The minimum wage for persons employed in the manufacture or furnishing of products of the cleaning and polishing preparations, insecticides and fungicides, and miscellaneous chemical branch of the chemical and related products industry under contracts subject to the Walsh-Healey Public Contracts Act shall be 85 cents an hour arrived at either on a time or piece-rate basis in the 48 States and the District of Columbia.

(3) The minimum wage for persons employed in the manufacture or furnishing of products of the bone black, carbon black and lamp black branch of the chemical and related products industry under contracts subject to the Walsh-Healey Public Contracts Act shall be \$1.40 an hour arrived at either on a time or piece-rate basis in the 48 States and the District of Columbia.

(c) *Subminimum wages authorized.* (1) Beginners as defined in this paragraph may be employed for 320 hours at a rate not more than 5 cents an hour below the applicable minimum wages. A beginner for the purpose of this section is a person who has less than 320 hours experience in the industry. Any previous employment in the industry must be subtracted from the 320-hour period during which beginners may be employed at rates below the minimum.

(2) Handicapped workers may be employed at wages below the minimum rates upon the same terms and conditions as are prescribed for the employment of handicapped workers by the regulations of the Administrator of the Wage and Hour Division of the Department of Labor (29 CFR Parts 524 and 525), under section 14 of the Fair Labor Standards Act, as amended.

The Administrator of the Public Contracts Division is authorized to issue certificates under the Public Contracts Act for the employment of handicapped workers not subject to the Fair Labor

Standards Act or subject to different minimum rates of pay under the two acts, at appropriate rates of compensation and in accordance with the standards and procedures prescribed by the applicable regulations issued under the Fair Labor Standards Act.

(d) *Effect on other obligations.* Nothing in this section shall affect any obligations for the payment of minimum wages that an employer may have under any law or agreement more favorable to employees than the requirements of this section.

(e) *Effective date.* This section shall be effective and the minimum wages hereby established shall apply to all contracts subject to the Public Contracts Act, bids for which are solicited or negotiations commenced on or after January 23, 1951.

(Sec. 4, 49 Stat. 2038; 41 U. S. C. 38. Interprets or applies sec. 1, 49 Stat. 2038; 41 U. S. C. 35)

Signed at Washington, D. C., this 12th day of December 1950.

MAURICE J. TOBIN,
Secretary of Labor.

[F. R. Doc. 50-12191; Filed, Dec. 22, 1950; 8:48 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

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

Subchapter A—Alaska [Circular 1774]

PART 75—SALES AND LEASES

CERTAIN LANDS IN MATANUSKA VALLEY OF ALASKA

Section 75.4 is amended by adding thereto a new sentence, as follows: "Land reported by the Corporation to be not suitable for disposal as part of a farm unit may be sold in tracts of such size and shape as the Corporation may recommend without regard to the above acreage limitations when it is determined by the Corporation that such sale will contribute to the development of the project and safeguard the public interest in the land: *Provided*, That when a special survey is necessary in connection with such a sale, the cost of such survey shall be paid by the purchaser."

The section as amended reads:

§ 75.4 *Persons entitled to make application.* Colonists and settlers who are

approved and certified by the Alaska Rural Rehabilitation Corporation may file an application for the purchase or lease of such lands as are not sold to the Corporation. The amount of land sold or leased to any such person shall not exceed the acreage necessary for the purpose of developing a farm unit which will support such person and his family, as determined by the Corporation. Land reported by the Corporation to be not suitable for disposal as part of a farm unit may be sold in tracts of such size and shape as the Corporation may recommend without regard to the above acreage limitations when it is determined by the Corporation that such sale will contribute to the development of the project and safeguard the public interest in the land: *Provided*, That when a special survey is necessary in connection with such a sale, the cost of such survey shall be paid by the purchaser.

(54 Stat. 1191; 48 U. S. C. 353 note)

OSCAR L. CHAPMAN,
Secretary of the Interior.

DECEMBER 18, 1950.

[F. R. Doc. 50-12188; Filed, Dec. 22, 1950; 8:46 a. m.]

TITLE 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

[S. O. 872]

PART 95—CAR SERVICE

MOVEMENT OF GRAIN TO TERMINAL ELEVATORS BY PERMIT

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 19th day of December A. D. 1950.

It appearing, that there is a shortage of box cars for the transportation of all commodities, which will be aggravated during the coming months by weather conditions and the needs of the Armed Forces and that there is an urgent need to regulate transportation of grain in carloads to the port of New Orleans and the Texas Gulf ports, and to prevent congestion; in the opinion of the Commission an emergency exists in all sections 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:

§ 95.872 *Movement of grain to terminal elevators by permit.* (a) No common carrier by railroad subject to the

Interstate Commerce Act shall accept for transportation, transport, or move any car loaded with export grain way-billed and consigned to any elevator or for direct delivery to a vessel in the port areas of New Orleans, Louisiana, and the Texas Gulf ports unless such origin carrier has first obtained a permit authorizing the movement of such grain in carloads into the port area.

(b) *Appointment of Agents and designation of duties.* (1) Mr. A. S. Johnson, Defense Transport Administration, Room 3376 ICC Building, Phone: National 7460, Ext. 433, is hereby designated and appointed as Agent of this Commission to prescribe the terms and conditions under which permits may be issued and is authorized at any time to change, revoke or cancel the terms or conditions under which permits may be issued.

(2) Mr. T. M. Healy, 204 Southern Railway Building, Atlanta, Georgia, PHONE: Cypress 7321, is hereby designated and appointed Permit Agent for the port of New Orleans.

(3) Mr. D. R. Swain, 606 Fannin Building, Houston, Texas, is hereby designated and appointed as Permit Agent for the Texas Gulf ports.

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

(d) *Effective date.* This section shall become effective at 7:00 a. m., December 22, 1950.

(e) *Expiration date.* This section shall expire at 7:00 a. m., March 22, 1951, unless otherwise modified, changed, suspended, or annulled by order of this Commission.

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 that notice of this order 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.

(Sec. 12, 24 Stat. 383, as amended; 49 U. S. C. 12. Interprets or applies sec. 1, 24 Stat. 379, as amended; 49 U. S. C. 1)

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 50-12243; Filed, Dec. 22, 1950; 8:54 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR, Part 903]

HANDLING OF MILK IN ST. LOUIS, MO., MARKETING AREA

DECISION WITH RESPECT TO PROPOSED MARKETING AGREEMENT AND PROPOSED ORDER AMENDING 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 St. Louis, Missouri, on November 27 and 28, 1950 (15 F. R. 7979), upon a proposed marketing agreement and a proposed amendment to the order, as amended, regulating the handling of milk in the St. Louis, Missouri, marketing area.

Preliminary statement. The proposed amendments upon which the hearing was held were submitted by Sanitary Milk Producers.

The material issues presented on the record of the hearing were whether:

(1) The present supply-demand adjustment provision used in determining the Class I price should be amended to exclude the receipts of milk at a plant which was not a handler under the order during the last month of the 12-month period used to determine the supply-demand adjustment.

(2) An emergency exists which warrants immediate effectuation of the above amendment.

Findings and conclusions. Upon the basis of evidence introduced at the hearing and on the record thereof with respect to the aforementioned issues it is hereby found and concluded that:

(1) The order should be amended to provide that the Class I price for the months of January, February, and March, 1951, shall be not less than the basic formula price plus \$1.10 per hundredweight.

The order presently provides that the price for the months of January, February, and March 1951 shall be the basic formula price plus \$1.10 with an adjustment upward or downward according to the difference from 115 that the percentage of all milk received from producers is of the total Class I utilization for the 12-month period ending November 30, 1950. It is estimated that application of this supply-demand adjustment provision would result in a minus adjustment of 12 cents per hundredweight.

The Springfield and Lebanon plants of Producers Creamery Company came into and withdrew from the St. Louis market within a comparatively short time. The entry of these plants was made possible when the Health Depart-

ment of the City of St. Louis accepted on reciprocal basis inspection by the Health Department of the State of Missouri. The withdrawal, it appears, was brought about when these producers would have had to stand direct inspection by the Health Department of the City of St. Louis. Milk receipts at these two plants represented a substantial portion of total producers' receipts under the St. Louis Order.

The amendment proposed by producers would eliminate from the determination of the supply-demand adjustment percentages " * * * receipts of producers by a plant who was not a handler during the last month of said 12-month period. * * *" If adopted, its immediate effect would be to prevent a drop of 12 cents per hundredweight in the Class I price for the months of January, February, and March 1951.

Withdrawal of the two Producer Creamery Company plants on October 15, 1950, created an emergency situation since the percentage that the milk receipts from producers is of the Class I sales currently, and will be for the months of January, February, and March 1951 is not representative of what is reflected by the supply-demand adjustment determination in using the 12-month period ending November 30, 1950, as presently provided in the order.

The producer proposal would provide for an unusual situation that is not likely to reoccur. Moreover, it would not provide for any significant category of contingencies which would abnormally impede the future operation of the supply-demand adjustment provision as intended. The intent of the provision when it was incorporated in the order was to encourage deliveries by producers to supply the Class I milk needed in the market by increasing the price when production was below 115 percent of Class I utilization and decreasing the price when production was more than 115 percent of Class I use.

Reducing the Class I price for the months of January, February, and March 1951, 12 cents per hundredweight would be inconsistent with the intent of a supply-demand adjustment provision in view of the current deliveries by producers to the St. Louis market. For the most recent month production for the St. Louis market was approximately 95 percent of Class I sales. The reduced price would tend to discourage increased shipments of milk when present production for and requirements of the market indicate the contrary.

The untimeliness of a 12 cent decline in the Class I price January 1, 1951, is further indicated by the rapidly rising price level resulting from the rational defense program, higher costs of producing milk, shortage of farm labor, and the higher prices for alternative farm products.

Handlers proposed that the supply-demand adjustment provision be deleted

in its entirety from the order. This would result in a Class I price the same as proposed herein and as proposed by producers for the months of January, February, and March 1951.

There is not sufficient evidence to warrant the proposals made to revise or delete the supply-demand adjustment provision of the order. However, from the various views expressed in the hearing record it might be well to give further study to these proposals; and, in addition, give consideration to reviewing in detail at a later date at a hearing the complete supply-demand adjustment provision of the order.

In view of the shortage of Class I milk for the St. Louis market and in view of the present unfavorable economic conditions affecting milk production, the order should be amended to provide that the Class I price for the months of January, February, and March 1951 shall be not less than the basic formula price plus \$1.10 per hundredweight.

(2) An emergency exists which requires that prompt action be taken to amend the order to effectuate the findings and conclusions set forth above without allowing time for a recommended decision by the Assistant Administrator, Production and Marketing Administration, and the filing of exceptions thereto.

The testimony shows that a critical situation exists with regard to the supply of milk for the St. Louis market because of the withdrawal from the market of two plants which had heretofore supplied substantial quantities of milk to the St. Louis market, and the reduction from the Class I price because of the operation of the supply-demand adjustment revision of the order, the computation of which includes the deliveries from the above two plants. Any delay beyond January 1, 1951, in effectuating needed changes in the order would endanger the maintaining of an ample supply of milk for the market, disrupt orderly marketing, and be contrary to the public interest. The due and timely execution of the function of the Secretary of Agriculture under the act imperatively and unavoidably requires the omission of a recommended decision and the filing of exceptions thereto.

Rulings on proposed findings and conclusions. Briefs were filed on behalf of producers and handlers who would be subject to the proposed marketing agreement and order, as amended, and as hereby proposed to be further amended. The briefs contained suggested findings of fact, conclusions, and arguments with respect to the proposals discussed at the hearing. Every point covered in the briefs was carefully considered along with evidence in the record in making the findings and reaching the conclusions hereinbefore set forth. To the extent that the suggested findings and conclusions contained in the briefs are inconsistent with the findings and conclusions contained herein, the requests

to make such findings or to reach such conclusions are denied on the basis of the facts found and stated in connection with the findings and conclusions in this decision.

General findings. (a) The proposed marketing agreement and the proposed order, amending the order, as 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 proposed order amending the order, as 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 order amending the order, as amended, will regulate the handling of milk in the same manner as, and is 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 November 1950 is hereby determined 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 St. Louis, Missouri, marketing area in the manner set forth in the attached order amending the order, as amended, 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 amending the order, as amended.

Marketing agreement and order. Annexed hereto and made a part hereof are two documents entitled, respectively, "Marketing agreement regulating the handling of milk in the St. Louis, Missouri, Marketing Area," and "Order amending the order, as amended, regulating the handling of milk in the St. Louis, Missouri, 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 attached order which will be published with this decision.

This decision filed at Washington, D. C., this 21st day of December 1950.

[SEAL]

CHARLES F. BRANNAN,
Secretary of Agriculture.

Order Amending the Order, as Amended, Regulating the Handling of Milk in the St. Louis, Missouri, Marketing Area

§ 903.0 **Findings and determinations.** The findings and determinations hereinafter set forth are supplementary to and in addition to the findings and determinations made in connection with the issuance of this order and of each the previously issued 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 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), a public hearing was held November 27-28, 1950, at St. Louis, Missouri, upon a proposed amendment to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the St. Louis, Missouri, marketing area. Upon the basis of the evidence introduced at such 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 feeds, and other economic conditions which affect market supply 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 same 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 St. Louis, Missouri, 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:

Amend § 903.5 (b) (1) by adding the following: "Provided, That for the delivery periods of January, February, and

¹ 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.

March 1951 the price for Class I milk shall be not less than the basic formula price plus \$1.10 per hundredweight."

[F. D. Doc. 50-12280; Filed, Dec. 23, 1950; 8:54 a. m.]

[7 CFR, Parts 907, 941, 967, 969, 991]

[Docket Nos. A0-101-A12, Chicago; A0-172-A4; Suburban Chicago; A0-170-A4, South Bend-La Porte; A0-212-A1, Milwaukee; A0-194-A2, Rockford-Freeport]

HANDLING OF MILK IN CHICAGO, ILL., SUBURBAN CHICAGO, ILL., SOUTH BEND-LA PORTE, IND., MILWAUKEE, WISC., AND ROCKFORD-FREEPORT, ILL., MARKETING AREAS

DECISION WITH RESPECT TO PROPOSED MARKETING AGREEMENTS AND PROPOSED ORDERS NOW IN EFFECT

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 Chicago, Illinois, on December 6-8, 1950, pursuant to notice thereof which was issued on November 29, 1950 (15 F. R. 8245).

The material issues of record related to:

1. Proposals to revise, in the case of each order, the price differentials for Class I milk and Class II milk (over the basic formula price) effective through the month of March 1951.

2. The emergency character of present marketing conditions in each of the said marketing areas.

Findings and conclusions. (1) Class I milk and Class II milk prices in each of the orders under consideration should be maintained at November 1950 levels for January, February, and March 1951.

The proposals submitted for hearing would revise the Class I and Class II price differentials in each of the subject orders in such a way as to apply the differentials effective under such order in November 1950 (also in December in the case of the South Bend-La Porte marketing area) in the determination of Class I and Class II prices for the period until April 1, 1950. Except for the South Bend-La Porte market, Class I and Class II price differentials in each of the markets decreased 20 cents per hundredweight on December 1 pursuant to order provisions. Proponents testified that conditions are such as to warrant emergency action to make the proposals effective at the earliest possible date without the issuance of a recommended decision and the filing of industry exceptions thereto. The record indicates that the request for a revision of differentials in the period of the next three months under the Chicago and Suburban Chicago orders is part of a proposed plan for permanent revision of price differentials on a year-round basis submitted for consideration at a later hearing.

Any change in class price differentials should be considered in relation to the

seasonal pattern of pricing throughout the year and to the effect of the change on the annual level of prices as well as in connection with the immediate situation regarding production costs on the dairy farm. Such considerations were not pursued at length in the record. It is concluded that the proposed changes in price differentials as such should not be made for January, February, and March 1951 on the basis of the evidence submitted.

The record discloses, however, that annual milk supplies of the Chicago and Suburban Chicago markets are threatened by conditions existing at the present time. Milk prices under such orders have not kept pace with increased price levels for most other farm commodities offering competition for the milk producer's capital and labor. Beef cattle and hog prices have been relatively high for some time and in recent months have increased to even higher levels as compared with milk prices. Also, beef cattle prices are attracting many dairy animals to slaughter with a resulting tendency toward increased dairy herd dispersals in the milksheds of these markets. The months of January and February are particularly significant in this respect since dairy farmers in this general area customarily make their decisions during such months as to whether they will continue milk production for the remainder of the year. Prices of certain of the major feeds for dairy animals have shown an upward trend recently. The present outlook is for higher feed prices in 1951. The supply of farm labor is tightening rapidly as the result of the Korean conflict, the expansion of defense industry, and military requirements. Farm wages have tended to rise in recent months. Farm machinery prices also have advanced from a year ago.

Class I and Class II prices under the two orders in the fall months of 1950 were somewhat less than in the same months last year and a substantial upward movement in the basic formula price appears unlikely in the period covered by the proposals in view of the large national stocks of manufactured milk products. Market supplies of milk for Chicago and Suburban Chicago are relatively short in relation to Class I and Class II milk sales. Increased imports of outside milk have been made in recent months on the Suburban Chicago market as compared with the corresponding months of 1949. Market sales of Class I and Class II milk have tended to increase under present levels of purchasing power among consumers and should continue in this trend during at least the early months of 1951 in view of increased population in the two marketing areas and expanded business activity.

Prices in the two markets should follow a similar pattern since the milkshed for Suburban Chicago overlaps the inner zones of the Chicago milkshed.

Production and marketing conditions highly comparable to those described above prevail in the Milwaukee, Rockford-Freeport, and South Bend-La Porte markets also. Concerning the Milwaukee market the record indicates, in addi-

tion, that (1) recent losses of producers have occurred, (2) replacements are difficult to find because farmers are not induced by present price levels to build milk houses, purchase refrigeration equipment and provide the other essentials for quality milk under the Milwaukee ordinance, (3) emergency milk receipts in the fall of 1950 were substantially larger than in the same months of 1949, and (4) prices to Milwaukee producers must be kept in close alignment with prices to Chicago producers since farms of producers for the two markets are interspersed.

