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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; NEW JERSEY

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investment limits under § 311.30, Chapter III, Title 6 of the Code of Federal Regulations (13 F. R. 9381), are hereby superseded by the average values and investment limits set forth below for said counties.

NEW JERSEY

County	Average value	Investment limit
Monmouth	$20,000	$12,000
Warren	20,000	12,000

(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 14th day of June 1951.

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

[F. R. Doc. 51-7050; Filed, June 19, 1951; 8:47 a. m.]

PART 311—BASIC REGULATIONS

SUBPART B—LOAN LIMITATIONS

AVERAGE VALUES OF FARMS AND INVESTMENT LIMITS; NEW YORK

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investment limits under § 311.30, Chapter III, Title 6 of the Code of Federal Regulations (13 F. R. 9381), are hereby superseded by the average values and investment limits set forth below for said counties.

NEW YORK

County	Average value	Investment limit
Chenango	$9,200	$9,200
Jefferson	10,000	10,000
Lewis	11,000	11,000
St. Lawrence	8,500	8,500

(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 14th day of June 1951.

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

[F. R. Doc. 51-7049; Filed, June 19, 1951; 8:47 a. m.]

Subchapter D—Water Facilities Loans

PART 351—APPROVAL AUTHORITY

MISCELLANEOUS AMENDMENTS

1. Section 351.1 in Title 6, Code of Federal Regulations (13 F. R. 9425), is revised to delete reference to loans approved by Regional Directors; to raise the amounts of loans to individuals and corporations which can be approved by State Directors; and to require that loan applications be referred to the National Office for approval in cases in which debt settlement actions are pending, contemplated or approved. Such revision is accomplished by amending paragraph (a) and subparagraphs (1) and (2) of paragraph (c), and by adding paragraph (d), to read as follows:

§ 351.1 *Authorization to State Directors.* (a) State Directors are authorized to close Water Facilities loans requiring the approval of the Administrator, subject to all of the conditions contained in loan approval letters and documents issued by the Administrator.

(b) Loans in excess of the amounts and authority specified in this section

(Continued on p. 5863)

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FEDERAL REGISTER

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will be submitted to the Administrator for approval.

(c) State Directors are authorized to approve Water Facilities loans subject to applicable loan making policies and to the following limitations:

(1) No Water Facilities loan, initial or subsequent, will be approved which will result in a total outstanding Water Facilities indebtedness of any one individual in excess of $8,000.

(2) No Water Facilities loan, initial or subsequent, will be approved which will result in a total outstanding Water Facilities indebtedness of any one incorporated mutual water company, water association, or irrigation district, in excess of $35,000.

(3) The aggregate of loans made to all individuals in connection with any one water facilities group service will not exceed $20,000.

(d) Water Facilities loan applications of former borrowers for whom a debt settlement action has been approved, or of present borrowers for whom a debt settlement action is pending or is contemplated, will be referred to the National Office for approval.

(Sec. 6, 50 Stat. 870; 16 U. S. C. 590w. Interprets or applies sec. 2, 50 Stat. 869; 16 U. S. C. 590s)

2. Section 351.2 in Title 6, Code of Federal Regulations (13 F. R. 9425) is revised to increase the loan approval authority which may be redelegated to county supervisors by amending paragraph (b) (2) to read as follows:

§ 351.2 *Authorization to State Directors to redelegate loan approval authority.* * * *

(b) State Directors are authorized to redelegate to County Supervisors, in charge of County Offices, all or any part of their authority to approve Water Facilities loans to individuals, except that County Supervisors may not be authorized to approve:

(1) Loans for irrigation purposes.

(2) Any loan, initial or subsequent, which will result in a total outstanding Water Facilities indebtedness in excess of $1,500.

(3) Loans to establish a water facilities group service.

(Sec. 6, 50 Stat. 870; 16 U. S. C. 590w)

Dated: June 6, 1951.

[SEAL] DILLARD B. LASSETER,
Administrator,
Farmers Home Administration.

Approved: June 14, 1951.

CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 51-7051; Filed, June 19, 1951; 8:48 a. m.]

TITLE 7—AGRICULTURE

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

[1061 (51)-1, Supp. 5]

PART 701—NATIONAL AGRICULTURAL CONSERVATION PROGRAM

SUBPART—1951

MISCELLANEOUS AMENDMENTS

Pursuant to the authority vested in the Secretary of Agriculture under sections 7-17 of the Soil Conservation and Domestic Allotment Act, as amended, the 1951 National Agricultural Conservation Program, issued September 6, 1950 (15 F. R. 6109), as amended October 6, 1950 (15 F. R. 6813), October 24, 1950 (15 F. R. 7201), February 6, 1951 (16 F. R. 1225), and February 21, 1951 (16 F. R. 1815), is further amended as follows:

1. Section 701.210 (a) is amended by inserting the following as the third sentence therein:

§ 701.210 *Conservation practices and maximum rates of assistance.* (a) * * * Prior approval of the county committee is also required for all other practices contained in this subpart in all States, except Delaware, Florida, Georgia, Iowa, Kentucky, New Jersey, Tennessee, Virginia, and West Virginia. * * *

2. Section 701.279 is amended by deleting the words "designated by the ACP Branch as an area" in the first sentence, and adding the following at the end of the section:

§ 701.279 *Breaking out permanent vegetative cover.* * * * For the purposes of the 1951 program, the areas subject to serious wind erosion shall include all counties in Kansas, Montana, Nebraska, New Mexico, North Dakota, and Wyoming; Larimer, Boulder, Jefferson, Douglas, Teller, El Paso, Pueblo, Huerfano, and Las Animas Counties, and all counties east thereof, in Colorado; Beaver, Cimarron, Ellis, Harper, Roger Mills, Texas, and Woodward Counties in Oklahoma; Bennett, Brule, Buffalo, Butte, Campbell, Charles Mix, Corson, Custer, Dewey, Edmunds, Fall River, Faulk, Gregory, Haakon, Hand, Harding, Hughes, Hyde, Jackson, Jones, Lawrence, Lyman, McPherson, Meade, Mellette, Pennington, Perkins, Potter, Shannon, Stanley, Sully, Todd, Tripp, Walworth, Washabaugh, and Ziebach Counties in South Dakota; Armstrong, Dallam, Deaf Smith, Hansford, Hartley, Hutchinson, Lipscomb, Moore, Ochiltree, Oldham, Potter, and Sherman Counties in Texas.