Similarly, Rockford-Freeport and South Bend-La Porte producers are affected by the general conditions prevailing in the Chicago and Suburban Chicago milksheds since there is overlapping among the respective milksheds. It is necessary, under present conditions, to keep prices in all such markets in close alignment to prevent undue shifting of producers between markets. Moreover, milk is distributed in the Rockford-Freeport and South Bend-La Porte marketing areas from plants regulated by Order 41 and failure to maintain a close alignment of Class I and Class II prices in the latter markets with prices under the Chicago order could result in a burdensome competitive situation between competing handlers regulated by different orders. Supplementary supplies of milk received in September by handlers under the Rockford-Freeport order were larger than in the same months of 1949. Class I sales in October were approximately 17 percent above the level of October 1949 while receipts from regular producers were 8 percent less in October 1950 as compared with October last year. The number of producers whose milk is priced under the order also has declined appreciably in recent months. In the South Bend-La Porte market producer milk receipts have been lower in each month since April 1950 than in the same month a year ago. Monthly milk receipts averaged 2.5 percent below a year ago in the April-October period. On the other hand, Class I and Class II milk sales showed an average monthly increase of 4.7 percent in the April-October period as compared with the same period in 1949. The Class I and Class II prices to producers in this market were 13 cents lower in November 1950 than in November 1949.

The Class I prices under the respective orders for November 1950, the latest month for which comparison can be made, were below the parity level of \$4.55.

In view of the above considerations it is concluded that good cause exists for preventing a decrease in the minimum Class I and Class II prices in each of such markets during the months of January, February, and March 1951 below the levels which prevailed in November. Any price decrease at this time in light of increasing cost factors and general uncertainty as to production conditions in the respective milksheds in the first part of 1951 would constitute a serious threat to the supplies of these markets during the year 1951. Therefore, it is concluded that such prices should be held at the respective November 1950

levels for the months of January, February, and March 1951.

It was contended at the hearing and by brief that as a matter of law the act and the regulations do not permit a consolidated hearing. The act and the regulations require that a hearing be held before a marketing agreement or order may be issued or amended. They do not preclude a consolidated hearing where the circumstances indicate that such a hearing is the appropriate means for ascertaining the facts to be adduced by the public hearing procedure. In the present case the close historic relationship between Chicago class prices and class prices applicable to the four other markets, which is reflected in the orders themselves, the known overlapping of the milksheds, the limited scope of the hearing as to subject matter, and the element of emergency which was potentially present are some considerations which warranted the consolidation of the hearing. Much of the evidence with respect to production and marketing conditions and pricing under the Chicago order was pertinent to the proper pricing of the milk in each of the other markets and presumably would have been repeated five times in five different hearings had the hearing not been consolidated. In the circumstances the consolidation of the hearing was appropriate.

Objection also was raised to the holding of any hearing regarding Order No. 91 in Chicago rather than at Rockford, Illinois. Chicago is a centrally located and readily accessible place of hearing for a consolidated hearing involving these particular orders, and seems well suited to best meet the convenience of all parties. Considering these facts and other circumstances, including the emergency nature of the hearing and the fact that the Rockford handlers in question were given full opportunity to be heard and were heard at their request, on the third day of the hearing, after adequate advance notice by the Presiding Officer, the hearing was properly held at Chicago.

It was also urged at the hearing and by brief that the hearing notice was inadequate at law. In this connection it is contended that § 900.4 of the promulgation regulations requires a preliminary finding of an emergency as a condition precedent to a three-day notice of hearing. The proviso in the last sentence of § 900.4 (a), which proviso specifically deals with notices applicable to amendment proceedings, expressly authorizes a hearing notice of under 15 days but not less than three days without a preliminary emergency finding. It also was contended that the notice was inadequate in that the issue of the FEDERAL REGISTER containing the notice was received at Rockford, Illinois, several days after its publication and less than three days before the hearing. Under the regulations legal constructive notice is provided as of the date of publication of the FEDERAL REGISTER irrespective of its date of delivery. Such publication occurred more than three days prior to the hearing and was adequate as a matter of law. Moreover, actual notice was provided by mail to all known interested persons at least

three days prior to the opening of the hearing. In addition the objectants were given opportunity to be heard and were heard as late as the final day of the hearing, which was considerably more than three days after notice. In the circumstances and considering the emergency facts presented at the hearing, adequate notice and opportunity to be heard were provided.

Objection also was raised at the hearing and by brief to certain questions asked by representatives of the Department on the ground that such questions allegedly did not fall within the scope of cross-examination. It is the function and duty of representatives of the Department to ascertain facts by questioning witnesses, which facts appear to be pertinent to the issues presented for consideration at the hearing, where witnesses have in any respect overlooked all of the pertinent facts. This is particularly true in a public rule-making proceeding as distinguished from an adversary proceeding. The objection is without merit.

(2) The due and timely execution of the function of the Secretary under the act imperatively and unavoidably requires the omission of a recommended decision by the Assistant Administrator, Production and Marketing Administration and the opportunity for exceptions thereto.

The hearing record established that the conditions complained of are already upon producers in each of the subject markets and that immediate action must be taken if amendment action to each of the orders is to meet effectively the urgent problem sought to be alleviated. Delay beyond the minimum time required to make the attached amending orders effective would defeat the purpose of such amendments. Accordingly, the time necessarily involved in the preparation, filing and publication of a recommended decision, and exceptions thereto, would make such relief ineffective. The omission of the recommended decision and filing of exceptions was requested on the record.

Rulings on proposed findings and conclusions. Briefs were filed on behalf of certain producer organizations and handlers who are concerned with the proposed marketing agreements and proposed orders amending the orders now in effect. The briefs contained suggested findings of fact, conclusions, and arguments with respect to the proposals considered at the hearing. Every point covered in the briefs was carefully examined along with evidence in the record in making the findings and reaching the conclusions hereinbefore set forth. To the extent that the suggested findings and conclusions contained in the briefs are inconsistent with the findings and conclusions contained herein, the requests to make such findings or to reach such conclusions are denied on the basis of the facts found and stated in connection with the findings and conclusions in this decision.

General findings. (a) The proposed marketing agreements and the orders, now in effect, and as hereby proposed to be 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 and demand for milk in the said marketing areas, respectively, and the minimum prices specified in the proposed marketing agreements and in the orders, now in effect, and as hereby proposed to be amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk in each of said marketing areas, respectively, and be in the public interest; and

(c) The proposed marketing agreements and the orders, now in effect, and as hereby proposed to be amended, 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 marketing agreements upon which a hearing has been held.

Determination of representative period. The month of November 1950 is hereby determined to be the representative period for the purpose of ascertaining whether the issuance of each of the orders amending respectively the orders, now in effect, regulating the handling of milk in the Chicago, Illinois, Suburban Chicago, Illinois, South Bend-La Porte, Indiana, Milwaukee, Wisconsin, and Rockford-Freepport, Illinois, marketing areas in the manner set forth in the attached amending orders is approved or favored, respectively, by producers who, during such period, were engaged in the production of milk for sale in the marketing area specified in such marketing order.

Annexed hereto and made a part hereof are marketing agreements regulating the handling of milk in the Chicago, Illinois, Suburban Chicago, Illinois, South Bend-La Porte, Indiana, Milwaukee, Wisconsin, and Rockford-Freepport, Illinois, marketing areas and orders amending the orders, now in effect, regulating the handling of milk in the Chicago, Illinois, Suburban Chicago, Illinois, South Bend-La Porte, Indiana, Milwaukee, Wisconsin, and Rockford-Freepport, Illinois, marketing areas, 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 agreements, be published in the FEDERAL REGISTER. The regulatory provisions of said marketing agreements are identical with those contained in the respective orders, now in effect, and as hereby proposed to be amended respectively by the attached orders which will be published with this decision.

This decision filed at Washington, D. C., this 21st day of December 1950.

[SEAL]

CHARLES F. BRANNAN,
Secretary of Agriculture.

Order¹ Amending the Order, as Amended, Regulating the Handling of Milk in the Chicago, Illinois, Marketing Area

§ 941.0 Findings and determinations.

The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order, and of each of the previously issued 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 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), 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 Chicago, Illinois, marketing area. Upon the basis of the evidence introduced at such 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 feeds and other economic conditions which affect market supply 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 same 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 Chicago, Illinois, 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:

1. Replace the period (.) at the end of § 941.5 (b) (1) with a colon (:) and add the following proviso: "Provided, That the price for Class I milk during

¹This 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.

the delivery periods of January, February, and March 1951 shall be not less than \$3.917."

2. Replace the period (.) at the end of § 941.5 (b) (2) with a colon (:) and add the following proviso: "Provided, That the price for Class II milk during the delivery periods of January, February, and March 1951 shall be not less than \$3.517."

Order¹ Amending the Order, as Amended, Regulating the Handling of Milk in the Suburban Chicago, Illinois, Marketing Area

§ 969.0 *Findings and determinations.* The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of each of the previously issued 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 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), 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 Suburban Chicago, Illinois, marketing area. Upon the basis of the evidence introduced at such 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 feeds and other economic conditions which affect market supply 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 same 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

¹ 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.

milk in the Suburban Chicago, Illinois, 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:

1. Replace the period (.) at the end of § 969.5 (b) (1) with a colon (:) and add the following proviso: "Provided, That the prices for Grade A and Grade B Class I milk during the delivery periods of January, February and March 1951 shall be not less than \$3.917 and \$3.817, respectively."

2. Replace the period (.) at the end of § 969.5 (b) (2) with a colon (:) and add the following proviso: "Provided, That the prices for Grade A and Grade B Class II milk during the delivery periods of January, February and March 1951 shall be not less than \$3.517 and \$3.417, respectively."

Order¹ Amending the Order, Regulating the Handling of Milk in the Milwaukee, Wisconsin, Marketing Area

§ 907.0 *Findings and determinations.* The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order, 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 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), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order, regulating the handling of milk in the Milwaukee, Wisconsin, marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby 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 feeds and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order, as hereby 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 hereby amended, regulates the handling of milk in the same 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 Milwaukee, Wisconsin, marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as hereby amended, and the aforesaid order, is hereby amended as follows:

1. Replace the period (.) at the end of § 907.51 (a) with a colon (:) and add the following proviso: "Provided, That the price for Class I milk during the months of January, February, and March 1951 shall be not less than \$3.877."

2. Replace the period (.) at the end of § 907.51 (b) with a colon (:) and add the following proviso: "Provided, That the price for Class II milk during the months January, February, and March 1951 shall be not less than \$3.517."

Order¹ Amending the Order, as Amended, Regulating the Handling of Milk in the Rockford-Freeport, Illinois, Marketing Area

§ 991.0 *Findings and determinations.* The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendment 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 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), 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 Rockford-Freeport, Illinois, marketing area. Upon the basis of the evidence introduced at such 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 feeds and other economic conditions which affect market supply 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 same 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 Rockford-Freeport, Illinois, 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:

1. Add to § 991.51 the following proviso: "Provided, That the price for Grade 'A' and Nongrade 'A' Class I milk during the delivery periods of January, February, and March 1951 shall be not less than \$3.917 and \$3.817, respectively.

2. Add to § 991.52 the following proviso: "Provided, That the price for Grade 'A' and Nongrade 'A' Class II milk during the delivery periods of January, February, and March 1951 shall be not less than \$3.517 and \$3.417, respectively.

Order Amending the Order, as Amended, regulating the Handling of Milk in the South Bend-La Porte, Indiana, Marketing Area

§ 967.0 *Findings and determinations.* The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of each of the previously issued

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 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), 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 South Bend-La Porte, Indiana, marketing area. Upon the basis of the evidence introduced at such 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 feeds and other economic conditions which affect market supply 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 same 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 South Bend-La Porte, Indiana, 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:

1. Replace the period (.) at the end of § 967.51 with a colon (:) and add the following proviso to such section: "Provided further, That the prices per hundredweight for skim milk and butterfat in Class I and Class II milk during the delivery periods of January, February, and March 1951 shall be not less than \$1.218 and \$78.34, respectively."

[F. R. Doc. 50-12281; Filed, Dec. 22, 1950; 8:55 a. m.]

NOTICES

DEPARTMENT OF STATE

Bureau of German Affairs

[Public Notice 87]

DISPOSITION OF FORMER REICH-OWNED MOTION PICTURE INDUSTRY

The following law issued by the Allied High Commission for Germany is deemed to be of interest to certain United States citizens as having legal effect upon them or their property.

LAW NO. 32—DISPOSITION OF FORMER REICH-OWNED MOTION PICTURE PROPERTY

Whereas it is necessary to provide for the disposition of motion picture property formerly owned or controlled by the German Reich and

Whereas it is expedient to dispose of such property in a manner best calculated to foster a sound, privately owned motion picture industry in Germany, organized so as to preclude excessive concentrations of economic power;

The Council of the Allied High Commission enacts as follows:

ARTICLE 1

(1) A UFA Deconcentration Committee (hereinafter called "the Deconcentration Committee") is hereby established as a juristic person to be composed of three or more

¹This 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.

German nationals to be appointed by the Allied High Commission.

(2) The Deconcentration Committee shall be subject to the direction of the Allied High Commission. Its members may be removed or replaced at any time by the Allied High Commission.

ARTICLE 2

The title to all property of every kind which on 8 May 1945 was owned or controlled by the German Reich and used for or in connection with the production, distribution or exhibition of motion picture films and any property subsequently acquired by the enterprises owning such property (hereinafter referred to as "property subject to this Law") is hereby vested in the Deconcentration Committee for the purposes of this Law.

ARTICLE 3

(1) Pending the appointment of the members of the Deconcentration Committee, the Committee for the Liquidation of Reich-owned Motion Picture Property appointed pursuant to the provisions of United States and British Military Government Law No. 24 and French Military Government Ordinance No. 236 shall exercise the powers of the Deconcentration Committee under this Law.

(2) Upon the appointment of the members of the Deconcentration Committee the Committee for the Liquidation of Reich-owned Motion Picture Property shall be dissolved.

ARTICLE 4

The Deconcentration Committee is hereby directed to dispose, before 1 January 1952, of all property subject to this Law. In the event that any such property has not been disposed of before 1 January, 1952, the Allied High Commission shall direct in what

manner the property so remaining shall be dealt with.

ARTICLE 5

(1) Operating enterprises, including their liquid assets, shall be sold as going concerns, except as otherwise provided in this Article or in any order of the Allied High Commission.

(2) While title remains vested in the Deconcentration Committee each studio shall, unless otherwise directed by the Allied High Commission, be operated independently of any other studio.

(3) Stories, negatives and prints which constitute Nazi or militaristic propaganda shall be disposed of as may be directed by the Allied High Commission.

(4) Patent rights shall be disposed of as may be directed by the Allied High Commission.

(5) Insofar as any disposition hereunder may involve patent rights and literary and artistic property rights in any country outside Germany, such disposition shall be subject, where applicable, to the laws of such country and any governmental action with respect to such patent rights, literary and artistic property rights, including the seizure or confiscation thereof.

ARTICLE 6

(1) Except as otherwise provided in this Article, any person is eligible to buy any property to be sold hereunder.

(2) Every prospective buyer shall certify in writing that his offer is submitted on his own account, and that he intends to buy for himself and not on behalf of or for the benefit of any other person.

(3) Subject to such exceptions as may be authorized by the Allied High Commission as consistent with the objectives of this

Law, offers will not be accepted from the following persons or agencies:

(a) Any government, whether central or local, including any division, sub-division or agency thereof, a political party, and any governmental official or employee.

(b) A person on whom sanctions or disabilities have been imposed under the provisions of any denazification enactment.

(c) In respect of the sale of a studio, any person who, at any time during the period of ten years preceding 8th May, 1945, was a member of the Vorstand or Aufsichtsrat or Prokurist of any Reich-owned or controlled motion picture enterprise.

(d) A juristic person shall be ineligible within the provisions of this paragraph when more than twenty-five per centum of its capital or the voting rights is owned or controlled by such persons.

(4) The Allied High Commission may reject the offer of any other person where the acceptance of the offer would, in its opinion, defeat the objectives of this law.

ARTICLE 7

(1) Unless otherwise provided by the Allied High Commission, property shall be sold at public sales to the highest qualified bidder and prior notice of sales shall be given wide publicity. The Allied High Commission shall issue regulations to ensure that so far as possible, consistently with the objectives of this Law, fair compensation is obtained for property disposed of under this Law.

(2) No person may acquire, directly or indirectly, more than one studio or more than three theatres disposed of under this Law.

(3) Non-German nationals, whether individually or in the aggregate, shall not acquire, directly or indirectly, more than twenty-five per centum of the ownership or control of any studio disposed of under this Law.

(4) Any person who acquires, directly or indirectly, any interest in the studio heretofore owned by Bavaria Filmkunst G. m. b. H. shall dispose of any interest he may have in any other studio in Germany within sixty days after the date of the acquisition unless the Allied High Commission prescribes a longer period. Upon any failure to comply with this provision, the Allied High Commission shall revoke the disposition.

(5) Notwithstanding anything to the contrary in Order No. 1 issued under United States Military Government Law 56 and British Military Government Ordinance No. 78 or in Order No. 134, issued under French Military Government Ordinance 96, a buyer may, for a period of four months immediately following the purchase, engage in any two of the following fields in the motion picture industry:

- (a) Production;
- (b) Distribution;
- (c) Exhibition; and
- (d) Manufacture, distribution or repair of motion picture equipment.

After the expiration of such period of 4 months, he shall comply with the provisions of the aforementioned orders.

ARTICLE 8

(1) No person shall at any time acquire any interest, direct or indirect, in any property which is or was subject to the provisions of this Law if at that time he would not have met the tests for eligibility to purchase such property in subparagraphs (a), (b), (c), or (d) of paragraph 3 of Article 6 of this Law. Any such acquisition shall be unlawful and void.

(2) Unless authorized by the Allied High Commission, any use of the names "UFI" and "UFA" and of any combination of letters or symbols designed to simulate those names is prohibited.

ARTICLE 9

The Allied High Commission may direct that property shall be sold hereunder free

and clear of encumbrances, charges or other obligations. The Allied High Commission will make provision to ensure the equitable treatment of persons adversely affected by this action.

ARTICLE 10

(1) Any transfer of assets made by or pursuant to this Law shall operate to vest in the transferee legally valid title to such assets in accordance with the terms of the transfer.

(2) The appropriate German authorities shall register without attestation any transfer of assets made by or pursuant to this Law upon the presentation to such authorities by or on behalf of the Allied High Commission of a certified statement of the assets to be transferred.

ARTICLE 11

The Allied High Commission may conduct any inspection or investigation pertaining to any of the purposes of this Law and may set aside and annul any transaction which it considers to be in violation or in fraud of the purposes or provisions of this Law.

ARTICLE 12

(1) When the disposal of all of the property subject to this law is completed, or at such earlier time or times as the Allied High Commission may designate, the Allied High Commission shall take the necessary steps to ensure the winding up under German law of any of the remaining enterprises subject to this Law.

(2) The net proceeds of the liquidation proceedings, after provision for satisfaction of all claims and obligations, including the interests of minority stockholders, shall be handed to the Federal Republic, subject to such special provisions as may be made by the Allied High Commission in respect of the proceeds from property outside the territory of the Federal Republic.

(3) That part of such net proceeds which is attributable to the liquidation of Ufatreu Gefolgschaftshilfe G. m. b. H. shall be used for charitable purposes, including relief of needy employees or former employees of enterprises liquidated pursuant to this Law.

ARTICLE 13

All custodians, curators, officials or other persons having possessions, custody or control of property subject to this Law are required:

(a) (i) To hold and administer the same subject to the directions of the Allied High Commission and, pending such directions, not to transfer, deliver or otherwise dispose of the same;

(ii) To preserve, maintain and safeguard, and not to cause or permit any action which will impair the value or utility of such property;

(iii) To maintain accurate records and accounts with respect thereto and the income thereof;

(b) When and as directed by the Allied High Commission:

(i) To file reports furnishing such data as may be required with respect to such property and all receipts and expenditures received or made in connection therewith;

(ii) To transfer and delivery custody, possession or control of such property and all books, records and accounts relating thereto; and

(iii) To account for the property and all income and products thereof.

ARTICLE 14

No taxes or duties shall be imposed upon any transfer or other disposition made by or pursuant to the provisions of this Law.

ARTICLE 15

(1) The term "Allied High Commission", as used in any provision of this Law, means

such agency or agencies as the Council of the Allied High Commission may designate by regulation or order to carry out such provisions. Any such agency shall act in accordance with such regulations or orders as may be issued by the Council of the Allied High Commission.

(2) Subject to the regulations or orders of the Council, the agency to administer the provisions of this Law shall be the Decartelization and Industrial Deconcentration Group of the Allied High Commission, which may delegate any of its function.

ARTICLE 16

(1) The provisions of SHAEF and US Military Government Laws No. 52 (amended) shall cease to apply to property subject to this Law.

(2) Except as the Allied High Commission may otherwise direct, nothing in this Law shall affect the application to property subject to this Law of legislation on the restitution of identifiable property to victims of Nazi oppression.

ARTICLE 17

The Allied High Commission may issue regulations for the implementation of this Law.

ARTICLE 18

Any person violating any provision of this Law, or any Regulation or Order issued under this Law shall, upon conviction, be liable to a fine not exceeding DM 200,000 or to imprisonment for not more than five years, or both.

ARTICLE 19

Within the meaning of this Law: (a) "Person" means any natural or juristic person, corporation, association, partnership or governmental agency.

(b) "Non-German National" includes any juristic person whose capital or voting rights are owned or controlled by non-German natural persons to the extent of more than twenty-five per centum.

(c) "Enterprise" includes every kind of economic, business or financial instrumentality.

(d) "Studio" means every place used or intended to be used for the production or synchronization of motion pictures, including related laboratories, libraries, copying and other facilities.

ARTICLE 20

In the case of any inconsistency between this Law or any Regulation or Order made thereunder, and any German Law, the former shall prevail.

ARTICLE 21

United States and British Military Government Laws No. 24 and Ordinance No. 236 of the French Military Government are hereby repealed.

Done at Bonn, Petersberg on 20 July, 1950.
On behalf of the Council of the Allied High Commission.

IVONE KIRKPATRICK,
U. K. High Commissioner for Germany,
Chairman.

Publication of this notice is not intended to and does not in any way add to or detract from the presently existing legal force and effect of the matter quoted above.

For the Secretary of State.

GEOFFREY W. LEWIS,
Deputy Director,
Bureau of German Affairs.

DECEMBER 18, 1950.

[F. R. Doc. 50-12207; Filed, Dec. 22, 1950; 8:50 a. m.]

[Public Notice 88]

DISPERSION OF ASSETS OF I. G. FARBENINDUSTRIE A. G.

The following law issued by the Allied High Commission for Germany is deemed to be of interest to certain United States citizens as having legal effect upon them or their property.

LAW NO. 25—DISPERSION OF ASSETS OF I. G. FARBENINDUSTRIE A. G.

Whereas Control Council Law No. 9 provides for the seizure of all plants, properties, and assets of any nature situated in Germany which were, on or after 8 May, 1945, owned or controlled by I. G. Farbenindustrie, A. G. and

Whereas it is expedient to make provision for the dispersion of ownership of such plants, properties, and assets as contemplated by Control Council Law No. 9,

The Council of the Allied High Commission enacts as follows:—

ARTICLE 1

1. Subject to the provisions of Article 13, paragraph 2, this Law shall apply to the plants, properties, and assets of any nature controlled by the British, French, and United States Control Officers appointed under the provisions of Control Council Law No. 9 and relating to I. G. Farbenindustrie, A. G., or the companies listed in the Schedule (Parts 1 and 2) to this Law (Hereinafter referred to as "Schedule companies").

The foregoing plants, properties, and assets are hereafter collectively referred to as "assets subject to this Law".

2. The unified control and direction of the assets subject to this Law constitutes an excessive concentration of economic power.

3. The Allied High Commission shall take such action as it considers necessary to accomplish the winding up of I. G. Farbenindustrie, A. G. and to extinguish its juristic personality.

4. The assets subject to this Law shall be dispersed among such a number of economically sound and independent companies as will ensure dispersion of ownership and control and promote competition in the German chemical and related industries.

ARTICLE 2

Until the Council of the Allied High Commission has otherwise decided, the British, French and United States I. G. Farben Control Officers shall continue to exercise all rights and powers of seizure and control over the assets, subject to this Law conferred by any Occupation Legislation. The rights and powers of the Managing Board (Vorstand), Managers (Geschäftsführer), Supervisory Board (Aufsichtsrat), and General Meetings (Hauptversammlung) of I. G. Farbenindustrie, A. G. and of the Schedule companies as well as all powers of attorney granted by them are hereby cancelled.

ARTICLE 3

Unless expressly licensed by the Allied High Commission, all transactions connected with the shares or other securities of I. G. Farbenindustrie, A. G. are hereby prohibited.

ARTICLE 4

1. In order to achieve the objectives stated in Article 1 of this Law, the Allied High Commission, from time to time, by orders or regulations,

(a) May transfer any of the assets subject to this Law to any of such new companies as the Allied High Commission may create or cause to be created for the purpose or to any of the companies listed in Part 1 of the Schedule;

(b) Shall direct the issuance, by each such new company or each such Schedule com-

pany to which assets are transferred under (a), of such bonds, other secured or unsecured obligations, stock, or other consideration in recognition of such transfers of assets under (a) above, as the Allied High Commission deems necessary to ensure, to the maximum extent consistent with this Law, fair and equitable compensation of persons affected by such transfers as provided in Article 5 of this Law;

(c) May direct the sale or other disposition, upon such terms and conditions as the Allied High Commission may determine, of any assets subject to this Law which are not to be transferred under (a) above to a new company or to a company listed in Part 1 of the Schedule and are not to be retained by a Schedule company, and may dissolve such of the companies listed in Part 1 of the Schedule as the Allied High Commission deems appropriate;

(d) May reorganize any of the companies listed in Part 1 of the Schedule by modifying its corporate charter, articles of association, or by-laws or the terms of its outstanding shares or other securities or by substituting therefor new shares or other securities, or by restating its accounts, or otherwise, as the Allied High Commission deems fair and equitable;

(e) May rescind or modify any contract, understanding, or agreement entered into before the effective date of this Law, by or on behalf of I. G. Farbenindustrie, A. G., or any Schedule company and shall in appropriate cases provide for the determination of the validity, priority and extent of such claims as may arise as a result of such action and for fair and equitable compensation in accordance with Article 5.

2. Any transfer of assets pursuant to this Law may, to the extent directed by the Allied High Commission, be made free and clear of some or all existing liens, charges and encumbrances.

3. (a) Any transfer of assets pursuant to this Law shall operate to vest in the transferee legally valid title to such assets in accordance with the terms of the transfer.

(b) The appropriate German authorities shall register without attestation any transfer of assets pursuant to this Law upon the presentation to such authorities by or on behalf of the Allied High Commission of a certified statement of the assets to be transferred.

ARTICLE 5

1. Claimants affected by actions taken pursuant to Articles 1 and 4 of this Law shall be compensated, as directed by the Allied High Commission, by one or more distributions from—

(a) The assets subject to this Law available for distribution, and

(b) The bonds, other secured or unsecured obligations, stock, or other consideration issued or paid in accordance with the provision of Article 4, paragraph 1 (b) of this Law, and

(c) The proceeds of sale of any of the foregoing.

Such distributions shall be made in such manner and amounts as to attain the objectives of this Law and to ensure fair and equitable treatment among such claimants in accordance with their claims and interests. The validity, priority and extent of such claims and interests shall be determined with due regard to the original contractual rights of the claimants.

2. The Allied High Commission may provide for such protection of employees and former employees of I. G. Farbenindustrie, A. G. or of any of the Schedule companies in respect of pensions and other benefits incident to or resulting from their employment as the Allied High Commission may deem necessary or proper to avoid unfairness to such employees or former employees as a result of action taken under Articles 1 and 4 of this Law.

3. The Allied High Commission may provide, to the extent it deems appropriate, for (i) assumptions by any company to which assets are transferred pursuant to Article 4, paragraph 1 (a) of indebtedness incurred by or on behalf of I. G. Farbenindustrie, A. G. or of any of the Schedule companies from which assets are transferred, and (ii) priorities in respect of any such indebtedness incurred after 8 May 1945, in the opinion of the Allied High Commission, for the purpose of enabling such companies to carry on their activities.

4. For the purposes of this Article and Article 6 the term "claimants" shall include all creditors, secured or unsecured, shareholders, pension claimants and all other persons having claims against or interests in any of the assets of companies subject to this Law.

ARTICLE 6

The Allied High Commission will afford an opportunity to claimants to present their views on the treatment to be accorded to their respective interests.

ARTICLE 7

Taxes and other duties shall not be imposed upon or in respect of:

(a) The formation or reorganization of any company pursuant to this Law;

(b) Any transfer of assets under this Law to any company listed in Part 1 of the Schedule or company created in implementation of this Law;

(c) Any other action taken in the implementation of this Law to the extent provided by regulations hereunder.

ARTICLE 8

1. Subject to such regulations as may be issued by the Council of the Allied High Commission, the Board of Review established by Article 13 of Law No. 27 on the Reorganization of German Coal and Iron and Steel Industries shall have jurisdiction:

(a) To review any order under paragraph (1) of Article 5 of this Law on the petition of any interested person to the extent of determining whether the distribution made to such person has afforded him fair and equitable treatment in accordance with his claim or interest, as required thereunder;

(b) To hear and determine any other questions arising under this Law which may be referred to it by the Allied High Commission.

2. The provisions of paragraphs 1 and 3 of Article 13 of Law No. 27 shall apply to proceedings under paragraph 1 of this Article in the same manner as to proceedings under paragraph 2 of Article 13 of Law No. 27.

ARTICLE 9

1. The term "Allied High Commission" as used in any provision of this Law means such agency or agencies as the Council of the Allied High Commission may designate by regulation or order to carry out such provision. Any such agency shall act in accordance with such regulations or orders as may be issued by the Council of the Allied High Commission.

2. Subject to the regulations or orders of the Council, the Agency to administer the provisions of this Law shall be the tripartite I. G. Farben Control Group composed of the British, French and United States I. G. Farben Control Officers. The tripartite I. G. Farben Control Group may delegate to any of its members the authority to execute any of its decisions.

3. After such consultation with the Federal Government and with such German authorities or bodies as may appear appropriate, the Allied High Commission shall appoint a Committee composed of German nationals, to be known as the I. G. Farben Liquidation Committee, and may in its discretion remove or replace any member of the Committee. This Committee shall per-

form, under the direction of the Allied High Commission, such functions as the Commission may prescribe.

ARTICLE 10

1. No person or group of persons shall combine, merge or in any manner control any two or more of the companies created or continued under this Law, except as may be authorized by the Allied High Commission. Any combination, merger or other action contrary to this provision shall be null and void.

2. No person who has been convicted as a war criminal or found to have participated, as a first or second category offender, in the aggressive designs of the National Socialist Party shall participate directly or indirectly in the control or management of any company created or continued under this Law.

ARTICLE 11

Any person violating any provision of this Law or any regulation or order issued under this Law, shall, upon conviction, be liable to a fine not exceeding DM 200,000 or to imprisonment for not more than five years or both.

ARTICLE 12

The Allied High Commission may issue regulations or orders for the purpose of implementing this Law.

ARTICLE 13

1. Except as the Council of the Allied High Commission shall otherwise expressly direct, if any legislation shall be inconsistent with any provisions of this Law or of any regulation or order thereunder, the provisions of this Law or the regulations or orders thereunder shall prevail.

2. The application of Law 27 (Reorganization of German Coal, Iron and Steel Industries) to the colliery assets owned or controlled by I. G. Farbenindustrie, A. G. shall not be affected by the provisions of this Law; provided however that any consideration resulting from the transfer or other disposition of such colliery assets shall be dealt with under this Law.

Done at Bonn, Petersburg, on 17 August 1950.

On behalf of the Council of the Allied High Commission.

JOHN J. McCLOY,
U. S. High Commissioner
for Germany,
Chairman.

SCHEDULE—LIST OF COMPANIES FORMERLY OWNED OR CONTROLLED BY I. G. FARBENINDUSTRIE A. G., DOMICILED IN GERMANY AND HAVING THEIR SEAT OR ASSETS IN THE WESTERN ZONES OF GERMANY OR IN THE WESTERN SECTORS OF BERLIN

PART I—COMPANIES HAVING THEIR SEAT IN THE WESTERN ZONES OR IN THE WESTERN SECTORS OF BERLIN

1. Agfa-Photo G. m. b. H., Dusseldorf.
2. Agfa-Photo G. m. b. H., Frankfurt.
3. Agfa-Photo G. m. b. H., Hamburg.
4. Agfa-Photo G. m. b. H., Hanover.
5. Agfa-Photo G. m. b. H., Köln.
6. Agfa-Photo G. m. b. H., München.
7. Agfa-Photo G. m. b. H., Stuttgart.
8. Aktiengesellschaft für Stickstoffdünger, Knapsack.
9. Aktiengesellschaft zur gemeinnützigen Beschaffung von Wohnungen, Frankfurt (Main)-Hochst.
10. Alkali G. m. b. H.
11. Allgemeine Verwaltungs-Gesellschaft m. b. H.
12. Alzwerke G. m. b. H.
13. Anorgana G. m. b. H.
14. Anorgana-Gefolgenschaftshilfe G. m. b. H.
15. Astra Grundstücks A. G.
16. Bad Homburger Heilquellen G. m. b. H.