3. Section 701.292 is amended by adding the following at the end thereof:

§ 701.292 *Time and manner of filing applications and information required.* * * * The final date for filing an application for payment is January 31, 1952, in New Hampshire; March 15, 1952, in New York; April 1, 1952, in Maine; April 30, 1952, in New Jersey and Rhode Island; May 1, 1952, in Nevada; May 15, 1952, in Florida; June 30, 1952, in Alabama, Arizona, Arkansas, Colorado, Connecticut, Delaware, Georgia, Louisiana, Mississippi, Montana, North Carolina, North Dakota, Pennsylvania, South Carolina, Vermont, Virginia, Washington, and Wyoming; July 1, 1952, in Maryland; August 31, 1952, in Minnesota; December 31, 1952, in California, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Massachusetts, Michigan, Missouri, Nebraska, New Mexico, Ohio, Oklahoma, Oregon, South Dakota, Tennessee, Texas, Utah, West Virginia, and Wisconsin. In those States for which the final date for filing an application for payment is earlier than December 31, 1952, the State committee may extend the final date to a date not later than December 31, 1952, when failure to file the application was due to conditions over which the farmer had no control.

(Sec. 4, 49 Stat. 164; 16 U. S. C. 590d. Interpret or apply secs. 7-17, 49 Stat. 1148, as amended; 16 U. S. C. 590g-590q)

Done at Washington, D. C., this 15th day of June 1951.

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

[F. R. Doc. 51-7048; Filed, June 19, 1951; 8:47 a. m.]

[1061 (P. R. 51)-1, Supp. 2]

PART 702—SPECIAL AGRICULTURAL CONSERVATION PROGRAM; PUERTO RICO

SUBPART—1951

FERTILIZER FOR COFFEE TREES

Pursuant to the authority vested in the Secretary of Agriculture under sections 7–17 of the Soil Conservation and Domestic Allotment Act, as amended, the 1951 Special Agricultural Conservation Program; Puerto Rico, issued November 1, 1950 (15 F. R. 7420), as amended December 19, 1950 (15 F. R. 9180), is further amended as follows:

Section 702.114 is amended by revising "Maximum assistance" to read as follows:

§ 702.114 *Practice 4: Applying to coffee trees fertilizer of grades approved for coffee by the Insular Department of Agriculture.* * * *

Maximum assistance. The lesser of $35 or 80 percent of the fair price per ton for the grade of fertilizer used, as determined by the State office.

(Sec. 4, 49 Stat. 164; 16 U. S. C. 590d. Interprets or applies secs. 7–17, 49 Stat. 1148, as amended; 16 U. S. C. 590g–590q)

Done at Washington, D. C., this 15th day of June 1951.

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

[F. R. Doc. 51-7096; Filed, June 19, 1951; 8:47 a. m.]

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

PART 936—FRESH BARTLETT PEARS, PLUMS, AND ELBERTA PEACHES GROWN IN CALIFORNIA

FINDINGS AND DETERMINATIONS RELATIVE TO EXPENSES TO BE INCURRED AND FIXING OF RATES OF ASSESSMENT FOR THE 1951–52 SEASON

On May 25, 1951, notice of proposed rule making was published in the FEDERAL REGISTER (16 F. R. 4943) regarding the expenses and the fixing of the rates of assessment for the 1951–52 season pursuant to the marketing agreement, as amended, and Order No. 36, as amended (7 CFR Part 936), regulating the handling of fresh Bartlett pears, plums, and Elberta peaches grown in the State of California. This regulatory program is effective under the Agricultural Marketing Agreement Act of 1937, as amended. After consideration of all relevant matters presented, including the proposals which were submitted by the Control Committee (established pursuant to said amended marketing agreement and order) and set forth in the aforesaid notice, it is hereby found and determined that:

§ 936.205 *Expenses and rates of assessment for the 1951–52 season*—(a) *Expenses.* The expenses likely to be incurred by the Control Committee during the 1951–52 season for the maintenance and functioning of such committee and the respective commodity committees, established pursuant to the provisions of the aforesaid amended marketing agreement and order, are as follows:

(1) Bartlett pears, $19,927.19;

(2) Early varieties of plums, $15,891.83;

(3) Late varieties of plums, $17,717.40; and

(4) Elberta peaches, $11,296.08.

(b) *Rates of assessment.* The following rates of assessment, which each handler shall pay in accordance with the applicable provisions of said amended marketing agreement and order, are hereby fixed as the respective handler's pro rata share of the aforesaid expenses:

(1) 15 mills ($0.015) per hundred pounds of Bartlett pears;

(2) 25 mills ($0.025) per hundred pounds of early varieties of plums;

(3) 25 mills ($0.025) per hundred pounds of late varieties of plums; and

(4) 15 mills ($0.15) per hundred pounds of Elberta peaches.

It is hereby further found that it is impracticable and contrary to the public interest to postpone the effective date hereof until 30 days after publication in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) in that (1) the respective rates of assessment are applicable to all fresh Bartlett pears, early vartieties of plums, late varieties of plums, and Elberta peaches shipped during the 1951–52 season; (2) shipments of plums have already commenced and shipment of Elberta peaches are expected to begin on or about June 28, 1951, with shipments of Barlett pears following on or about July 1, 1951; (3) the provisions hereof do not impose any obligation on a handler until such handler ships plums, Elberta peaches or Bartlett pears; and (4) it is essential that the specification of the assessment rates be issued immediately so that the aforesaid assessment may be collected and thereby enable the said Control Committee and commodity committees to perform their duties and functions in accordance with said amended marketing agreement and order.

Terms used in the amended marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in 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 15th day of June 1951.

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

[F. R. Doc. 51-7083; Filed, June 19, 1951; 8:52 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter V—Department of the Army

Subchapter G—Procurement

PART 596—CONTRACT CLAUSES AND FORMS

EDITORIAL NOTE: The original document designated F. R. Doc. 51-6881, published at page 5656 of the issue for Thursday, June 14, 1951, has been corrected as follows:

Section 596.584 has been changed to read "§ 596.585."

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[Ceiling Price Regulation 22, Amendment 10]

CPR 22 — MANUFACTURERS' GENERAL CEILING PRICE REGULATION

MISCELLANEOUS AMENDMENTS

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this amendment 10 to Ceiling Price Regulation 22 is hereby issued.

STATEMENT OF CONSIDERATIONS

Since the issuance on April 25, 1951, of Ceiling Price Regulation 22, questions raised by industry, and further study of the problems involved, have indicated the need for clarifying some of the provisions of the regulation and amending it in certain particulars and making certain corrections of typographical errors.

This amendment permits the manufacturer to add to his recomputed payroll his increased cost between the end of his base period and March 15, 1951, due to required payments under the Federal Insurance Contributions Act, the Federal Unemployment Tax Act and any State or local unemployment compensation law. The amount of these payments is directly affected by an increase in wage rates and it was the original intent of the regulation to permit manufacturers to reflect such increases. This amendment, therefore, expressly permits the reflection of these increases in cost.

In addition, the treatment of retroactive wage increases is clarified by this amendment which provides that any wage increase or "fringe benefit" granted or determined after March 15, 1951, even though granted or determined prior to April 25, 1951 (the date of the issuance of Ceiling Price Regulation 22) and retroactive to March 15, 1951, or any prior date, and pursuant to a contract in effect on March 15, 1951, is not to be included in the "labor cost adjustment." The regulation has been interpreted in this manner before the issuance of this amendment by Interpretation 5 of CPR 22 (16 F. R. 4440).

This amendment also provides three additional optional methods for determining the cost of a manufacturing material as of the dates prescribed by Ceiling Price Regulation 22. Under the provisions of Ceiling Price Regulation 22, as originally issued, a manufacturer could not use the net invoice price of a manufacturing material if delivery of that material was received more than 30 days prior to the prescribed date, or if delivery was made pursuant to a contract bearing a firm price entered into more than 60 days prior to the prescribed date.

Where the manufacturer cannot determine his cost of a material as of a prescribed date by the use of the methods originally contained in Ceiling Price Regulation 22, he may use the net price per unit of the material shown on the invoice for the last delivery of the material to him even though made more than 30 days prior to the prescribed date, or if this price is not available, the price in the last contract, even though that contract was entered into more than 60 days prior to the prescribed date. A similar treatment is accorded written offers. These methods for determining the cost of a manufacturing material as of a prescribed date are optional and need not be used if the manufacturer believes that the material cost change determined under them does not reflect the appropriate change in his material cost. Experience under this regulation has shown that in many cases the manufacturer was not able to determine his net cost of a manufacturing material as of the prescribed date because of the restrictions with respect to the delivery, contract or offer date. This amendment will enable many of these manufacturers to compute the permitted increased cost of materials without resorting to the filing of applications with the Office of Price Stabilization.

Section 33 provides a method for determining ceiling prices by borrowing a price from a manufacturer's most closely competitive seller. It was intended by this section that a manufacturer should have as his ceiling price under this regulation, the ceiling price of his competitor established under this regulation. This amendment is intended to clarify section 33 and state its requirements in more precise language.

This regulation originally provided that after reporting a ceiling price or proposed ceiling price no redetermination could be made except in the case of an increase in cost of agricultural commodities or products processed therefrom or to correct purely arithmetical errors. Amendments, supplements, revisions and interpretations may allow changes in the computation of ceiling prices or may provide additional periods or provisions for filing reports of ceiling prices. This amendment permits recomputation of ceiling prices based upon changes resulting from these amendments, revisions and interpretations and refiling under these circumstances. Amendment 6 to this regulation extended the effective date of this regulation and the time for filing Public Form No. 8. This amendment permits those manufacturers who filed their Public Form No. 8 to file an amended Public Form No. 8 and redetermine their ceiling prices provided they file the amended Public Form No. 8 by July 2, 1951. Provision is made also for redeterminations where the manufacturer has not calculated either one or both of the adjustments ("labor cost adjustment" or "materials cost adjustment") on his Public Form No. 8.

To eliminate some uncertainty which has arisen from use of the phrase "and other allied products" in paragraph (g) of Appendix A dealing with certain exempt lumber products, this paragraph is amended to specify in greater detail the commodities intended to be exempt by this paragraph of Appendix A. In addition, the words "shuttle points" are corrected to read "shuttle blocks" and the words "picker sticks" are corrected to read "picker stick blanks."