17. Badische Saphir-Schleifwerke G. m. b. H.
18. Carl Bauer & Co. (O. H. G.).
19. Bayerische Essigessenz-Verkaufsstelle Chr. Dederer G. m. b. H.
20. Bayerische Stickstoffwerke A. G.
21. Beamtenerholungshelm Saarow G. m. b. H.
22. Behring-Institut Berlin G. m. b. H.
23. Behringwerke A. G.
24. Bielefelder Sackfabrik G. m. b. H.
25. Bourjau & Co. K. G.
26. Dr. Heinrich von Brunck Gedächtnisstiftung G. m. b. H.
27. Carbidkontor G. m. b. H.
28. Celluloid-Verkaufs-G. m. b. H.
29. Chemiewerk Homburg A. G.
30. Chemische Forschungsgesellschaft.
31. Chemische Studiengesellschaft "Uniwapo" G. m. b. H.
32. Chemische Verwertungsgesellschaft Oberhausen m. b. H.
33. Chemische Werke Huls G. m. b. H.
34. Chlorzink-Produkte G. m. b. H.
35. Citrovin-Fabrik G. m. b. H.
36. Clarashall G. m. b. H.
37. Consortium für elektrochemische Industrie G. m. b. H.
38. Cuprama Spinnfaser G. m. b. H.
39. Curta & Co. G. m. b. H.
40. Deutsch-Koloniale Gerbstoff-Gesellschaft m. b. H.
41. Deutsche Edelleitungs-Gesellschaft vorm Hermann Wild A. G.
42. Deutsche Landerbank A. G.
43. Deutsche Oxhydric G. m. b. H.
44. Deutsche Sprengchemie G. m. b. H.
45. Donar G. m. b. H. für Apparatebau.
46. G. C. Dornheim A. G.
47. Drawin G. m. b. H.
48. Drugofa G. m. b. H.
49. Duisburger Kupferhütte (A. G.).
50. Dynamit-Aktien-Gesellschaft vorm. Alfred Nobel & Co.
51. Eckert & Ziegler G. m. b. H.
52. Eibbia G. m. b. H. für chemische Produkte.
53. Eibbia Gefolgenschaftsfürsorge G. m. b. H.
54. Elektrochemische Produkte G. m. b. H.
55. Elektrochemische Werke Breslau G. m. b. H.
56. Elektroschmelzwerk Kempten A. G.
57. Elite Grundstücks G. m. b. H.
58. Ethyl G. m. b. H.
59. Faerholz G. m. b. H.
60. FaBholzfabrik Goldbach G. m. b. H.
61. Fertilia Chemische Werke A. G.
62. Fluorit-Werke G. m. b. H.
63. Fluor-Produkte G. m. b. H.
64. FluBspatwerke G. m. b. H.
65. FluB- und Schwespatwerke Pforzheim. Doppenschmitt & Co. G. m. b. H.
66. Friedrichsberger Bank e. G. m. b. H.
67. Fugger Grundstücks A. G.
68. Gefolgenschaftshilfe der Aktiengesellschaft für Stickstoffdünger G. m. b. H., Knapsack.
69. Gefolgenschaftshilfe der Curta & Co., G. m. b. H., Berlin e. V.
70. Gefolgenschaftshilfe G. m. b. H. der Furma Friedrich Unde K. G.
71. Gemeinnützige Baugesellschaft m. b. H.
72. Gemeinnützige Siedlungsgesellschaft Duisburger. Kupferhütte m. b. H.
73. Gemeinnützige Siedlungsgesellschaft Kalle m. b. H.
74. Gemeinnützige Wohnungsgesellschaft m. b. H., Leverkusen.
75. Gemeinnützige Wohnungsunternehmen Chemische Werke Huls G. m. b. H.
76. Gemeinnützige Wohnungsunternehmen der I. G. Farbenindustrie A. G., Frankfurt G. m. b. H.
77. Gemeinnützige Wohnungsunternehmen I. G. G. m. b. H., Ludwigshafen.
78. Gustav Genschow & Co. A. G.
79. Gesellschaft für Aufbereitung m. b. H.
80. Gesellschaft für Synthese-Produkte m. b. H.
81. Gesellschaft m. b. H. zur Verwertung chemischer Erzeugnisse.
82. Gewerkschaft Auguste Victoria.
83. Gewerkschaft des konsolidierten Steinkohlenbergwerkes "Breitenbach."
84. Gewerkschaft Götzenhain zu Darmstadt.
85. Gewerkschaft Stein V.
86. Gewerkschaft Stein VII.
87. Gewerkschaft Stein IX.
88. Gewerkschaft Stein X.
89. "Griesogen" Griesheimer AutogenVerkaufs-G. m. b. H.
90. Grundstücks-Verwaltungsgesellschaft "Osten" m. b. H., Berlin.
91. Guano-Werke A. G.
92. Handelsgesellschaft Auguste Victoria (O. H. G.).
93. Handels- u. Industrie-Kontor G. m. b. H.
94. Holkenseide G. m. b. H. in Lique.
95. Hoffman & Engelmann A. G.
96. Hoffman & Engelmann Gefolgenschaftshilfe G. m. b. H.
97. Hruby & Co. (O. H. G.).
98. Hutten-Chemie G. m. b. H.
99. Igerusko Handelsgesellschaft m. b. H.
100. I. G. Gefolgenschaftshilfe G. m. b. H., Frankfurt.
101. Indanthren-Haus Frankfurt G. m. b. H.
102. Indanthren-Haus Hamburg G. m. b. H.
103. Indanthren-Haus Köln G. m. b. H.
104. Indanthren-Haus München G. m. b. H.
105. Indanthren-Haus Stuttgart G. m. b. H.
106. Kalle & Co. A. G.
107. Kalle Gefolgenschaftshilfe G. m. b. H.
108. "Karato" G. m. b. H.
109. Kluser & Co. K. G.
110. Koln-Rottwell A. G.
111. Lagerstein-Verkaufsgesellschaft m. b. H.
112. Landerbank-Fugger Unterstützungs-Einrichtung G. m. b. H.
113. Lindener Zundhütchen- u. Patronenfabrik A. G.
114. "Liveg" Lizenz-Verwertungs-G. m. b. H.
115. Luranil-Baugesellschaft m. b. H.
116. Magnetophon G. m. b. H.
117. "Movea" G. m. b. H.
118. Professor Dr. Paul Müller-Stiftung G. m. b. H.
119. Niedersachsen Ol-Gesellschaft m. b. H.
120. Pallas G. m. b. H. Konzernversicherung.
121. Pensionskasse der Angestellten der I. G. Farbenindustrie A. G. Frankfurt am Main, Versicherungsverein auf Gegenseitigkeit.
122. Pensionskasse der Angestellten der I. G. Farbenindustrie A. G. Leverkusen am Rhein, Versicherungsverein auf Gegenseitigkeit.
123. Pensionskasse der Angestellten der I. G. Farbenindustrie A. G. Ludwigshafen am Rhein, Versicherungsverein auf Gegenseitigkeit.
124. Plastro-Gesellschaft m. b. H.
125. Pulverfabrik Hasloch a. M. G. m. b. H.
126. "Pyroduer" Vereinigte Hartemaschinen G. m. b. H.
127. Pyrophor-Metallgesellschaft A. G.
128. Rheinische Elektrodenfabrik G. m. b. H.
129. Rheinische Gummi- und Celluloidfabrik A. G.
130. Rheinisches Spritzgußwerk G. m. b. H.
131. Rheinische-Westfälische Sprengstoff A. G.
132. Rohisenverkaufsgesellschaft Duisburger Kupferhütte m. b. H.
133. Sauerstoff-Fabrik Berlin G. m. b. H.
134. "Schildkrote" Rheinische Dauerwasche- und Kunststoffwarenfabrik G. m. b. H.
135. Hermann und Margarethe Schmitz-Stiftung G. m. b. H.
136. Schwefel G. m. b. H.
137. Schwefelnatrium G. m. b. H.
138. Selektor-Bau und Handelsgesellschaft m. b. H.
139. "Sextra" Schwefel-Extraktions- und Raffinations-G. m. b. H.
140. Siedlungsgesellschaft Wasag G. m. b. H.
141. Sprengstoff-Verkaufsgesellschaft m. b. H.
142. Steedener Kalkwerke G. m. b. H.
143. Stickstoff-Ost G. m. b. H.
144. Stickstoff-Syndikat G. m. b. H.
145. Walter Strehle G. m. b. H.
146. Studiengesellschaft für Metallgewinnung m. b. H.
147. Superphosphatfabrik Nordenham A. G.
148. Terra Grundstücks—G. b. b. H.

149. Titan-Gesellschaft m. b. H.
150. Ingenieur-Buro Friedrich Uhde K. G.
151. "Venditor" Kunststoff-Verkaufs-G. m. b. H.
152. Vereinigte Sauerstoffwerke G. m. b. H.
153. Verkaufsgemeinschaft Pyrotechnischer Fabriken G. m. b. H.
154. Verkaufsgesellschaft für Kunststoff-Erzeugnisse m. b. H.
155. Verkaufsstelle für Oxalsäure und Amelensäure G. m. b. H.
156. Versuchswerk für Kautschukverarbeitung G. m. b. H. in Liqu.
157. Vertellungsstelle für Chlorkalk (Ges. des burgerl. Rechts).
158. Waaren-Commissions—A. G.
159. Dr. Alexander Wacker Gesellschaft für elektrochemische Industrie G. m. b. H.
160. Gebr. Wandleben G. m. b. H.
161. Wasag-Chemie A. G.
162. Westfälisch-Anhaltische Sprengstoff-A. G. Chemische Fabriken.
163. Westfälische Leichtmetallwerke G. m. b. H.
164. Westgas G. m. b. H.
165. Wolff & Co. K. G. s. A.
166. Worbis Celluloid-Handels-Gesellschaft m. b. H.
167. Zellglas-Export Syndikat G. m. b. H.
168. Ziegelei Grassbeck G. m. b. H.
169. Zunderwerke Ernst Brun G. m. b. H.

PART II—COMPANIES HAVING THEIR SEAT IN THE EASTERN ZONE OR IN THE EASTERN SECTOR OF BERLIN

1. Agfa-Film-Export G. m. b. H.
2. "Agfa" Gemeinnützige Baugesellschaft m. b. H.
3. Agfa-Photo G. m. b. H. Dresden.
4. Agfa-Photo G. m. b. H. Leipzig.
5. Aluminiumwerk G. m. b. H.
6. Ammoniakwerk Merseburg G. m. b. H.
7. Baustoffe und Kohlen G. m. b. H.
8. Buna-Werke G. m. b. H.
9. Albert Busse G. m. b. H.
10. Chemische Fabrik Marienhütte G. m. b. H.
11. Chemische Werke Zscherndorf.
12. Deutsche Celluloid-Fabrik A. G.
13. D. C. F. Gefolgschaftshilfe G. m. b. H.
14. Deutsche Grube A. G.
15. Deutsche Molybdaenwerke G. m. b. H.
16. Deutsche Pyrotechnische Fabriken G. m. b. H.
17. Einsatz G. m. b. H.
18. J. P. Eisfeld Silberhütte G. m. b. H.
19. Gefolgschaftshilfe der I. G.-Bergwerke G. m. b. H.
20. Gemeinnütziges Wohnungsunternehmen Leuna-Werke G. m. b. H.
21. Gesellschaft für Landeskultur G. m. b. H.
22. Gewerkschaft Clara-Verein
23. Gewerkschaft Graf Karl Martin II
24. Gewerkschaft Kreuzbruch IV
25. Th. Hagemann Kohlenhandels-Gesellschaft m. b. H. in Liqu.
26. Indanthren-Haus Johannes Lauersen G. m. b. H.
27. Indanthren-Haus Leipzig G. m. b. H.
28. Injecta A. G.
29. Injecta Gefolgschaftshilfe G. m. b. H.
30. Friedrich Jesau vorm. Wilh. Reupach G. m. b. H.
31. Kieselchemie G. m. b. H.
32. Leuna Gefolgschaftshilfe G. m. b. H.
33. Metallgüßgesellschaft m. b. H.
34. Metallwerk Karl Michler G. m. b. H.
35. Monturen G. m. b. H.
36. Oelsaat-Verwertungsgesellschaft m. b. H.
37. Patronen-, Zundhütchen- und Metallwarenfabrik A. G. vorm. Sella & Bellot.
38. Pensionskasse der Angestellten der I. G. Farbenindustrie A. G. Wolfen-Bitterfeld, Versicherungsverein auf Gegenseitigkeit.
39. Propan G. m. b. H.
40. Riebeck-Kohle G. m. b. H.
41. A. Riebeck'sche Montanwerke A. G.
42. Richard Schubert A. G.

43. Selve-Kronbeigel-Dornhelm A. G.
44. Sprengstoff- und Zundschnur-Werke Gnaschwitz A. G.
45. Wasserversorgungsgesellschaft m. b. H.

Publication of this notice is not intended to and does not in any way add to or detract from the presently existing legal force and effect of the matter quoted above.

For the Secretary of State.

GEOFFREY W. LEWIS,
Deputy Director,
Bureau of German Affairs.

DECEMBER 18, 1950.

[F. R. Doc. 50-12208; Filed, Dec. 22, 1950;
8:50 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[1718048]

NEVADA

NOTICE OF FILING OF PLAT OF SURVEY

DECEMBER 19, 1950.

Notice is given that the plats of completion surveys and resurveys of the following described lands, accepted February 4, 1948, will be officially filed in the Land and Survey Office, Reno, Nevada, effective at 10:00 a. m. on the 35th day after the date of this notice:

MOUNT DIABLO MERIDIAN

- T. 9 N., R. 23 E.,
All of secs. 1, 2, 3;
Sec. 4, Lots 5 to 15 inclusive, SE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 9, Lots 1 to 8 inclusive, E $\frac{1}{2}$ W $\frac{1}{2}$, E $\frac{1}{2}$;
All of secs. 10 to 16 inclusive;
Sec. 20, Lots 1 to 11 inclusive, SE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$;
All of secs. 21 to 29 inclusive;
Sec. 32, Lots 1, 2, 3;
All of secs. 33 to 36 inclusive;
T. 10 N., R. 23 E.,
Sec. 11, Lots 1 to 8 inclusive;
All of secs. 13, 14;
Sec. 21, Lots 1 to 11 inclusive, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
All of secs. 22 to 28 inclusive;
All of secs. 33 to 36 inclusive.

The areas described, exclusive of segregations, aggregate 25,321.22 acres.

Available data indicate that the described lands vary from rolling, gravelly foothills in the west portions to high, rugged, mountain slopes in the eastern portions.

Of the above described lands, all of secs. 1, 2, 3, lots 5 to 10 inclusive, lot 15, SE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ sec. 4, E $\frac{1}{2}$ sec. 9, all of secs. 10 to 15 inclusive, E $\frac{1}{2}$ sec. 16, E $\frac{1}{2}$ sec. 21, all secs. 22 to 30 inclusive, all of secs. 32 to 36, T. 9 N., R. 23 E., lots 3, 4, 5, 6 sec. 11, lots 3, 4, 6, 7, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ sec. 13, all of sec. 14, lots 5, 6, 11, SE $\frac{1}{4}$ SE $\frac{1}{4}$ sec. 21, all of sec. 22, all of secs. 23, 24, 25, 26, 27, E $\frac{1}{2}$ sec. 28, E $\frac{1}{2}$ sec. 33, all of secs. 34, 35, 36 T. 10 N., R. 23 E., were withdrawn and placed in the Toiyabe National Forest by proclamation of March 2, 1909, and Public Land Order No. 307 dated December 18, 1945. Therefore, these lands are not public lands subject to disposition under the general public land laws.

No application for the remainder of these lands may be allowed under the

homestead, desert land, small tract, or any other nonmineral public land laws, unless the land has already been classified as valuable or suitable for such type of application or shall be so classified upon consideration of an application.

At the hour and date specified above the said lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) *Ninety-one day period for preference-right filings.* For a period of 91 days, commencing at the hour and on the day specified above, the public lands affected by this notice shall be subject only to (1) application under the homestead or the desert-land laws or the Small Tract Act of June 1, 1938, 52 Stat. 609 (43 U. S. C. 632a), as amended, by qualified veterans of World War II and other qualified persons entitled to preference under the act of September 27, 1944, 58 Stat. 747 (43 U. S. C. 279-284), as amended, subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications under subdivision (1) of this paragraph shall be subject to applications and claims of the classes described in subdivision (2) of this paragraph. All applications filed under this paragraph either at or before 10:00 a. m. on the 35th day after the date of this notice shall be treated as though filed simultaneously at that time. All applications filed under this paragraph after 10:00 a. m. on the said 35th day shall be considered in the order of filing.

(b) *Date for non-preference-right filings.* Commencing at 10:00 a. m. on the 126th day after the date of this notice, any lands remaining unappropriated shall become subject to such application, petition, location, selection, or other appropriation by the public generally as may be authorized by the public-land laws. All such applications filed either at or before 10:00 a. m. on the 126th day after the date of this notice, shall be treated as though filed simultaneously at the hour specified on such 126th day. All applications filed thereafter shall be considered in the order of filing.

A veteran shall accompany his application with a complete photostatic, or other copy (both sides), of his certificate of honorable discharge, or of an official document of his branch of the service which shows clearly his honorable discharge as defined in § 181.36 of Title 43 of the Code of Federal Regulations, or constitutes evidence of other facts upon which the claim for preference is based and which shows clearly the period of service. Other persons claiming credit for service of veterans must furnish like proof in support of their claims. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated statements in support

thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the Land and Survey Office at Reno, Nevada, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations, and applications under the desert-land laws and the said Small Tract Act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

Inquiries concerning these lands shall be addressed to the Manager, Land and Survey Office, Bureau of Land Management, Reno, Nevada.

WILLIAM ZIMMERMAN, Jr.,
Assistant Director.

[F. R. Doc. 50-12187; Filed, Dec. 22, 1950;
8:47 a. m.]

[1877536]

NEVADA

NOTICE OF FILING OF PLAT OF SURVEY

DECEMBER 19, 1950.

Notice is given that the plat of original survey and subdivision of the following described lands, accepted August 19, 1948, will be officially filed in the Land and Survey Office, Reno, Nevada, effective at 10:00 a. m. on the 35th day after the date of this notice:

M. D. M., NEVADA

T. 15 S., R. 50 E.,
Sec. 18, lots 1, 2, 3, 4, E $\frac{1}{2}$ W $\frac{1}{2}$, E $\frac{1}{2}$.

The area described aggregates 636.16 acres.

Available data indicates that the land is desert in character.

No application for these lands may be allowed under the homestead, small tract, desert land, or any other non-mineral public land laws, unless the land has already been classified as valuable or suitable for such type of application or shall be so classified upon consideration of an application.

At the hour and date specified above the said lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) *Ninety-one day period for preference-right filings.* For a period of 91 days, commencing at the hour and on the day specified above, the public lands affected by this notice shall be subject only to (1) application under the homestead or the desert-land laws or the Small Tract Act of June 1, 1938, 52 Stat. 609 (43 U. S. C. 682a), as amended, by qualified veterans of World War II and other qualified persons entitled to preference under the act of September 27, 1944, 58 Stat. 747 (43 U. S. C. 279-284), as amended, subject to the requirements

of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications under subdivision (1) of this paragraph shall be subject to applications and claims of the classes described in subdivision (2) of this paragraph. All applications filed under this paragraph either at or before 10:00 a. m. on the 35th day after the date of this notice shall be treated as though filed simultaneously at that time. All applications filed under this paragraph after 10:00 a. m. on the said 35th day shall be considered in the order of filing.

(b) *Date for non-preference-right filings.* Commencing at 10:00 a. m. on the 126th day after the date of this notice, any lands remaining unappropriated shall become subject to such application, petition, location, selection, or other appropriation by the public generally as may be authorized by the public-land laws. All such applications filed either at or before 10:00 a. m. on the 126th day after the date of this notice, shall be treated as though filed simultaneously at the hour specified on such 126th day. All applications filed thereafter shall be considered in the order of filing.

A veteran shall accompany his application with a complete photostatic, or other copy (both sides), of his certificate of honorable discharge, or of an official document of his branch of the service which shows clearly his honorable discharge as defined in § 181.36 of Title 43 of the Code of Federal Regulations, or constitutes evidence of other facts upon which the claim for preference is based and which shows clearly the period of service. Other persons claiming credit for service of veterans must furnish like proof in support of their claims. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated statements in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the Land and Survey Office, Reno, Nevada, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations, and applications under the desert-land laws and the said Small Tract Act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

Inquiries concerning these lands shall be addressed to the Manager, Land and Survey Office, Bureau of Land Management, Reno, Nevada.

WILLIAM ZIMMERMAN, Jr.,
Assistant Director.

[F. R. Doc. 50-12188; Filed, Dec. 22, 1950;
8:47 a. m.]

[2104651]

NEVADA

NOTICE OF FILING OF PLAT OF SURVEY

DECEMBER 19, 1950.

Notice is given that the plat of original survey of the following described lands, accepted September 27, 1948, will be officially filed in the Land and Survey Office, Reno, Nevada, effective at 10:00 a. m. on the 35th day after the date of this notice:

MOUNT DIABLO MERIDIAN, NEVADA

T. 42 N., R. 24 $\frac{1}{2}$ E.

Sec. 1, all;
Sec. 2, lots 1, 2, 3, 4, 5;
Sec. 11, lots 1, 2, 3, 4;
Sec. 12, all;
Sec. 13, all;
Sec. 14, lots 1, 2, 3, 4;
Sec. 23, lots 1, 2, 3, 4;
Sec. 24, all;
Sec. 25, all;
Sec. 26, lots 1, 2, 3, 4;
Sec. 35, lots 1, 2, 3, 4;
Sec. 36, all.
T. 42 N., R. 25 E.,
All of secs. 3 to 10 inclusive;
All of secs. 15 to 22 inclusive;
All of secs. 27 to 34 inclusive.