Some misunderstanding exists as to the line of demarcation between chemicals in general which are not exempt from Ceiling Price Regulation 22 under Appendix A, and drugs, which are exempt from Ceiling Price Regulation 22 and remain subject to the General Ceiling Price Regulation. After a study of the problem, and consultation with various members of the chemical and drug industries, it has been determined that the list of drugs and medicines found in Major Group 65 of the Standard Commodity Classification, a document prepared under the supervision of the Bureau of the Budget, provides an acceptable basis for classifying exempt drugs. This amendment, therefore, uses Major Group 65 as a basis for defining the scope of the term "drugs." Many of the commodities listed in Major Group 65, however, are used on occasion for medicinal purposes, but are used to a considerably greater extent for nonmedicinal purposes. Some examples of such commodities are phenol U. S. P., aluminum sulfate and magnesium sulfate, which are used in the main for industrial purposes. Commodities of the latter class are, therefore, excluded from the definition of drugs and are thus subject to Ceiling Price Regulation 22. The test as to whether a commodity is a drug or not is the purpose for which it is sold generally and not the use which the customers or the individual manufacturer may make of the commodity. A commodity which falls within the definition of a drug in this regulation is exempt from Ceiling Price Regulation 22 and remains subject to the General Ceiling Price Regulation regardless of the container size in which it is being shipped and priced.

This amendment also clarifies the term "fatty acids", as used in subparagraph (9) of paragraph (i) of Appendix A. The term was originally intended to include as indicated by this amendment, only those fatty acids found in most vegetable and animal oils in the form of glyceride esters. Higher carbon fatty acids such as stearic, palmitic, oleic, and lauric acids are therefore included, but acids such as acetic and butyric acid are not included in the term "fatty acids."

The change in paragraph (v) of Appendix A is to make the description more exact and more clearly express the original intent as to the scope of the term "all non-metallic minerals" now listed in Appendix A.

In the interest of consistency and to establish a uniform definition, a change is made in the definition of precious stones and precious jewelry which is also to be incorporated in a General Overriding Regulation.

Appendix B sets forth the manufacturing materials for which the change in net cost may be calculated up to March 15, 1951. Paragraph 1 of Appendix B refers to all commodities listed in Appendix A. This was intended to refer to all the commodities specifically listed in Appendix A to many of which a numbered regulation applied on the date of the issuance of Ceiling Price Regulation 22. The listing of exempted "commodities" in Appendix A is contained in (b) and subsequent paragraphs. Paragraph (a) of Appendix A exempts certain sales, including sales of all commodities the ceiling prices of which were at that time or subsequently established by a numbered regulation. These exempt sales were not intended to be included within Appendix B as commodities listed in Appendix A. An official interpretation to this effect has been issued. To assure the most widespread awareness of this result, however, this amendment is issued in order to clarify which manufacturing materials are included among those as to which the change in net cost may be calculated up to March 15, 1951.

AMENDATORY PROVISIONS

Ceiling Price Regulation 22, as amended, is further amended in the following respects:

1. Paragraph (c) of section 8 is amended by inserting before the last sentence the following: "You may also add to your recomputed payroll a dollar amount to reflect, for the labor covered by that payroll, any increase between the end of your base period and March 15, 1951, in the cost to you of required payments under the Federal Insurance Contributions Act, the Federal Unemployment Tax Act and any state or local unemployment compensation law. You may not include in your recomputation of your base period payroll any wage increase or "fringe benefit" granted or determined after March 15, 1951, even though, for example, such wage increase or "fringe benefit" is retroactive to March 15, 1951, or any prior date, and is pursuant to a contract in effect on March 15, 1951."

2. Section 18 (f) is redesignated 18 (i).

3. The fourth sentence from the end of the paragraph in the text preceding paragraph (a) in section 18 is amended to read as follows: "If you use paragraphs (c), (d), (e), (f), (g) or (h) of this section, you must disregard any price based upon a departure from your normal buying practices."

4. A new paragraph (f) is added to section 18 to read as follows:

(f) The net price per unit of the material shown on the invoice for the last delivery of the material to you. You may elect not to use this pricing method if you believe that the material cost change determined under this paragraph does not reflect the appropriate change in your cost of any material.

5. A new paragraph (g) is added to section 18 to read as follows:

(g) The net price per unit of the material stipulated in the written contract for the material which you entered into last prior to the prescribed date. You may elect not to use this pricing method if you believe that the material cost change determined under this paragraph does not reflect an appropriate change in your cost of any material.

6. A new paragraph (h) is added to section 18 to read as follows:

(h) The net price per unit of the material stipulated in the written offer for sale of the material to you made last prior to the prescribed date, provided that you still have the written offer or obtain a copy of it from the offeror. You may elect not to use this pricing method if you believe that the material cost change determined under this paragraph does not reflect an appropriate change in your cost of any material.

7. Section 33, paragraph (a), subparagraph (1) is amended by inserting before the words "of your most closely competitive seller" the following words "under this regulation," so that paragraph (a) (1) reads as follows:

(a) (1) If you are pricing a commodity which is in a different category from any dealt in by you between July 1, 1949 and June 24, 1950, or which you are selling to an entirely new class of purchaser as referred to in section 3 (c), your ceiling price is the same as the ceiling price under this regulation of your most closely competitive seller of the same class selling the same commodity to the same class of purchaser. A ceiling price so determined must be in line with the level of ceiling prices otherwise established by this regulation.

8. Section 37 is amended to read as follows:

SEC. 37. *Prohibition against redetermination of ceiling prices.* Once you have reported your ceiling price or proposed ceiling price for a commodity, as required by this regulation, you may not thereafter redetermine a higher ceiling price, except for the following reasons and upon compliance with the conditions specified:

(a) Increase in cost of agricultural commodities or products processed therefrom in accordance with section 21 of this regulation.

(b) Changes affecting the computation of ceiling prices resulting from amendment, supplement, revision or official interpretation of this regulation. In case of such a redetermination you must file an amended Public Form No. 8 and such redetermination may reflect only the factors covered by the amendment, supplement, revision or official interpretation.

(c) Extension of the effective date of this regulation pursuant to Amendment 6 of this regulation. In case of such a redetermination you must file an amended Public Form No. 8 by July 2, 1951.

(d) Where the base period price is used as the ceiling price without making the calculations of either of the adjustments (labor cost adjustment or materials cost adjustment) or where the ceiling price is the base period price plus only one of the adjustments. Such a redetermination shall be made by filing an amended Public Form No. 8 showing the omitted calculated adjustment or adjustments and it may reflect only the adjustment or adjustments not calculated in the filed unamended Public Form No. 8.

(e) Purely arithmetical errors, however, may be corrected at any time, but the corrections must be reported to the Director of Price Stabilization.

(f) The filing of an amended Form No. 8 under this section is subject to the provisions of section 48 of this regulation.

9. Paragraph (g) of Appendix A is amended to read as follows:

(g) The following lumber and wood products:

(1) Lumber, plywood, veneers, shooks, millwork, wood containers, clothespins, wood excelsior, wood excelsior pads, ties, posts, poles, piling, shuttle blocks, picker stick blanks, wagon and implement woodstock and wood parts such as, doubletrees, wagon tongues, neck yokes and wagon spokes.

(2) Other allied wood products including "turned wood products" (meaning any soft wood or hardwood lumber products which have been turned on a cutting machine or passed through a dowel machine) or "shaped wood products" (meaning any soft wood or hardwood lumber products which have been shaped on a pattern or cutting machine) such as unassembled furniture parts, handles, wooden skewers, wooden heels and lasts, wedgies, wood shanks for shoes and shoe pegs.

(3) However, this regulation does apply to wooden products which are completed and ready for ultimate household, recreational or farm use. Such completed products are not exempt under this paragraph unless they are specifically covered by subparagraphs (1) or (2) of this paragraph. A product is considered "completed and ready for ultimate household, recreational or farm use" within the meaning of this paragraph, even though it must still be painted, lacquered, varnished or upholstered, or subjected to further processing not affecting basic utility, but necessary for consumer acceptance or purchase.

Examples of commodities not included within the exemption of this paragraph are the following wood products: Furniture, assembled furniture frames, brooms, mops, carpet sweepers, toys, games, baseball bats, bowling pins, checkers, chess men, billiard cues, drumsticks, golf tees, wooden spoons, wooden bowls, toothpicks, rolling pins, potato mashers, medical applicators, stepladders, wooden coat hangers, picture frames, caskets, coffins and wooden matches.

10. Subparagraph (5) of paragraph (i) of Appendix A is amended to read as follows:

(5) Cosmetics, proprietary drug products, and drugs and medicines of the kind listed in Major Group 66, *Standard Commodity Classification, Technical Paper No. 26, Volume 1, United States Government Printing Office, 1943,* except those commodities (such as phenol U. S. P., aluminum sulfate and magnesium sulfate) which manufacturers generally sell principally for non-medicinal uses.

11. Subparagraph (9) of paragraph (i) of Appendix A is amended to read as follows:

(9) Fatty acids which occur in vegetable and animal oils in the form of glyceride esters, such as stearic, palmitic, oleic and lauric acids.

12. Paragraph (v) of Appendix A is amended to read as follows:

(v) (1) All non-metallic minerals which are obtained from their natural state solely by mechanical means such as grinding, washing, leaching, classification, flotation, evaporation, dehydration and the like. The term does not include commodities which are obtained by refining or purification processes involving recrystallization or chemical methods including carbonation, ionic interchange and similar methods.

(2) The exceptions provided in subparagraph (1) of this paragraph do not apply to the following:

(i) *Dimension and Building Stones as follows:* Basalt and related stones. Granite: Building, ornamental and monumental. Greenstone: Interior, or exterior building, structural, ornamental, and monumental. Limestone: Building, ornamental, and monumental. Marble: Slabs—buildings, structural, and decorative; ornamental and monumental marble; grave vaults. Sandstone: Building, structural, ornamental, floor and flagging (including bluestone and brownstone). Slate: Structural, electrical, grave vaults, mausoleum, roofing, floor, and flagging.

(ii) *Monuments and Memorials* of granite, greenstone, limestone, marble and sandstone.

13. Paragraph (aa) of Appendix A is amended to read as follows:

(aa) Precious stones and precious jewelry. A "precious stone" means a natural pearl, diamond, ruby, sapphire, or emerald. The term "precious stone" also includes any other genuine stone, including a semi-precious stone, any synthetic stone, or any cultured pearl or group of cultured pearls (combined in a single article), when the selling price for any such item by the cutter, wholesale dealer or importer is $25.00 or more. "Precious jewelry" means any article or mounting, a component part of which is a "precious stone" (or "precious stones") as defined above, when the value of the "precious stone" (or "precious stones") exceeds the value of the total of the other component parts of the finished article.

14. Paragraph 1 of Appendix B is amended to read as follows:

1. All commodities listed in Appendix A, as amended, under paragraph (b) and all succeeding paragraphs.

(Sec. 704, Pub Law 774, 81st Cong.)

Effective date. This amendment to Ceiling Price Regulation 22 shall become effective June 19, 1951.

NOTE: The record-keeping and reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JUNE 19, 1951.