The areas described aggregate 20,292.18 acres.

Available data indicates that the character of the lands is high, rolling mountainous land.

No applications for these lands may be allowed under the homestead, small tract, desert land, or any other non-mineral public land laws, unless the land has already been classified as valuable or suitable for such type of application or shall be so classified upon consideration of an application.

According to the field notes and as shown by the plats, there are springs of water in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ sec. 1, NW $\frac{1}{4}$ SW $\frac{1}{4}$ sec. 12, lot 3 sec. 35, T. 42 N., R. 24 $\frac{1}{2}$ E., and the SW $\frac{1}{4}$ NW $\frac{1}{4}$ sec. 29, T. 42 N., R. 25 E., M. D. M.

The legal subdivision containing each spring and the lands within a quarter of a mile of each spring may be affected by the general withdrawal made by Executive Order of April 17, 1926 (43 CFR 292.1), creating Public Water Reserve No. 107, but the question of whether each spring is such size or value or so needed by the public as to bring the lands within the scope of the withdrawal is left for future determination.

At the hour and date specified above the said lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) *Ninety-one day period for preference-right filings.* For a period of 91 days, commencing at the hour and on the day specified above, the public lands affected by this notice shall be subject only to (1) application under the homestead or the desert-land laws or the Small Tract Act of June 1, 1938, 52 Stat. 609 (43 U. S. C. 682a), as amended, by qualified veterans of World War II and other qualified persons entitled to preference under the act of September 27, 1944, 58 Stat. 747 (43 U. S. C. 279-284), as amended, subject to the requirements

of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications under subdivision (1) of this paragraph shall be subject to applications and claims of the classes described in subdivision (2) of this paragraph. All applications filed under this paragraph either at or before 10:00 a. m. on the 35th day after the date of this notice shall be treated as though filed simultaneously at that time. All applications filed under this paragraph after 10:00 a. m. on the said 35th day shall be considered in the order of filing.

(b) *Date for non-preference-right filings.* Commencing at 10:00 a. m. on the 126th day after the date of this notice, any lands remaining unappropriated shall become subject to such application, petition, location, selection, or other appropriation by the public generally as may be authorized by the public-land laws. All such applications filed either at or before 10:00 a. m. on the 126th day after the date of this notice, shall be treated as though filed simultaneously at the hour specified on such 126th day. All applications filed thereafter shall be considered in the order of filing.

A veteran shall accompany his application with a complete photostatic, or other copy (both sides), of his certificate of honorable discharge, or of an official document of his branch of the service which shows clearly his honorable discharge as defined in § 181.36 of Title 43 of the Code of Federal Regulations, or constitutes evidence of other facts upon which the claim for preference is based and which shows clearly the period of service. Other persons claiming credit for service of veterans must furnish like proof in support of their claims. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated statements in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the Land and Survey Office, Reno, Nevada, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations, and applications under the desert-land laws and the said Small Tract Act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

Inquiries concerning these lands shall be addressed to the Manager, Land and Survey Office, Bureau of Land Management, Reno, Nevada.

WILLIAM ZIMMERMAN, JR.,
Assistant Director.

[F. R. Doc. 50-12189; Filed, Dec. 22, 1950;
8:47 a. m.]

Office of the Secretary

PETERSBURG NATIONAL MILITARY PARK, VIRGINIA

TRANSFERRING CERTAIN LANDS FROM DEPARTMENT OF THE INTERIOR TO DEPARTMENT OF THE ARMY

By virtue of the authority contained in section 2 of the act of September 7, 1949 (63 Stat. 691, 16 U. S. C., 1946 ed., Supp. III, sec. 423a-2), it is ordered as follows:

Subject to highway easements and other valid existing rights, the following described lands which comprise a portion of the Petersburg National Military Park are hereby transferred, together with such improvements and equipment as may be situated thereon, from the Department of the Interior to the Department of the Army for use, administration, and development for military purposes as a part of the Fort Lee Military Reservation:

All that certain piece, parcel, or tract of land situate in the County of Prince George, State of Virginia, bounded and described as follows: Beginning at a hub set in the ground at a point on the southeasterly line of Virginia State Highway No. 36 leading from Petersburg to Hopewell where the same is intersected by the division line between Fort Lee and lands of the U. S. Department of the Interior; thence South 57 degrees 30 minutes 44 seconds East 1292.61 feet on and by said division line to a tack set in the pavement of Avenue "A" N. E.; thence still continuing along the aforesaid division line between Fort Lee and lands of the U. S. Department of the Interior South 6 degrees 28 minutes 00 seconds West 2191.45 feet to a monument; thence still continuing along the aforesaid division line between Fort Lee and lands of the U. S. Department of the Interior South 23 degrees 56 minutes 18 seconds East 921.76 feet to a monument; thence still continuing along the aforesaid division line between Fort Lee and lands of the U. S. Department of the Interior South 34 degrees 28 minutes 47 seconds East 1019.36 feet to a monument; thence still continuing along the aforesaid division line between Fort Lee and lands of the U. S. Department of the Interior South 57 degrees 07 minutes 49 seconds East 315.76 feet to a hub set in the ground on the northwesterly side of Mahone Avenue, said Avenue being also known as Hickory Road; thence still continuing along the aforesaid division line between Fort Lee and lands of the Department of the Interior and along the said northwesterly side of Mahone Avenue, also known as Hickory Road and crossing Avenue "A" S. E. South 41 degrees 10 minutes 45 seconds West 231.20 feet to a hub set in the ground at a point approximately 70 feet southerly of the center line of said Avenue "A" S. E.; thence across lands of the aforesaid U. S. Department of the Interior at a distance of approximately 70 feet southwesterly of the center line of the aforesaid Avenue "A" S. E. and Lee Avenue, the following eight courses and distances,

- (1) North 56° 56' 44" West, 327.27 feet to a hub;
- (2) North 34° 20' 44" West, 1093.85 feet to a hub;
- (3) North 23° 50' 44" West, 936.60 feet to a hub;
- (4) North 1° 19' 16" East, 274.00 feet to a hub;
- (5) North 6° 28' 16" East, 1270.50 feet to a hub;
- (6) North 7° 39' 16" East, 500.00 feet to a hub;
- (7) North 34° 50' 44" West, 255.45 feet to a hub;

(8) North 57° 14' 44" West, 1054.90 feet to a hub set in the ground in the southeasterly line of the aforesaid Virginia State Highway No. 36; thence North 50 degrees 06 minutes 16 seconds East 243.4 feet along the said southeasterly line of Highway No. 36 and crossing Lee Avenue at the main entrance to Fort Lee to the point or place of beginning. Containing 29.85 acres of land, more or less.

Being the same tract of land delineated on a map entitled "proposed land to be acquired from the U. S. Department of the Interior, National Park Service" Drawing No. 44-055-1201, dated 30 June, 1950, Office of the Post Engineer, Fort Lee, Virginia.

This transfer is made upon the express condition that all of the lands hereby transferred shall be used exclusively and perpetually for military purposes, and that in the event all or a portion thereof shall cease to be used for such purposes, so much of said lands as shall no longer be used for such purposes shall revert to the administrative jurisdiction of the Department of the Interior for use, administration, and development as a part of Petersburg National Military Park.

Dated: December 15, 1950.

OSCAR L. CHAPMAN,
Secretary of the Interior.

[F. R. Doc. 50-12204; Filed, Dec. 22, 1950;
8:49 a. m.]

GRAND TETON NATIONAL PARK, WYOMING

ORDER PRESCRIBING BOUNDARIES

Whereas, the Congress of the United States, by the act of September 14, 1950 (64 Stat. 849), established a new "Grand Teton National Park" to supersede the then existing Grand Teton National Park established by the act of February 26, 1929 (45 Stat. 1314), and the then existing Jackson Hole National Monument established by Proclamation No. 2578 of March 15, 1943 (57 Stat. 731), and provided that the said new Grand Teton National Park should comprise all of the then existing Grand Teton National Park and all lands of the then existing Jackson Hole National Monument not otherwise expressly provided for by the said act, and

Whereas, the said act of September 14, 1950, provides that an order setting forth the boundaries of the Park shall be prepared by the Secretary of the Interior and published in the FEDERAL REGISTER:

Now, therefore, it is ordered, That, subject to valid existing rights, the Grand Teton National Park as established by the act of September 14, 1950, shall be comprised of all lands embraced within the following described boundaries, to wit:

SIXTH PRINCIPAL MERIDIAN, WYOMING

Beginning at the northeast corner of sec. 36, T. 44 N., R. 115 W;
Thence westerly to the northeast corner of the NW $\frac{1}{4}$ NW $\frac{1}{4}$, sec. 36;
Southerly to the northeast corner of the SW $\frac{1}{4}$ NW $\frac{1}{4}$, sec. 36;
Easterly to the center of sec. 36;
Southerly to the south $\frac{1}{4}$ corner of sec. 36;
Westerly to the northeast corner of sec. 2, T. 43 N., R. 115 W.;

Southerly to the southeast corner of lot 1, sec. 2;
 Westerly to the southwest corner of lot 2, sec. 2;
 Southerly to the south $\frac{1}{4}$ corner of sec. 2;
 Westerly to the northeast corner of the NW $\frac{1}{4}$ NW $\frac{1}{4}$, sec. 11;
 Southerly to the southeast corner of the SW $\frac{1}{4}$ NW $\frac{1}{4}$, sec. 11;
 Westerly to the west $\frac{1}{4}$ corner of sec. 11;
 Southerly to the west $\frac{1}{4}$ corner of sec. 14;
 Easterly to the northeast corner of the NW $\frac{1}{4}$ SW $\frac{1}{4}$, sec. 14;
 Southerly to the southeast corner of the NW $\frac{1}{4}$ NW $\frac{1}{4}$, sec. 23;
 Easterly to the northeast corner of the SE $\frac{1}{4}$ NE $\frac{1}{4}$, sec. 23;
 Southerly to the west $\frac{1}{4}$ corner of sec. 24;
 Easterly to the east $\frac{1}{4}$ corner of sec. 24;
 Southerly to the north and west bank of the Gros Ventre River, sec. 1, T. 42 N., R. 115 W.;
 Southerly and westerly along the north and west bank of the Gros Ventre River to a point on the east right-of-way line of United States Highway numbered 187 in sec. 26, T. 42 N., R. 116 W.;
 Southerly along the east right-of-way line of United States Highway numbered 187 to a point on the south line of sec. 2, T. 41 N., R. 116 W.;
 Westerly to the southwest corner of sec. 2;
 Northerly to the southeast corner of lot 1, sec. 3;
 Westerly to the southwest corner of lot 2, sec. 3;
 Northerly to the north bank of the Gros Ventre River in sec. 34, T. 42 N., R. 116 W.;
 Northerly and easterly along the north bank of the Gros Ventre River to a point on the east line of sec. 34;
 Northerly to the west $\frac{1}{4}$ corner of sec. 14;
 Westerly to the southwest corner of the SE $\frac{1}{4}$ NE $\frac{1}{4}$, sec. 15;
 Northerly to the northwest corner of the SE $\frac{1}{4}$ NE $\frac{1}{4}$, sec. 15;
 Westerly to the southwest corner of the NW $\frac{1}{4}$ NE $\frac{1}{4}$, sec. 15;
 Northerly to the north $\frac{1}{4}$ corner of sec. 15;
 Easterly to the southwest corner of the SE $\frac{1}{4}$ SE $\frac{1}{4}$, sec. 10;
 Northerly to the northwest corner of the SE $\frac{1}{4}$ SE $\frac{1}{4}$, sec. 10;
 Easterly to the northeast corner of the SE $\frac{1}{4}$ SE $\frac{1}{4}$, sec. 10;
 Northerly to the northwest corner of the SW $\frac{1}{4}$ NW $\frac{1}{4}$, sec. 11;
 Easterly to the southwest corner of the NE $\frac{1}{4}$ NW $\frac{1}{4}$, sec. 11;
 Northerly to the northwest corner of the NE $\frac{1}{4}$ NW $\frac{1}{4}$, sec. 11;
 Northeastly in a straight line to the northeast corner of sec. 2;
 Westerly to the thread of stream of the Snake River;
 Southwestly along the thread of stream of the Snake River to a point on the south line of sec. 16;
 Westerly to the southwest corner of sec. 18;
 Northerly to the main hydrographic divide immediately south of Granite Canyon near the southwest corner of sec. 7;
 Southwestly along the said divide to its intersection with a hydrographic divide formed by the crest of the Teton Mountain Range in the unsurveyed portion of T. 42 N., R. 117 W.;
 Northerly through unsurveyed townships along the crest of the Teton Mountain Range between the headwaters of Moose Creek and Granite Canyon, Fox Creek and Open Canyon, Darby Creek and Death Canyon, Teton Canyon and Taggart and Cascade Creeks, Leigh Creek and Leigh Canyon, Badger Creek and Snowshoe and Moran Canyons, Teton River and Webb Canyon;
 Into surveyed T. 47 N., R. 117 W., to Survey Peak in sec. 13;
 Northeastly continuing along the crest of the Teton Mountain Range through unsurveyed T. 47 N., R. 116 W., and surveyed

T. 48 N., R. 116 W., to a point on the east line of sec. 32, T. 48 N., R. 116 W., north of the southeast corner of said sec. 32;
 Southerly to the projected southeast corner of sec. 8, unsurveyed T. 47 N., R. 116 W.;
 Easterly to the projected northeast corner of sec. 16, unsurveyed T. 47 N., R. 115 W.;
 Southerly to the projected southeast corner of sec. 23;
 Easterly to the projected northeast corner of sec. 35;
 Southerly to the southeast corner of sec. 23, of partly unsurveyed fractional T. 46 N., R. 115 W.;
 Easterly through unsurveyed townships to the projected north $\frac{1}{4}$ section corner of sec. 30, unsurveyed T. 46 N., R. 113 W.;
 Southerly to the north bank of the Buffalo Fork at lot 7, sec. 30, T. 45 N., R. 113 W.;
 Southerly, easterly, and northerly along the north bank of the Buffalo Fork to the east line of lot 2, sec. 21;
 Southerly to the southeast corner of the NW $\frac{1}{4}$ SE $\frac{1}{4}$, sec. 33;
 Westerly to the southwest corner of the NW $\frac{1}{4}$ SE $\frac{1}{4}$, sec. 33;
 Southerly to the south $\frac{1}{4}$ corner of sec. 33;
 Westerly to the projected northeast corner of unsurveyed sec. 5, partly unsurveyed T. 44 N., R. 113 W.;
 Southerly to the projected east $\frac{1}{4}$ corner of unsurveyed sec. 17;
 Westerly to the projected west $\frac{1}{4}$ corner of unsurveyed sec. 17;
 Southerly to the projected southeast corner of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of unsurveyed sec. 18;
 Westerly to the projected southwest corner of NW $\frac{1}{4}$ SW $\frac{1}{4}$, unsurveyed sec. 18;
 Northerly to the east $\frac{1}{4}$ corner of sec. 13, T. 44 N., R. 114 W.;
 Westerly to the east $\frac{1}{4}$ corner of sec. 17;
 Southerly to the southeast corner of sec. 17;
 Westerly to the south $\frac{1}{4}$ corner of sec. 17;
 Southerly to the south $\frac{1}{4}$ corner of sec. 20;
 Westerly to the northeast corner of sec. 30;
 Southerly to the east $\frac{1}{4}$ corner of sec. 30;
 Westerly to the center of sec. 30;
 Southerly to the southeast corner of the NE $\frac{1}{4}$ SW $\frac{1}{4}$, sec. 30;
 Westerly to the southwest corner of lot 3, sec. 30;
 Southerly to the northeast corner of sec. 36, surveyed T. 44 N., R. 115 W., the point of beginning.

The lands embraced within the above-described boundaries aggregate approximately 310,000 acres.

Dated: December 18, 1950.

OSCAR L. CHAPMAN,
 Secretary of the Interior.

[F. R. Doc. 50-12190; Filed, Dec. 22, 1950;
 8:48 a. m.]

ECONOMIC STABILIZATION AGENCY

NOTICE OF VOLUNTARY PRICING STANDARDS

The following pricing standards are hereby issued, to be complied with by business and industry not presently subject to ceiling price regulations. Nationwide compliance is requested in order to avoid the necessity of further mandatory price controls. Any price increases after December 1, 1950, in excess of those permitted under such standards, will be regarded as subject to action by the Economic Stabilization Agency at the earliest feasible time.

1. Prices may not be increased by any manufacturer or industrial producer whose net dollar profits before taxes are equal to or in excess of its average net

dollar profits before taxes in the period 1946-1949, except as provided in the following standard.

2. As to an individual material or service sold by a company whose net overall profits are running above the general earning standard as set out above, the price of such particular product or service may not be increased if it is being sold at a profit. In case of a particular material or service which is not profitable, the price may be increased but in no case by more than (a) the amount necessary to make it profitable or (b) the amount of the increase since June 24, 1950, in the cost of direct wages and materials going into this product, whichever is lower.

3. As applied to the distribution trade (wholesale and retail), gross margins may not be increased above the June 1950 level if net dollar profits before taxes of the distributor are equal to or in excess of average net dollar profits before taxes of the distributor in the period 1946-1949.

4. Distributors may not increase their prices on the basis of increases in replacement costs or market costs. Margins may be added only to inventory cost actually paid.

In applying the above standards producers and processors should maintain the same proportionate production of lower priced items as in the pre-Korean period.

In determining whether a price increase is permissible under the above standards, sellers must base their determination only upon actual experience. It is not permissible, under the standards, to raise any price on the basis of a forecast of conditions that may prevail at some later date or of costs which are estimated without experience.

Any official price action hereafter taken will make use of a base period ending not later than December 1, 1950, and no seller will derive any advantage under the regulations from price increases after that date. Prices of certain basic materials which were increased during the period between June 24, 1950 and December 1, 1950, will be subject to reduction, in accordance with the above standards, where that is necessary to make possible the maintenance of December 1 price levels at later stages of manufacture.

Although the above standards are deemed appropriate at this time, more rigorous standards may be considered necessary in the future.

ALAN VALENTINE,
 Economic Stabilization Administrator.

DECEMBER 19, 1950.

[F. R. Doc. 50-12331; Filed, Dec. 22, 1950;
 9:31 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 9801]

CHARLES H. CHAMBERLAIN
 ORDER ENLARGING ISSUES

In re application of Charles H. Chamberlain, Bellefontaine, Ohio. Docket No.