[F. R. Doc. 51-7134; Filed, June 19, 1951; 4:00 p. m.]

[Ceiling Price Regulation 30, Amendment 4]

CPR 30—MACHINERY AND RELATED MANUFACTURED GOODS

CHANGES, CLARIFICATIONS AND CORRECTIONS

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this amendment 4 to Ceiling Price Regulation 30 (16 F. R. 4108) is hereby issued.

STATEMENT OF CONSIDERATIONS

Since the issuance on May 4, 1951, of Ceiling Price Regulation 30, questions raised by industry and further study of some of the problems involved have indicated the need for clarifying some of the provisions of the regulation and amending it in certain particulars.

The same changes are made in the method of calculating increases in

material costs and in the simplification of procedure when applying to the Office of Price Stabilization, for an increase in material costs as are made by Amendment 3 to Ceiling Price Regulation 22, issued May 17, 1951. As to these changes, the Statement of Considerations for Amendment 3 is equally applicable here.

This amendment, in addition, permits the manufacturer to add to his recomputed payroll his increased cost, between the end of the manufacturer's base period and March 15, 1951, due to required payments under the Federal Insurance Contributions Act, the Federal Unemployment Tax Act and any state or local unemployment compensation law. The amount of these payments is directly affected by an increase in wage rates and it was the original intent of the regulation to permit manufacturers to reflect such increases. This amendment, therefore, expressly permits the reflection of these increases in cost as labor cost increases.

The treatment of retroactive wage increases is clarified by this amendment which provides that any wage increase or "fringe benefit" granted or determined after March 15, 1951, even though granted or determined prior to May 4, 1951 (the date of the issuance of Ceiling Price Regulation 30) and retroactive to March 15, 1951, or any prior date, and pursuant to a contract in effect on March 15, 1951, is not to be included in the "labor cost adjustment". The regulation has been interpreted in this manner before the issuance of this amendment.

This amendment also provides three additional optional methods for determining the cost of a manufacturing material as of the dates prescribed by Ceiling Price Regulation 30. Under the provisions of Ceiling Price Regulation 30, as originally issued, a manufacturer could not use the net invoice price of a manufacturing material if delivery of that material was received more than 30 days prior to the prescribed date, or if delivery was made pursuant to a contract bearing a firm price entered into more than 60 days prior to the prescribed date. Where the manufacturer cannot determine his cost of a material as of a prescribed date by the use of the methods originally contained in Ceiling Price Regulation 30, he may use the net price per unit of the material shown on the invoice for the last delivery of the material to him even though made 30 days prior to the prescribed date, or if this price is not available, the price in the last contract, even though that contract was entered into more than 60 days prior to the prescribed date. A similar treatment is accorded written offers. These methods for determining the cost of a manufacturing material as of a prescribed date are optional and need not be used if the manufacturer believes that the material cost change determined under them does not reflect the appropriate change in his material cost. Experience under this regulation has shown that in many cases the manufacturer was not able to determine his net cost of a manufacturing material as of the prescribed date because of the restrictions with respect to the delivery, contract or offer date. This amendment will enable many of these manufacturers to compute the permitted increased cost of materials without resorting to the filing of applications with the Office of Price Stabilization.

In the case of commodities whose base period price is determined under section 8 or 9 of CPR 30, and where the manufacturer cannot determine his base period cost for a manufacturing material, this amendment makes it clear that the manufacturer may apply his base period markup over factory cost to the current legal cost of such manufacturing material. The regulation always has contained this provision. However, it was felt necessary to clarify the language accomplishing this result.

This regulation originally provided that after reporting a ceiling price or proposed ceiling price no redetermination could be made except to correct purely arithmetical errors. This amendment permits the recomputation of ceiling prices when amendments, supplements, revisions, and interpretations are issued, in order that manufacturers may reflect such changes in their ceiling prices.

Amendment 3 to this regulation extended to July 2, 1951, on a permissive basis, the effective date of this regulation and the time for filing Public Form No. 8. This amendment extends the same advantage to those manufacturers who have already filed Public Form No. 8 by permitting them to redetermine their ceiling prices and file an amended Form No. 8, provided that they file this amended Form No. 8 by July 2, 1951. Also, a manufacturer who has filed his Public Form No. 8 without calculating either one or both of the adjustments (labor cost adjustment, or materials cost adjustment) is permitted to redetermine his ceiling prices at any time in order to reflect the omitted adjustment or adjustments, provided he files an amended Form No. 8 at the time he makes such a redetermination.

Ships, coke oven doors and jambs, and fabricated track work are included within the coverage of CPR 30 because the pricing problems of the manufacturers of these commodities are substantially the same as those of the manufacturers of the other commodities covered by CPR 30. This amendment does not recontrol those ships which are now exempt from price control by the provisions of GOR 9.

The coverage of CPR 30 with regard to furnaces is clarified by excluding from CPR 30 only those types of industrial and laboratory furnaces which are in the nature of construction projects. Also, this amendment makes it clear that it covers only those parts and subassemblies that are in such form as to permit their use only in a commodity listed in Appendix A of the regulation and that castings are not covered by the regulation. These clarifications of the coverage of the regulation are in keeping with the original intent of the regulation.

Both CPR 22 and CPR 30 permit increases in the cost of some materials to be reflected to March 15, 1951. CPR 22 permits the March 15, 1951, date to be used for all commodities listed in Appendix A of that regulation. CPR 30, as originally issued, incorporated in its Appendix B (which lists those commodities for which the March 15, 1951, date may be used) those commodities contained in Appendix A of CPR 22 which are used in the manufacture or production of commodities covered by CPR 30. Amendments 3 and 10 of CPR 22 made certain changes in its coverage of Appendix A commodities. This amendment makes the corresponding changes in Appendix B of CPR 30.

AMENDATORY PROVISIONS

Ceiling Price Regulation 30 is amended in the following respects:

1. Section 10 (b) (3) is amended to read as follows:

(3) You determine your current cost, not in excess of the applicable ceiling price, of the "item" you disregarded in the computation under subparagraph (1) of this paragraph and add to this your markup over factory costs (total costs, less selling and general administrative expense) which is provided in the price determining method you used in subparagraph (1).

2. Section 12 (c) is amended to read as follows:

(c) Find the dollar amount of your factory payroll, as limited in paragraph (a) of this section, for your last payroll period ended not later than the end of your base period (if your base period is April 1 through June 24, 1950, you should use your last payroll period ended not later than June 30, 1950). The term "end of your base period" is explained in section 45 *(Definitions)* of this regulation. This payroll is referred to as "your base period payroll". Compute what the dollar amount of your base period payroll would have been upon the basis of your wage rates in effect on March 15, 1951. This is referred to as "your recomputed payroll". You may add to your recomputed payroll a dollar amount to reflect, for the labor covered by that payroll, any increase between the end of your base period and March 15, 1951, in the cost to you of insurance plans, pension contributions for current work, paid vacations and similar "fringe benefits". You may also add to your recomputed payroll a dollar amount to reflect, for the labor covered by that payroll, any increase between the end of your base period and March 15, 1951, in the cost to you of required payments under the Federal Insurance Contributions Act, the Federal Unemployment Tax Act and any state or local unemployment compensation law. You may not include in your recomputation of your base period payroll any wage increase or "fringe benefit" granted or determined after March 15, 1951, even though such wage increase or "fringe benefit" is retroactive to March 15, 1951, or any prior date, and is pursuant to a contract in effect on March 15, 1951. You may make the calculations called for by this paragraph in whatever appropriate way is best adapted to your accounting records and your basis of wage payments, e. g., hourly rates, piecework, or any other system of wage payments used by you.

3. In section 22 the text preceding paragraph (a) is amended to read as follows:

SEC. 22. *How to compute the net cost to you of a manufacturing material as of a prescribed date.* Under any of the four alternative methods you may use for calculating the "materials cost adjustment," you must figure the change, between prescribed dates, in the net cost to you per unit of each manufacturing material included in your calculations. (The earlier "prescribed date" is June 24, 1950, or another date depending on the base period you elected. The later "prescribed date" is December 31, 1950, or March 15, 1951.) To determine the net cost to you per unit of a manufacturing material as of a prescribed date, you use the first of the following prices available to you. In no event may the price you use be in excess of the ceiling price under a ceiling price regulation in effect on the date of the issuance of this regulation. If you use paragraphs (b), (c), (d), (e), (f) or (g) of this section, you must disregard any price based upon a departure from your normal buying practices. Such a departure would include quantities smaller than those you usually purchase or contract for, or use of a more distant or different class of supplier (other than the United States) or use of subcontracted industrial services in an amount in excess of that used in your base period. For example, you must disregard any price based upon a change in your source of supply from a manufacturer to a reseller or warehouseman or from a domestic to a foreign source of supply. Likewise you must disregard any price which is based upon a purchase of conversion steel, except as permitted in section 42 of this regulation.

4. Section 22 (b) is amended to read as follows:

(b) The net price per unit of the material shown on the invoice for the last delivery of the material to you prior to the prescribed date. If, however, the delivery was received more than 30 days prior to the prescribed date or was pursuant to a contract bearing a firm price entered into more than 60 days prior to the prescribed date, you may not use this paragraph. If, within 30 days prior to each of the applicable prescribed dates, you received more than one delivery of the same manufacturing material, you must use an average price for each such date. You obtain this average price by dividing the net amount you paid for all deliveries of the material during each of the 30 day periods by the total number of units of the material delivered to you during each period. In obtaining this average price you should not include any delivery made pursuant to a contract bearing a firm price entered into more than 60 days prior to the prescribed date. The average price for each period is the price you use for each of the respective prescribed dates. The term "30 days" as used in this paragraph means either a period of 30 consecutive days or an accounting month customarily used by you, provided that it is the last accounting month terminating not later than the applicable prescribed date. Where the applicable prescribed date is June 24, 1950, you may use an accounting month terminating not later than June 30, 1950.

5. Section 22 (e) is renumbered section 22 (h).

6. A new section 22 (e) is added to read as follows:

(e) The net price per unit of the material shown on the invoice for the last delivery of the material to you prior to the prescribed date. You may elect not to use this pricing method if you believe that the material cost change determined under this paragraph does not reflect the appropriate change in your cost of any material.

7. Section 22 (f) is added to read as follows:

(f) The net price per unit of the material stipulated in the written contract for the material which you entered into last prior to the prescribed date. You may choose not to use this pricing method if you believe that the material cost change determined under this paragraph does not reflect an appropriate change in your cost of any material.

8. Section 22 (g) is added to read as follows:

(g) The net price per unit of the material stipulated in the written offer for the sale of the material to you made last prior to the prescribed date, provided that you still have the written offer or obtain a copy of it from the offeror. You may choose not to use this pricing method if you believe that the material cost change determined under this paragraph does not reflect an appropriate change in your cost of any material.