NOTICES

9801, File No. BP-7675; for construction permit.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 13th day of December 1950;

The Commission having under consideration a petition filed on October 23, 1950, by Great Trails Broadcasting Corporation requesting enlargement of issues in the hearing on the above-entitled application to include therein the technical, financial and other qualifications of the applicant;

It appearing, that the said application requesting a construction permit for a new standard broadcast station to operate on frequency 1390 kilocycles with 500 watts power, daytime only at Bellefontaine, Ohio, was designated for hearing by Commission order of September 27, 1950 and Northwestern Indiana Broadcasting Company, Incorporated and Great Trails Broadcasting Corporation, licensees of Stations WKJG, Fort Wayne, Indiana and WING, Dayton, Ohio, respectively, named parties respondent to the proceeding; and

It further appearing, that in the said order of designation, the Commission found Charles H. Chamberlain to be legally, technically, financially and otherwise qualified to construct and operate the proposed station and that petitioner alleges that the said finding except as to legal qualifications, was arbitrary and not in conformance with information contained in the said application;

It is ordered, that the said petition is granted and the Commission's order of September 27, 1950, designating the above-entitled application for hearing is amended to include the following as issue 4 therein:

4. To determine the technical, financial and other qualifications of the individual applicant to construct and operate the proposed station.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary,

[P. R. Doc. 50-12248; Filed, Dec. 22, 1950;
8:55 a. m.]

[Docket No. 9739]

EVANGELINE BROADCASTING CO., INC.
(KVOL)

ORDER SCHEDULING HEARING

In re application of Evangeline Broadcasting Company, Inc. (KVOL), Lafayette, Louisiana, Docket No. 9739, File No. BMP-5098; for modification of construction permit.

The Commission having under consideration the above-entitled application which was designated for hearing on July 21, 1950; and

It appearing, that on October 27, 1950, the Motions Commissioner continued this hearing to a period 30 days after Station KVOL files its proof of performance on its newly authorized operation; and that on December 7, 1950, Station KVOL filed its said proof of performance;

It is ordered, This 12th day of December 1950, on the Commission's own motion, that the hearing in the above-entitled proceeding is scheduled for 10:00 a. m., Wednesday, January 10, 1951, at Washington, D. C.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[P. R. Doc. 50-12249; Filed, Dec. 22, 1950;
8:55 a. m.]

[Docket No. 9660]

UNITED BROADCASTING CO., INC. (WOOK)

ORDER CONTINUING HEARING

In re application of United Broadcasting Company, Inc. (WOOK), Silver Spring, Maryland, Docket No. 9660, File No. BML-1335; for construction permit.

The Commission having under consideration a petition filed on December 6, 1950, by the United Broadcasting Company, Inc. (WOOK), Silver Spring, Maryland, requesting a 120-day continuance of the hearing herein, presently scheduled for December 18, 1950, in order to permit the completion of its engineering study and the preparation of an amendment to its application; and

It appearing that no opposition to this petition has been filed and good cause has been shown for a grant thereof;

It is therefore ordered, This 13th day of December 1950, that the petition of the United Broadcasting Company, Inc., be and it is hereby granted and the hearing herein is hereby continued to April 18, 1951, at 10:00 a. m., in Washington, D. C.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[P. R. Doc. 50-12250; Filed, Dec. 22, 1950;
8:55 a. m.]

[Docket Nos. 9806, 9816]

ALLEN B. DU MONT LABORATORIES, INC.,
ET AL.

ORDER CONTINUING HEARING

Allen B. Du Mont Laboratories, Inc., complainant, v. American Telephone and Telegraph Company, et al., defendants, Docket No. 9806.

In the matter of American Telephone and Telegraph Company, et al., Docket No. 9816; allocation of usage of intercity video transmission facilities.

The Commission having under consideration a motion filed on December 13, 1950, by the Chief of its Common Carrier Bureau, requesting that the hearings now scheduled to begin in the above-entitled proceedings on December 18, 1950, at Washington, D. C., be postponed until January 15, 1951; and

It appearing, from the allegations contained in the said motion that informal meetings have been held between representatives of various parties to this proceeding, including several television

broadcasting networks, the American Telephone and Telegraph Company and this Commission, in order to consider the possible resolution in advance of the hearings of issues relating to allocation of usage of intercity video transmission facilities among the said networks; that such meetings have culminated in agreement among the said networks upon certain principles and procedures to be followed by them in resolving their conflicting requirements for intercity video transmission service; and that representatives of all of such networks have informally advised the Chief, Common Carrier Bureau, that they desire to postpone the above hearings that are now scheduled to begin on December 18, 1950, for an indefinite period, in order to be afforded an opportunity to study the usage of intercity video transmission resulting from the above-mentioned agreement among the said networks; and

It further appearing, that counsel for all of the parties to the above-entitled proceedings have indicated that no opposition will be filed to the instant motion and have consented to a waiver of the requirements of § 1.745 of the Commission's rules relating to the filing of motions and responses thereto;

It is ordered, This 14th day of December 1950, that the motion be, and it is hereby, granted, and that the hearings in the above-entitled proceedings are continued until 10:00 a. m., Monday, January 15, 1951, at Washington, D. C.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[P. R. Doc. 50-12251; Filed, Dec. 22, 1950;
8:55 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-1541]

SOUTHERN NATURAL GAS CO.

NOTICE OF APPLICATION

DECEMBER 19, 1950.

Take notice that on November 29, 1950, Southern Natural Gas Company (Applicant), a Delaware corporation with its principal office in Birmingham, Alabama, filed an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, authorizing Applicant to construct and operate (a) a line tap and metering facilities at a point in Tuscaloosa County, Alabama, for the direct sale of natural gas to the Brown Wood Preserving Company and (b) an appropriate meter at the Fairfield, Alabama plant of the Tennessee Coal, Iron and Railroad Company for the measurement of gas delivered and sold to the Continental Can Company.

Applicant states the facilities will be used for the direct sale of natural gas to the two industrial consumers named above pursuant to contracts with the said consumers. Natural gas will be sold on an interruptible basis for the fuel requirements of the consumers, estimated at a maximum of 600 Mcf daily for each.

The estimated over-all capital costs of the facilities is \$6,000, which has been paid from Applicant's current funds.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure of the Commission (18 CFR 1.8 or 1.10) on or before the 9th day of January 1951. The application is on file with the Commission for public inspection.

[SEAL]

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 50-12194; Filed, Dec. 22, 1950;
8:49 a. m.]

INTERSTATE COMMERCE COMMISSION

[Sec. 5a Application 29]

EASTERN MOTOR FREIGHT CONFERENCE, INC.
APPLICATION FOR APPROVAL OF AGREEMENT
DECEMBER 20, 1950.

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

Filed December 18, 1950, by: Leo E. Golden, Attorney-in-fact, 10 North Main St., West Hartford 7, Conn.

Agreement involved: An agreement between and among motor common carriers relating to rates, classifications, divisions, allowances, and charges, and rules and regulations pertaining thereto applicable between points in Connecticut, Massachusetts, Rhode Island, and Vermont, and between points in said States, on the one hand, and, on the other, points in certain portions of New York and New Jersey, including New York, N. Y., and procedures for the joint initiation, consideration, and establishment thereof.

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

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

By the Commission, Division 2.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 50-12247; Filed, Dec. 22, 1950;
8:54 a. m.]

[Rev. S. O. 562, King's I. C. C. Order 37-A]

RAILROADS IN CHICAGO AREA

REROUTING OR DIVERSION OF TRAFFIC

Upon further consideration of King's I. C. C. Order No. 37, and good cause appearing therefor: *It is ordered*, That:

(a) King's I. C. C. Order No. 37 be, and it is hereby vacated and set aside.

(b) *Effective date*. This order shall become effective at 12:01 p. m., December 18, 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.

Issued at Washington, D. C., December 18, 1950.

INTERSTATE COMMERCE
COMMISSION,
HOMER C. KING,
Agent.

[F. R. Doc. 50-12244; Filed, Dec. 22, 1950;
8:54 a. m.]

[Rev. S. O. 562, King's I. C. C. Order 38-A]

RAILROADS IN ST. LOUIS AREA

REROUTING OR DIVERSION OF TRAFFIC

Upon further consideration of King's I. C. C. Order No. 38, and good cause appearing therefor: *It is ordered*, That:

(a) King's I. C. C. Order No. 38 be, and it is hereby vacated and set aside.

(b) *Effective date*. This order shall become effective at 12:01 p. m., December 18, 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.

Issued at Washington, D. C., December 18, 1950.

INTERSTATE COMMERCE
COMMISSION,
HOMER C. KING,
Agent.

[F. R. Doc. 50-12245; Filed, Dec. 22, 1950;
8:55 a. m.]

[4th Sec. Application 25671]

AGRICULTURAL IMPLEMENTS AND OTHER COMMODITIES FROM SOUTHERN TERRI- TORY TO CERTAIN TRUNK-LINE TERRI- TORIES

APPLICATION FOR RELIEF

DECEMBER 20, 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 carriers parties to Agent C. A. Spaninger's tariffs I. C. C. Nos. 1172 and 1193, and others named therein, pursuant to fourth-section order No. 9800.

Commodities involved: Agricultural implements, aluminum foil or wrappers and other commodities, carloads.

From: Specified points in southern territory.

To: Points in official, southern and western trunk-line territories.

Grounds for relief: Circuitous routes.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 50-12195; Filed, Dec. 22, 1950;
8:48 a. m.]

[Rev. S. O. 562, King's I. C. C. Order 39-A]

RAILROADS SERVING POTOMAC YARDS, VA.

REROUTING OR DIVERSION OF TRAFFIC

Upon further consideration of King's I. C. C. Order No. 39, and good cause appearing therefor: *It is ordered*, That:

(a) King's I. C. C. Order No. 39 be, and it is hereby vacated and set aside.

(b) *Effective date*. This order shall become effective at 12:01 p. m., December 18, 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.

Issued at Washington, D. C., December 18, 1950.

INTERSTATE COMMERCE
COMMISSION,
HOMER C. KING,
Agent.

[F. R. Doc. 50-12246; Filed, Dec. 22, 1950;
8:55 a. m.]

[Rev. S. O. 562, King's I. C. C. Order 40-A]

PEORIA AND PEKIN UNION RAILWAY CO.

REROUTING OR DIVERSION OF TRAFFIC

Upon further consideration of King's I. C. C. Order No. 40, and good cause appearing therefor: *It is ordered*, That:

(a) King's I. C. C. Order No. 40 be, and it is hereby vacated and set aside.

(b) *Effective date*. This order shall become effective at 12:01 p. m., December 18, 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.

Issued at Washington, D. C., December 18, 1950.

INTERSTATE COMMERCE
COMMISSION,
HOMER C. KING,
Agent.

[F. R. Doc. 50-12247; Filed, Dec. 22, 1950;
8:55 a. m.]

[4th Sec. Application 25672]

GRAIN AND GRAIN PRODUCTS FROM MONTANA TO BRITISH COLUMBIA PORTS FOR EXPORT

APPLICATION FOR RELIEF

DECEMBER 20, 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: Great Northern Railway Company.

Commodities involved: Grain, grain products and related articles, carloads. From: Points in Montana.

To: Vancouver and New Westminster, British Columbia.

Grounds for relief: Competition with rail carriers, and circuitous routes.

Schedules filed containing proposed rates: G. N. Ry. tariff I. C. C. No. A-8462.

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. 50-12196; Filed, Dec. 22, 1950;
8:48 a. m.]

[4th Sec. Application 25673]

FOREIGN WOODS FROM SOUTH CAROLINA AND NORTH CAROLINA TO OHIO RIVER CROSSINGS

APPLICATION FOR RELIEF

DECEMBER 20, 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 carriers parties to Agent C. A. Spaninger's tariff I. C. C. No. 889.

Commodities involved: (a) Lumber, logs or flitches and (b) dimension stock, edges glued together; of foreign woods other than Canadian wood, Mexican pine, balsa wood or dyewoods, carloads.

From: Georgetown, S. C., Tarboro and West Tarboro, N. C.

To: Ohio River crossings and Huntington, W. Va.

Grounds for relief: Competition with rail carriers.

Schedules filed containing proposed rates: C. A. Spaninger's tariff I. C. C. No. 889, Supp. 100.

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. 50-12197; Filed, Dec. 22, 1950;
8:48 a. m.]

[4th Sec. Application 25674]

CEMENT FROM COLORADO TO WESTERN TRUNK LINE TERRITORY

APPLICATION FOR RELIEF

DECEMBER 20, 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: L. E. Kipp, Agent, for carriers parties to his tariff I. C. C. No. A-3850.

Commodities involved: Cement and related articles, carloads.

From: Boettcher and Portland, Colo. To: Western trunk-line territory.

Grounds for relief: Circuitous routes and to apply over short tariff routes rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: L. E. Kipp's tariff I. C. C. No. A-3850, Supp. 1.

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. 50-12198; Filed, Dec. 22, 1950;
8:48 a. m.]

[4th Sec. Application 25675]

DRUGS AND MEDICINES FROM ST. LOUIS, MO., TO INDIANA ORCHARD, MASS.

APPLICATION FOR RELIEF

DECEMBER 20, 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: L. C. Schuldt, Agent, for carriers parties to his tariff I. C. C. No. 3758, pursuant to fourth-section order No. 9800.

Commodities involved: Drugs, medicines, chemicals and toilet preparations, carloads.

From: St. Louis, Mo.

To: Indiana Orchard, Mass.

Grounds for relief: Circuitous routes.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 50-12199; Filed, Dec. 22, 1950;
8:48 a. m.]

[4th Sec. Application 25676]

IRON AND STEEL ARTICLES FROM ALABAMA TO PORT WENTWORTH, GA.

APPLICATION FOR RELIEF

DECEMBER 20, 1950.

The Commission is in receipt of the above-entitled and numbered applica-

tion for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for Georgia Rail Road & Banking Company and other carriers named in application.

Commodities involved: Iron and steel articles, carloads.

From: Alabama City, Attalla and Gadsden, Ala.

To: Port Wentworth Ga. (for coast-wise movement beyond).

Grounds for relief: Circuitous routes.

Schedules filed containing proposed rates: C. A. Spaninger's tariff I. C. C. No. 1146, Supp. 11.

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. 50-12200; Filed, Dec. 22, 1950;
8:49 a. m.]

[4th Sec. Application 25677]

CRUDE SULPHUR FROM TEXAS AND LOUISIANA TO CHARLESTON AND GEORGETOWN, S. C.

APPLICATION FOR RELIEF

DECEMBER 20, 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. 3862.

Commodities involved: Sulphur (brimstone), crude, carloads.

From: Producing points in Texas and Louisiana.

To: Charleston and Georgetown, S. C.

Grounds for relief: Competition with rail carriers. Competition with water carriers. Additional routes.

Schedules filed containing proposed rates: D. Q. Marsh's tariff I. C. C. No. 3862, Supp. 61.

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. 50-12201; Filed, Dec. 22, 1950;
8:49 a. m.]

[4th Sec. Application 25678]

IRON AND STEEL ARTICLES FROM GENEVA, UTAH, TO SOUTHWEST

APPLICATION FOR RELIEF

DECEMBER 20, 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. 3904.

Commodities involved: Iron or steel articles, viz: pipe or tubing, plate or sheet, tanks or cylinders, plate or sheet, etc., carloads.

From: Geneva, Utah.

To: Points in southwestern territory.

Grounds for relief: Circuitous routes and to apply over short tariff routes rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: D. Q. Marsh's tariff I. C. C. No. 3904, Supp. 30.

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. 50-12201; Filed, Dec. 22, 1950;
8:49 a. m.]

[4th Sec. Application 25679]

ACETALDEHYDE FROM BROWNSVILLE, TEX. TO EASTERN CITIES

APPLICATION FOR RELIEF

DECEMBER 20, 1950.

The Commission is in receipt of the above-entitled and numbered applica-

tion for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: D. Q. Marsh, Agent, for carriers parties to his tariff I. C. C. No. 3752.

Commodities involved: Acetaldehyde, in tankcar loads.

From: Brownsville, Tex.

To: Albany, Buffalo, Rochester and Syracuse, N. Y., Philadelphia and Pittsburgh, Pa., Baltimore, Md., Carteret and Newark, N. J.

Grounds for relief: Circuitous routes and to apply over short tariff routes rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: D. Q. Marsh's tariff I. C. C. No. 3752, Supp. 525.

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. 50-12203; Filed, Dec. 22, 1950;
8:49 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 618; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 16289]

KATHE A. H. WERNER

In re: Rights of Kathe A. H. Werner under contract of insurance. File No. F-28-28717-H-1.

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

1. That Kathe A. H. Werner and Hans K. Werner, 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. 5 832 207 A, issued by the Metropolitan Life Insurance Company, New York, New York, to Kathe A. E. Werner, 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 Kathe A. H. Werner or Hans K. Werner, 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 December 7, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 50-12166; Filed, Dec. 21, 1950;
8:53 a. m.]

[Vesting Order 16286]

ERNST JAKOB AND ELIZABETH WAGNER

In re: Rights of Ernst Jakob Wagner and Elizabeth Wagner under contracts of insurance. Files F-28-26621-H-1 and F-28-26621-H-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 Ernst Jakob Wagner and Elizabeth Wagner, 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 contracts of insurance evidenced by Policies numbered 204641 and 204642 issued by the West Coast Life Insurance Company, San Francisco, California, to Ernst Jakob Wagner, 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 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 or deliverable to, held

on behalf of, or on account of, or owing to, or which is evidence of ownership or control by Ernst Jakob Wagner or Elizabeth Wagner, 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 December 7, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 50-12165; Filed, Dec. 21, 1950;
8:53 a. m.]

[Vesting Order 16281]

TOSHISO TSUCHIZAWA

In re: Rights of Toshiso Tsuchizawa under insurance contract. File No. F-39-4935-H-1.

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

1. That Toshiso Tsuchizawa and Kurazo Tsuchizawa, whose last known address is Japan, are residents of Japan and nationals of a designated enemy country (Japan);

2. That the domiciliary personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Toshiso Tsuchizawa, who there is reasonable cause to believe are residents of Japan, are nationals of a designated enemy country (Japan);

3. That the net proceeds due or to become due under a contract of insurance evidenced by Policy No. 1463882, issued by the Sun Life Assurance Company of Canada, Montreal, Quebec, Canada, to Toshiso Tsuchizawa, 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 (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 Toshiso Tsuchizawa or Kurazo Tsuchizawa or the domiciliary personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Toshiso Tsuchizawa, the aforesaid nationals of a designated enemy country (Japan);

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof and the domiciliary personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Toshiso Tsuchizawa, 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 7, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 50-12163; Filed, Dec. 21, 1950;
8:53 a. m.]

[Vesting Order 16293]

LUDWIG ZIEGLER ET AL.

In re: Rights of Ludwig Ziegler et al. under insurance contract. File No. F-28-25128-H-1.

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

1. That Ludwig Ziegler and Elise Ziegler, 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. 204163 issued by the West Coast Life Insurance Company, San Francisco, California, to Ludwig Ziegler, 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 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 or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by Ludwig Ziegler or Elise Ziegler, 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 December 7, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 50-12168; Filed, Dec. 21, 1950;
8:54 a. m.]

[Vesting Order 15571]

HELMUT HOPF ET AL.

In re: Claims against the Treasurer of the Commonwealth of Pennsylvania by Helmut Hopf and others. File No. 017-23367.

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 Helmut Hopf, Elly Kiesewetter, Curt Jahn, Emmy Luckert nee Jahn, Margarete Beyer nee Jahn, Irmgard Stieler nee Jahn, Paula Ehle nee Jahn, Else Jahn nee Jahn, Ottilie Bachmann nee Jahn, Lydia Winner nee Schmidt, Helene Schmidt, Ella Elisabeth Schmidt, Edith Elisabeth Schmidt, Anna Schmidt and Ella Schmidt, 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 Anna Hopf nee Jahn, of Kathinka C. L. Jahn nee Jahn, and of Kathinka Schmidt nee Jahn, deceased, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

3. That the property described as follows: The sum of \$6,693.19, representing the balance of \$10,039.78 deposited with the Treasurer of the Commonwealth of Pennsylvania to the credit of Gustave Yahn, Kathinka Schmidt and Bertha Scheer, pursuant to an order of the Orphans' Court of Lawrence County, Pennsylvania, entered on November 28, 1927, in the matter of the Estate of A. W. Yahn, deceased, and any and all additions thereto subject to the payment of any lawful fees and disbursements of the Treasurer of the Commonwealth of Pennsylvania,

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

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof and the domiciliary personal representatives, heirs-at-law, next-of-kin, legatees and distributees, names unknown, of Anna Hopf nee Jahn, of Kathinka C. L. Jahn nee Jahn, and of Kathinka Schmidt nee Jahn, 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 November 9, 1950.

For the Attorney General.

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

[F. R. Doc. 50-12212; Filed, Dec. 22, 1950;
8:51 a. m.]

[Vesting Order 15720]

ELISE A. WERNER

In re: Rights of Elise A. Werner under contract of insurance. F-28-24658-H-1.

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

1. That Elise A. Werner, 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. 4439450A, issued by the Metropolitan Life Insurance Company, New York, New York, to Elise A. Werner, together with the right to demand, receive and collect said net proceeds,

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

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on November 16, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 50-12213; Filed, Dec. 22, 1950;
8:51 a. m.]

[Vesting Order 16174]

GENERALDIREKTOR I. R. GUSTAV GERHARDT

In re: Bonds owned by Generaldirektor I. R. Gustav Gerhardt. F-28-25843-A-1.

1. That Generaldirektor I. R. Gustav Gerhardt, whose last known address is Trenchslingestr. 6, Berlin W. 30, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: Seven (7) Republic of Poland Stabilization Loan, 4½% Bonds, due April 16, 1968 of \$1,000.00 face value each, bearing the numbers M53764, 53765, 44931, 37587, 37322, 31482, 17397, and presently in the custody of the National City Bank of New York, 55 Wall Street, New York 15, New York, together with any and all rights thereunder and thereto,

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 5, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 50-12214; Filed, Dec. 22, 1950;
8:51 a. m.]

[Vesting Order 16185]

KIYOKO AND DR. SANJI ODA

In re: Debt owned by Kiyoko Oda, bank account owned by Dr. Sanji Oda and Kiyoko Oda and bonds owned by Dr. Sanji Oda. D-39-10176; D-39-10176-E-1; D-39-10176-F-1; D-39-17800.

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 Dr. Sanji Oda, and Kiyoko Oda, whose last known addresses are Japan, are residents of Japan and nationals of a designated enemy country (Japan);

2. That the property described as follows: That certain debt or other obligation of Saladin Music & Furniture Store, Saladin Building, Santa Maria, California, arising out of the delivery to and receipt by said store from Kiyoko Oda of a Kimball piano, #398647, for sale on consignment, and its subsequent sale, on or about March 15, 1943, by said Saladin Music & Furniture Store to Mr. Jack Gray, San Luis Obispo, California, together with 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 owing to, or which is evidence of control by Kiyoko Oda, the aforesaid national of a designated enemy country (Japan);

3. That the property described as follows: That certain debt or other obligations of the Bank of America, National Trust & Savings Association, 300 Mont-

gomery Street, San Francisco, California, arising out of a checking account entitled Sanji or Kiyoko Oda, maintained with the branch office of said bank located at Santa Maria, California, 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 owing to, or which is evidence of control by Dr. Sanji Oda and Kiyoko Oda, the aforesaid nationals of a designated enemy country (Japan);

4. That the property described as follows: Those certain Japanese Government bonds more fully described in Exhibit A, attached hereto and by reference made a part hereof, which bonds are in the custody of the Office of Alien Property, Department of Justice,

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

and it is hereby determined:

5. 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 5, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

JAPANESE GOVERNMENT BONDS IN CUSTODY OF
THE OFFICE OF ALIEN PROPERTY, DEPARTMENT
OF JUSTICE

Coupon bonds, 4 percent interest, face value
10 yen each:

71st Series: Nos. 58240, 58241, 58243.

72d Series: Nos. 24729, 24730, 25328, 26273,
26395.

76th Series: Nos. 8690, 8844, 8845, 8868.

Lottery bonds, face value 10 yen each:

001689	012009	041524	064397	068596
004865	036247	042944	064398	073548
004866	036248	046442	064399	074612
007751	038506	046443	067442	074613
007753	041523	049553	068595	082015

Earthquake rehabilitation bonds, face-value
5 yen each:

000962	027690	058031	067342
017002	034918	060598	061106
025435	048349	065556	091018

Earthquake rehabilitation bonds, face value
10 yen each:

008058	021975	028897	055727	071190
020924	024481	034931	064354	099125

[F. R. Doc. 50-12215; Filed, Dec. 22, 1950;
8:51 a. m.]

[Vesting Order 16217]

FRIEDA HOGEMANN

In re: Estate of Frieda Hogemann, also known as Frieda Klamp Hogemann, also known as Frida Klamp Hogemann, deceased. File No. F-28-2787.

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 Emilie Bredehorst also known as Milly Meyer Bredehorst, Ama Suhr Hille, Anny Suhr Landreh, Grete Suhr, Henrich Suhr, also known as Heinz Suhr, Julie Klamp, Bertha Klamp Stoepphasios, Tertia Rose Sager, Martha Rose Ahrens, Mrs. Papenbrock (first name unknown), Ilse Muller-Ahrens, Mrs. Dr. of Medicine (Heincke) Busch, August Ortgies, Sophie Klein, Gretchen Bovekamp, Ilse Blanke, Bernhard Blanke, Jr., Annie Osterbuhr, August Weidenback, Richard Jansen, Hans Jansen, Heinz Landreh, Jr., Grete Sonnemann Jansen and Martha Aumund Tastrow, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the domiciliary personal representatives, issue, heirs-at-law, next-of-kin, legatees and distributees of Amalie Suhr (nee Hogemann) deceased, and of Irma Jansen (nee Meyer), deceased, except Irma Jansen Martin, also known as Mann Jansen Martin, and Rolf Jansen, residents of the United States, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

3. That all right, title, interest and claim of any kind or character whatsoever of the persons named in subparagraphs 1 & 2 hereof, and each of them except Irma Jansen Martin, also known as Mann Jansen Martin, and Rolf Jansen, residents of the United States, in and to the estate of Frieda Hogemann, also known as Frieda Klamp Hogemann, also known as Frida Klamp Hogemann, deceased, is property payable or deliverable to, or claimed by the aforesaid nationals of a designated enemy country (Germany);

4. That such property is in the process of administration by Marianne Wilder, as administratrix C. T. A., acting under the Judicial supervision of the Superior Court of Los Angeles County, California;

and it is hereby determined:

5. That to the extent that the persons named in subparagraph 1 hereof and the domiciliary personal representatives, issue, heirs-at-law, next-of-kin, legatees and distributees of Amalie Suhr (nee Hogemann), deceased, and of Irma Jansen (nee Meyer), deceased, except Irma Jansen Martin, also known as Mann Jansen Martin and Rolf Jansen, residents of the United States, 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 6, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 50-12216; Filed, Dec. 22, 1950;
8:51 a. m.]

[Vesting Order 16252]

OLGA ANTOINETTE OLDEMEIER

In re: Rights of Olga Antoinette Oldemeier under a contract of insurance. File D-28-12380-H-1.

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

1. That Olga Antoinette Oldemeier, 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 Certificate No. AC201-25933 issued by the Equitable Life Assurance Society of the United States, New York, New York, to Kristian B. Kristensen, 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 Olga Antoinette Oldemeier, 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 7, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 50-12217; Filed, Dec. 22, 1950;
8:51 a. m.]

[Vesting Order 16257]

ROBERT RELLING ET AL.

In re: Rights of Robert Relling, et al., under contract of insurance. File No. F-28-17647-H-1.

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

1. That Robert Relling, 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 Robert Relling, 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 to the persons identified in subparagraphs 1 and 2 hereof under a contract of insurance evidenced by policy No. 767437 issued by the Travelers Insurance Company, Hartford, Connecticut, to Robert Relling, 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 Chase National Bank of the City of New York and of the aforesaid the Travelers 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 Robert Relling or the domiciliary personal representatives, heirs-at-law, next of kin, legatees and distributees, names unknown, of Robert Relling, 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 Robert Relling, 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 7, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 50-12220; Filed, Dec. 22, 1950;
8:52 a. m.]

[Vesting Order 16285]

CHIYO WADA ET AL.

In re: Rights of Chiyo Wada et al. under Insurance Contract. File No. D-39-17751-H-1.

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

1. That Chiyo Wada, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the domiciliary personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Takashi Wada, who there is reasonable cause to believe are residents of Japan, are nationals of a designated enemy country (Japan);

3. That the net proceeds due or to become due under a contract of insurance evidenced by Policy No. 1490833, issued by the Sun Life Assurance Company of Canada, Montreal, Quebec, Canada, to Takashi Wada, 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 Chiyo Wada or the domiciliary personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Takashi Wada, the aforesaid nationals of a designated enemy country (Japan);

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 Takashi Wada, 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).

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 December 7, 1950.

For the Attorney General,

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 50-12222; Filed, Dec. 22, 1950;
8:52 a. m.]

[Vesting Order 16255]

TOWORU OZASA

In re: Rights of Toworu Ozasa under insurance contract. File No. D-39-10417-H-1.

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

1. That Toworu Ozasa, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the net proceeds due or to become due under a contract of insurance evidenced by Policy No. 8 558 583, issued by the New York Life Insurance Company, New York, New York, to Toworu Ozasa, together with the right to demand, receive and collect said net proceeds,

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

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on December 7, 1950.

For the Attorney General,

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 50-12218; Filed, Dec. 22, 1950;
8:52 a. m.]

[Vesting Order 16235]

SHIGezo KUBOYAMA ET AL.

In re: Rights of Shigezo Kuboyama et al., under insurance contract. File No. F-39-4417-H-1.

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

1. That Shigezo Kuboyama, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the domiciliary personal representatives, heirs-at-law, next-of-kin, legatees and distributees, names unknown, of Shigezo Kuboyama, who there is reasonable cause to believe are residents of Japan, are nationals of a designated enemy country (Japan);

3. That the net proceeds due or to become due under a contract of insurance evidenced by Policy No. 8 658 931, issued by the New York Life Insurance Company, New York, New York, to Shigezo Kuboyama, 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 Shigezo Kuboyama or the domiciliary personal representatives, heirs-at-law, next-of-kin, legatees and distributees, names unknown, of Shigezo Kuboyama, the aforesaid nationals of a designated enemy country (Japan);

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 Shigezo Kuboyama, 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 6, 1950.

For the Attorney General,

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 50-12227; Filed, Dec. 22, 1950;
8:52 a. m.]

[Vesting Order 16241]

BERTHA MECHLER ET AL.

In re: Rights of Bertha Mechler et al., under insurance contracts. Files Nos. F-28-28223-H-1, H-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 Bertha Mechler, 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 Bertha Mechler, 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 Nos. 100060433 and 100060434, issued by the Metropolitan Life Insurance Company, New York, New York, to Bertha Mechler, 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 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 Bertha Mechler, 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 6, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 50-12230; Filed, Dec. 22, 1950;
8:53 a. m.]

[Vesting Order 16256]

ERNA PIETSCH

In re: Rights of Erna Pietsch, formerly known as Erna Skird and as Erna Gochems, under contract of insurance. File No. F-28-11668-H-1.

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

1. That Erna Pietsch, formerly known as Erna Skird and as Erna Gochems, 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 to Erna Pietsch, formerly known as Erna Skird and as Erna Gochems under a contract of insurance evidenced by policy No. G-7200, Cert. 12829, issued by the Travelers Insurance Company, Hartford 15, Connecticut, to Andreas Skird, 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 7, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 50-12219; Filed, Dec. 22, 1950;
8:52 a. m.]

[Vesting Order 16284]

TOICHI AND HANAYO UNO

In re: Rights of Toichi Uno and Hanayo Uno under contract of insurance. File No. D-39-30-H-1.

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

1. That Toichi Uno and Hanayo Uno, whose last known address is Japan, are residents of Japan and nationals of a designated enemy country (Japan);

2. That the net proceeds due or to become due under a contract of insurance evidenced by Policy No. 8 052 250, issued by the New York Life Insurance Company, New York, New York, to Toichi Uno, 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, Toichi Uno or Hanayo Uno, 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 December 7, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 50-12221; Filed, Dec. 22, 1950;
8:52 a. m.]

[Vesting Order 16287]

HEINZ AND URSULA WALTER

In re: Rights of Heinz Walter and Ursula Walter under insurance contract. File F-28-30459-H-1.

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

1. That Heinz Walter and Ursula Walter, 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. 203859 issued by the West Coast Life Insurance Company, San Francisco, California, to Heinz Walter, 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 Heinz Walter or Ursula Walter, 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 December 7, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 50-12223; Filed, Dec. 22, 1950;
8:52 a. m.]

[Vesting Order 16288]

HENRY A. WEISS ET AL.

In re: Rights of Henry A. Weiss, a/k/a Heinrich Weiss et al. under Insurance Contract. File No. F-28-24660-H-1.

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

1. That Henry A. Weiss, also known as Heinrich Weiss and Kati Weiss, also known as Käte Weiss, 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. 4-168-418C issued by the Metropolitan Life Insurance Company, New York, New York, to Henry A. Weiss, also known as Heinrich Weiss, 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 Henry A. Weiss, also known as Heinrich Weiss or Kati Weiss, also known as Käte Weiss, 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 December 7, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 50-12224; Filed, Dec. 22, 1950;
8:52 a. m.]

[Vesting Order 16291]

NUIO YAMAKAMI

In re: Rights of Nuiio Yamakami under insurance contract. File No. F-39-6350-H-1.

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

1. That Nuiio Yamakami, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the net proceeds due or to become due under a contract of insurance evidenced by policy No. 7 849 226, issued by the New York Life Insurance Company, New York, New York, to Hayamatsu Yamakami, together with the right to demand, receive and collect said net proceeds,

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

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the

national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

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

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

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

Executed at Washington, D. C., on December 7, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 50-12225; Filed, Dec. 22, 1950;
8:52 a. m.]

[Vesting Order 16234]

FUKUJIRO KUBO

In re: Rights of Fukujiro Kubo under insurance contract. File No. F-39-5231-H-1.

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

1. That Fukujiro Kubo, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the net proceeds due or to become due under a contract of insurance evidenced by policy No. 848929, issued by the General American Life Insurance Company, St. Louis, Missouri, to David Osamu Kubo, together with the right to demand, receive and collect said net proceeds,

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

and it is hereby determined:

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

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

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise

dealt with in the interest of and for the benefit of the United States.

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

Executed at Washington, D. C., on December 6, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 50-12226; Filed, Dec. 22, 1950;
8:52 a. m.]

[Vesting Order 14858, Amdt.]

OTTO AND LOUISE BALZER

In re: Safe deposit lease, contents and certificate of beneficial interest owned by Otto Balzer and Louise Balzer and debt owing to Otto Balzer and Louise Balzer. F-28-2095-F-1/D-1.

Vesting Order 14858, dated July 12, 1950, is hereby amended as follows and not otherwise:

By deleting subparagraph 2b of the aforesaid Vesting Order 14858 and substituting therefor the following subparagraph 2b:

b. All property of any nature whatsoever owned by Louise Balzer and Otto Balzer, located in the safe deposit box referred to in subparagraph 2a hereof, and all rights and interests of said persons evidenced or represented thereby, which includes particularly but is not limited to the following: Ten (10) shares of Greenbaum & Sons Investment Company evidenced by certificate numbered NP 3917, registered in the name of Philip Enck and dated January 23, 1929, together with all declared and unpaid dividends thereon.

All other provisions of said Vesting Order 14858 and all actions taken by or on behalf of the Attorney General of the United States in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on December 5, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 50-12232; Filed, Dec. 22, 1950;
8:53 a. m.]

[Vesting Order 16237]

JULIE LEIPZIGER AND ELSE VAN WAVEREN

In re: Rights of Julie Leipziger and Else van Waveren under annuity contracts. Files D-28-9587-H-1; D-28-9587-H-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 Julie Leipziger and Else van Waveren, 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 annuity contracts evidenced by Policies numbered 25 998 A B and 25 999 A B issued by the Metropolitan Life Insurance Company, New York, New York, to Sophie Seyferth, 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 Julie Leipziger and Else van Waveren, 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 December 6, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 50-12228; Filed, Dec. 22, 1950; 8:53 a. m.]

[Vesting Order 16240]

THERESE MARZENISCHEN

In re: Rights of Therese Marzenischen, also known as Rosie Marcynicyn, under insurance contract. File D-28-12402-H-1.

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

1. That Therese Marzenischen, also known as Rosie Marcynicyn, 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 Group Contract 6350 G, Serial 2350, issued by the Metropolitan Life Insurance Company, New York, New

York, to Nick Marcynicyn, 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 Therese Marzenischen, also known as Rosie Marcynicyn, 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 6, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 50-12229; Filed, Dec. 22, 1950; 8:53 a. m.]

[Vesting Order 16177]

MARTHA HOFFMAN ET AL.

In re: Securities owned by and debts owing to Martha Hoffman and others.

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

1. That the persons identified as owners in Exhibits A and B, attached hereto and by reference made a part hereof, each of whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That Dresdner Bank, the last known address of which is Berlin, Germany, is a corporation, partnership, association or other business organization, organized under the laws of Germany, and which has or, since the effective date of Executive Order 8389, as amended, had its principal place of business in Berlin, Germany, and is a national of a designated enemy country (Germany);

3. That Deutsche Reichsbank, the last known address of which is Berlin, Germany, is a corporation, partnership, association or other business organization, organized under the laws of Germany and which has or, since the effective date

of Executive Order 8389, as amended, had its principal place of business in Berlin, Germany and is a national of a designated enemy country (Germany);

4. That Martha Hoffman, whose last known address is Volsheim, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

5. That the property described as follows:

a. Those certain shares of stock, evidenced by the certificates described in said Exhibit A, owned by the persons identified therein as owners, presently in the custody of Guaranty Trust Company of New York, 140 Broadway, New York 15, New York, in an account entitled Handelstrust West N. V. "Customers Account for Custody", together with all declared and unpaid dividends thereon,

b. Those certain bonds described in said Exhibit B, owned by the persons identified therein as owners, presently in the custody of Guaranty Trust Company of New York, 140 Broadway, New York 15, New York, in an account entitled Handelstrust West N. V. "Customers Account for Custody", together with any and all rights thereunder and thereto,

c. Three (3) Conversion Office for German Foreign Debts fractional certificates for 3 percent Dollar Bonds, of the face values and numbered as follows:

Face values:	Numbers
\$2.50	035785
\$1.25	000644
\$0.45	340393

owned by Dresdner Bank, which fractional certificates are presently in the custody of Guaranty Trust Company of New York, 140 Broadway, New York 15, New York, in an account entitled Handelstrust West N. V. "Customers Account for Custody", together with any and all rights thereunder and thereto,

d. One hundred and twenty-eight (128) coupons, in bearer form, detached from sixteen (16) Government of Kingdom of Hungary State Loan Sinking Fund Gold 7½ percent Bonds, each for \$1,000.00, bearing the numbers M4114, M0368, M3504, M1679, M7449, M4142, M1943, M1944, M1945, M6854, M6172, M6174, M6171, M0369, M6173, and M7448, owned by Dresdner Bank, which coupons were due on February 1, or August 1, of the years 1934 to 1937 both inclusive, and which coupons are presently in the custody of Guaranty Trust Company of New York, 140 Broadway, New York 15, New York, in an account entitled Handelstrust West N. V. "Customers Account for Custody", together with any and all rights thereunder and thereto,

e. Sixteen (16) coupons, in bearer form, detached from two (2) Government of Kingdom of Hungary State Loan Sinking Fund Gold 7½ percent Bonds, each for \$500.00, bearing the numbers D0531 and 0069, which coupons were due on February 1 or August 1 of the years 1934 to 1937 inclusive, owned by Dresdner Bank, and which coupons are presently in the custody of Guaranty Trust Company of New York, 140 Broadway, New York 15, New York, in an account entitled Handelstrust West N. V. "Customers Account for Custody", together

with any and all rights thereunder and thereto.

f. One (1) Title Guarantee and Trust Company Collateral First Mortgage Certificate in the original face amount of \$200.00, bearing the number 111354, registered in the name of Martha Heintz, owned by Martha Hoffman, presently in the custody of Guaranty Trust Company of New York, 140 Broadway, New York 15, New York, in an account entitled Handelstrust West N. V. "Customers Account for Custody", together with any and all rights thereunder and thereto.

g. That certain debt or other obligation of Guaranty Trust Company of New York, 140 Broadway, New York 15, New York, arising out of the receipt of income derived from the securities, described in the aforesaid subparagraphs 5-a to 5-f hereof, constituting a portion of the sum of money on deposit with Guaranty Trust Company, 140 Broadway, New

York 15, New York, in a custody cash account entitled Handelstrust West N. V. "Customers Account for Custody", 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 aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

6. That to the extent that the persons, referred to in subparagraph 1 hereof and the persons named in subparagraphs 2, 3 and 4 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 December 6, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

Name of issuer	Type of stock	Par value	Certificate Nos.	Number of shares	Registered owner	Owners, file No.
Anaconda Copper Mining Co.	Capital	\$30.00	E306721 F901874	10 20	Zink & Co.	Dresdner Bank. Do. F-28-176-A-9.
Goldfield Consolidated Mines Co.	do	No	S5348	20	do	Deutsche Reichsbank. F-28-1282-A-8.
North American Rayon Corp.	Common Class B.	No	B0772	3	do	Heinrich Strecker. F-28-30952-A-3.
Baltimore & Ohio R. R. Company.	Common	No	A553696	5	do	Dresdner Bank. F-28-176-A-9.
Chicago & Eastern Illinois R. R. Co.	do	No	C05604	2	do	Dresdner Bank. F-28-176-A-9.
Chicago Great Western Ry. Co.	do	\$50.00	C07225	30	do	Dresdner Bank & Graf Schlitz (15 each). F-28-30960-A-1. Paul Goldberg, F-28-30959-A-1. Fanny Lehmann. F-28-30960-A-1.
New Mexico & Arizona Land Co.	Capital	No	32731	10	do	Johann Rohr. F-28-30965-A-1.
Chicago, Great Western R. B. Co.	4 percent cumulative preferred.	100.00	B28958NE	10	Semmi Kuttner, as Gdn. for Fanny Lehmann.	Elsa Von Born. F-28-31005-A-1.
Missouri Pacific R. R. Co.	5 percent cumulative convertible preferred.	100.00	079679	50	Zink & Co.	A. Stadthaler. F-28-30667-A-1.
Seaboard Airline Ry. Co.	4 percent noncumulative.	100.00	017775 10559	33 100	Lowell & Co.	Leo Bergmann. F-28-30656-A-1.
Kreuger & Toll Co.	American	CR. 20	NY069979	50	Heinz Schuengel.	J. F. Hoffmann. Do. Do. Do. Do. F-28-30961-A-1.
National Rys. of Mexico.	2d preferred 5 percent.	100.00	16182	100	Stiles & Co.	
			P98543 P98539 P98540 P98541 P98542	10 10 10 10 10	J. F. Hoffmann	

EXHIBIT B

Description of issue	Face value, owner, file No.	Certificate Nos.
Village of Westmont, County of Du Page, Illinois Improvement Series G, 6% Bond, due Sept. 1, 1934.	1 @ \$500. Dresdner Bank. F-28-176-A-9.	2.
Denver and Rio Grande Western R. R. General Mortgage Sinking Fund Gold 5% Bond, due Aug. 1, 1935.	1 @ \$100. Friedrich Bullinger. F-28-30957-A-1.	C5864.
St. Louis-San Francisco Ry. Co. Prior Lien Mortgage Series A Gold 4% Bond, due July 1, 1930.	1 @ \$250. Dresdner Bank. F-28-176-A-9.	Y5899.
St. Louis South Western Ry. Co. Second Mortgage Gold Income 4% Bonds, due Nov. 1, 1939	1 @ \$500. 2 @ \$1,000. Dresdner Bank. F-28-176-A-9.	2450. 7628-9727.
United States of Brazil 5% Funding Bonds of 1931, due Oct. 1, 1951.	2 @ \$100. El Schwagler. F-28-30966-A-1.	C7645-7646.
United States of Brazil 6 1/2% External Sinking Fund Bond of 1926, due Oct. 1, 1937.	1 @ \$1,000. El Schwagler. F-28-30966-A-1.	M45986.
Hungarian Consolidated Municipalities Loan Secured Sinking Fund 7 1/2% Gold Bond, due July 1, 1945.	1 @ \$500. Heirs of Hildegard Thiele. F-28-30968-A-1.	D0020.
United States of Mexico External Consolidated Loan of 1894, 5% Series D Bond.	2 @ \$485. Alfred Busch. F-28-30955-A-1.	084128, 043402.
United States of Mexico External Gold Loan of 1910 4%, due Jan. 1, 1945.	50 @ \$97.00. Alfred Busch. F-28-30958-A-1. 100 @ \$97.00. Alfred Zappf. F-28-30969-A-1.	44460, 41093, 73861, 174461, 270146, 383936, 383951, 417549, 161715, 99492, 109012, 344545, 189618, 177388, 370172, 104496, 121052, 29966, 24351, 47704, 24348, 145673, 230908, 275763/6, 377107/9, 383934/5, 383962/3, 299440/1, 294926/7, 99347/9, 29662/10. 340654, 367210, 371732, 78656, 64000, 358311, 349674, 292112, 78655, 62202, 207523, 26688, 288668, 72005, 354693, 224540, 248282, 114374, 155714, 278641, 49289, 88316, 46288, 43760, 88127, 70494, 89099, 81404, 81465, 70483, 107825, 427854, 329752, 390638, 322253, 146512, 294824, 164006, 428290, 145674, 72471, 349012, 104088, 225731, 225730, 196943, 44494, 294928, 367209, 443058, 15380, 105901, 383464, 341088/9, 263231/3, 57694/6, 298840/50, 211791/2, 291039/42, 273931/2, 258877/8, 99660/1, 49296/7, 340874/5, 202778/9, 22467/8, 194089/90, 299638/9, 104084/7, 292220/3, 209667/8, 367380/1, 262385/6.

EXHIBIT B—Continued

Description of issue	Face value, owner, file No.	Certificate Nos.
United States of Mexico External Gold Loan of 19104%, due Jan. 1, 1945.	100 @ \$97.00..... Gerhard Passler. F-28-30964-A-1.	140488, 24349, 354694, 131733, 368209, 414780, 307887, 368205, 132267, 258451, 337888, 337886, 104224, 132296, 435499, 435498, 103941, 435497, 220384, 59915, 59872, 58137, 292239, 444944, 431491, 333867, 9741, 296581, 373353, 209608, 379053, 218106, 280529, 220306/7, 127594/5, 182593/4, 428231/4, 164009/14, 140475/6, 179714/7, 351539/48, 103939/40, 164007/8, 209882/7, 433139/40, 207388/92, 330854/6, 249118/9, 250463/4, 254281/2, 302442/3, 223445/6, 394465/9, 365307, 337442, 377963, 157961, 293503, 28703, 45223, 99140, 349653, 423084, 397484, 367531, 445653, 126968, 103690, 45222, 227336, 158017, 379054, 209479, 189158, 161983, 103989, 124866, 227333, 161641, 378812, 99559, 195354, 349077, 95711, 124865, 222498, 325512, 378811, 201409, 200432, 349078, 214990, 447029, 222407, 243118, 179332, 354352, 132941, 99717, 199112, 291144, 244841, 132943, 398539, 69037, 267587, 215542, 304867, 199672, 279982, 132942, 447946, 103593, 344713, 201491, 367592, 416787, 291038, 398536, 339985, 408345, 419519, 429493, 105902, 447968, 292113, 398535, 221845, 408344, 378817, 430258, 411451/4, 209664/9, 201413/5, 437857/7, 378303/4, 62726/2, 429467/70, 438726/7, 158022/3, 391099/72, 376231/2, 200433/5, 185795/9, 48355/6, 237673/4, 398537/8, 249115/7, 420481/6, 329750/1, 153715/9, 57488/90, 194142/3, 67967/8, 103936/7, 59678/80, 349075/6.
Do.....	150 @ \$97.00..... Dresdner Bank. F-28-176-A-9.	

[F. R. Doc. 50-12231; Filed, Dec. 22, 1950; 8:53 a. m.]

[Return Order 811]

LIBRAIRIE GALLIMARD

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

Librairie Gallimard, 5 Rue Sebastien-Bottin, Paris VIIe, France; Claim No. 36861; September 30, 1950 (15 F. R. 6623); \$35,180.81 in the Treasury of the United States. Property to the extent owned by the claimant immediately prior to the vesting thereof by Vesting Orders Nos. 3430 (9 F. R. 6464, June 13, 1944), 3552 (9 F. R. 6464, June 13, 1944), 3918 (9 F. R. 9515, August 4, 1944) and 4030 (9 F. R. 13779, November 17, 1944) relating to the works listed in Exhibits A of each respective Vesting Order under the names of Librairie Gallimard, Gaston Gallimard, and Estate of William A. Bradley.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on December 18, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 50-12233; Filed, Dec. 22, 1950; 8:53 a. m.]

[Return Order 820]

LIBRAIRIE EDITIONS, A. HATIER

Having considered the claim set forth below and having issued a determination allowing the claim, which is incorporated by reference herein and file 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 Number, Notice of Intention To Return Published, and Property

Librairie Editions, A. Hatier, 8, rue d'Assas, Paris, France; Claim No. 36863; September 21, 1950 (15 F. R. 6322); \$2,281.59 in the Treasury of the United States. Property to the extent owned by claimant immediately prior to the vesting thereof, described in Vesting Order No. 3430 (9 F. R. 6464, June 13, 1944; 9 F. R. 13788, November 17, 1944) relating to a work entitled "Dictionnaire, Francaise-Anglaise et Anglaise-Francaise" (listed in Exhibit A of said vesting order).

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on December 18, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 50-12234; Filed, Dec. 22, 1950; 8:53 a. m.]

[Return Order 826]

LINA E. ESSLINGER

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, be returned, 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., Notice of Intention To Return Published, and Property

Lina E. Esslinger, Whitestone, Long Island, New York; Claim No. 5188, November 7, 1950 (15 F. R. 7496); \$5,315.01 in the Treasury of the United States; the following United States Treasury Bonds, presently in the custody of the Safekeeping Department of Federal Reserve Bank of New York: \$5,000 Bond No. 8866 of 1965-70, 2 1/2%, dated February 1, 1944, due March 15, 1970 with March 15, 1951 coupon and s. c. a., registered in the name of the Attorney General of the United States, Account No. 28-26783; \$500 Series E. Bond No. 413643, issued July 1, 1941, due July 1, 1951, registered in the name of William A.

Lange, 11 Anchor Drive, Greenhaven, New Jersey; Payable on Death to Mrs. Lena Esslinger (American citizen), Stuttgart, Arminstrasse 7, Germany; \$500 Series G. Bond 2 1/2%, No. 2859020, issued April 1, 1943, and \$1,000 Series G. Bond 2 1/2%, No. 6349768, issued August 1, 1942, both due 12 years from date of issue, registered in the name of the Attorney General of the United States, Account No. 28-26783, Washington, D. C.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on December 19, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 50-12235; Filed, Dec. 22, 1950; 8:53 a. m.]

[Return Order 828]

ALBINE GUTETZKY

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, be returned, 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., Notice of Intention To Return Published, and Property

Albine Gutetzky, a/k/a Albina Gudecka, Vienna, Austria; Claim No. 41131, November 7, 1950 (15 F. R. 7496); \$2,775.99 in the Treasury of the United States. All right, title and interest of Albine Gutetzky, also known as Albina Gudecka, in and to the estate of Joseph Jaroslewicz, deceased.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on December 18, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 50-12236; Filed, Dec. 22, 1950; 8:54 a. m.]

NOTICES

[Return Order 831]

GIOVANNA AND MARIA A. GIUFFRE

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, be returned, 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., Notice of Intention To Return Published, and Property

Giovanna Giuffre and Maria A. Giuffre, S. Marina Salina, Italy; Claim No. 4529, November 9, 1950 (15 F. R. 7544); \$5,021.29 in the Treasury of the United States to Maria A. Giuffre and \$5,021.30 in the Treasury of the United States to Giovanna and Maria A. Giuffre with Giovanna having a life interest therein and Maria A. being entitled to the remainder.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on December 18, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
*Assistant Attorney General,
Director, Office of Alien Property.*

[F. R. Doc. 50-12237; Filed, Dec. 22, 1950;
8:54 a. m.]

CARL GEHRMANS MUSIKFORLAG

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

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

Claimant, Claim No., and Property

Carl Gehrman Musikforlag, Stockholm, Sweden; Claim No. 40922; property to the extent owned by claimant immediately prior

to the vesting thereof, by Vesting Order No. 4033 (9 F. R. 13269, November 8, 1944) relating to certain copyrights identified by assignments in the United States Copyright Office from Alfred Thorings Musikforlag to the Society of European Stage Authors and Composers dated November 5, 1936, and December 2, 1938 (specified in Exhibit A of said vesting order), including royalties pertaining thereto in the amount of \$438.57.

Executed at Washington, D. C., on December 19, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
*Assistant Attorney General,
Director, Office of Alien Property.*

[F. R. Doc. 50-12238; Filed, Dec. 22, 1950;
8:54 a. m.]

LENA LOCHNER PAUL

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of the publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Lena Lochner Paul, a/k/a Lena C. Lochner a/k/a Mrs. George Paul Bellport, Long Island, N. Y.; Claim No. 3308; \$35,088.04 in the Treasury of the United States.

Executed at Washington, D. C., on December 19, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
*Assistant Attorney General,
Director, Office of Alien Property.*

[F. R. Doc. 50-12239; Filed, Dec. 22, 1950;
8:54 a. m.]

DAVIDE MEYRON

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amend-

ed, notice is hereby given of intention to return, on or after 30 days from the date of the publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Davide Meyron, Torre Pellice, Italy; Claim No. 30549; \$9,295.57 in the Treasury of the United States.

Executed at Washington, D. C., on December 18, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
*Assistant Attorney General,
Director, Office of Alien Property.*

[F. R. Doc. 50-12240; Filed, Dec. 22, 1950;
8:54 a. m.]

RENE DE CHAMBRUN

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

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

Claimant, Claim No., and Property

Rene de Chambrun, 52 Avenue des Champs-Elysees; Paris, France; Claim No. 41208; \$1,844.81 in the Treasury of the United States. Property to the extent owned by the claimant immediately prior to the vesting thereof by Vesting Order No. 3552 (9 F. R. 3524, April 1, 1944) relating to the work entitled "I Saw France Fall, Will She Rise Again".

Executed at Washington, D. C., on December 18, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
*Assistant Attorney General,
Director, Office of Alien Property.*

[F. R. Doc. 50-12241; Filed, Dec. 22, 1950;
8:54 a. m.]