9. Section 23 is amended to read as follows:

SEC. 23. *How to compute net cost as of the applicable prescribed dates where you are using a substitute material not used during the base period.* In the case of a substitute material not used by you during the base period (or used in lesser quantities or proportions) in the manufacture of a commodity being priced, you must, if you are using Methods 2, 3, or 4 for calculating "the materials cost adjustment", compute the net cost to you as of the end of your base period of the physical amounts of the materials normally used by you in your base period and the net cost to you as of December 31, 1950, or March 15, 1951, whichever date is applicable, of the physical amounts of the materials normally used by you now. The physical amounts of those materials normally used by you in your base period and now must relate to the same quantity of production of the commodities being priced in the case of Method 4, to a unit of the commodity being priced in the case of Method 2, and to a unit of the best selling commodity in the case of Method 3. Since this calculation cannot be made accurately under Method 1 (section 17), you may not use that method for any unit of your business in which you are now using significant quantities of a substitute material whose current unit cost is lower than the current unit cost of the material used by you during the base period. However, if the current unit cost of the substitute material is the same or higher than the current unit cost of the material used by you during the base period, you may use Method 1, but without making any allowance for the higher cost of the substitute material.

10. Section 35 is amended to read as follows:

SEC. 35. *Prohibition against redetermination of ceiling prices.* Once you have reported your ceiling price or proposed ceiling price for a commodity, as required by this regulation, you may not thereafter redetermine a higher ceiling price, except for the following reasons and upon compliance with the conditions specified.

(a) Changes affecting the computation of ceiling prices resulting from amendment, supplement, revision or official interpretation of this regulation. In case of such a redetermination you must file an amended Public Form No. 8 and such redetermination may reflect only the factors covered by the amendment, supplement, revision or official interpretation.

(b) Extension of the effective date of this regulation pursuant to Amendment 3 of this regulation. In case of such a redetermination you must file an amended Public Form No. 8 by July 2, 1951.

(c) Where the base period price is used as the ceiling price without making the calculations of either of the adjustments (labor cost adjustment or materials cost adjustment) or where the ceiling price is the base period price plus only one of the adjustments. Such a redetermination shall be made by filing an amended Public Form No. 8 showing the omitted calculated adjustment or adjustments and it may reflect only the adjustment or adjustments not calculated in the filed unamended Public Form No. 8.

(d) Purely arithmetical errors, may be corrected at any time, but the corrections must be reported to the Director of Price Stabilization.

(e) The filing of an amended Form No. 8 under this section is subject to the provisions of section 46 of this regulation.

11. Section 45 is amended by inserting immediately after the heading "Definitions and explanations" the following sentence: "Unless the context otherwise requires, the definitions and explanations in this section shall be controlling."

12. Section 45 (y) is added to read as follows:

(y) *Casting.* This term means any product produced from molten metal or alloy which is formed in a mold or die and on which no further operations are performed, except cleaning, snagging, rough grinding, inspecting, testing, rough drilling, or machining but only for the purpose of inspecting or cleaning. It also means any such product upon which further operations are performed, but only if it is designed solely to meet the buyer's specifications.

13. Appendix A is amended in the following respects:

a. The item "Coke oven doors and jambs" is inserted between the item

"Coal preparation equipment" and the item "Compressors, except those used with condensing units under 25 horsepower or 25 tons".

b. The item "Track work, fabricated (including but not limited to frogs, switches and cross-overs)" is inserted between the item "Tools, power-driven, portable or non-portable" and the item "Tractors".

c. The item "Furnaces and ovens, industrial and laboratory, except space heating, warm air furnaces, stoves, blast furnaces, open hearth furnaces, Bessemer converters, and soaking pits, coke ovens, and industrial furnaces used solely for the manufacture of pig iron and steel", is amended to read, "Furnaces and ovens, industrial and laboratory, except space heating, warm air furnaces, stoves, blast furnaces, open hearth furnaces, Bessemer converters, soaking pits and coke ovens".

d. The item "Ships (any ship or boat powered by an inboard engine and barges and cargo carrying barges whether powered or not)" is inserted between the item "Sharpening and filing equipment" and the item "Shoe manufacturing and repairing machinery".

e. The item "Engines, gasoline and kerosene, except toy and portable and outboard motors" is amended to read "Engines, gasoline and kerosene, except toy, and portable outboard motors."

f. The item "Parts and subassemblies of any item listed in this Appendix except mechanical rubber goods" is amended to read, "Parts and subassemblies of any commodity listed in this Appendix, where the part or subassambly is in such form as to permit its use only in a commodity listed in this Appendix, except castings and mechanical rubber goods". The term "castings" is defined in section 45 *Definitions.*

g. The term "Aircraft parts (all parts, subassemblies and unfinished parts and components of aircraft which are in such form as to permit their use only as aircraft parts)" is amended to read "Aircraft parts (all parts, subassemblies and unfinished parts and components of aircraft which are in such form as to permit their use only as aircraft parts, except tires and tubes)".

14. Appendix B is amended in the following respects:

a. Paragraph (e) is amended to read as follows:

(e) The following lumber and wood products:

(1) Lumber, plywood, veneers, shooks, millwork, wood containers, wood excelsior, wood excelsior pads, ties, posts, poles, piling, shuttle blocks, picker stick blanks, wagon and implement woodstock and wood parts, such as double trees, wagon tongues, neck yokes and wagon spokes.

(2) Other allied wood products including "turned wood products" (meaning any soft wood or hardwood lumber products which have been turned on a cutting machine or passed through a dowel machine) or "shaped wood product" (meaning any soft wood or hardwood lumber products which have been shaped on a pattern or cutting machine).

(3) Wooden products which are completed and ready for ultimate farm use are not included unless they are specifically covered by subparagraphs (1) or (2) of this paragraph. A product is considered "completed and ready for ultimate farm use" within the meaning of this paragraph, even though it must still be painted, lacquered, varnished or upholstered, or subjected to further processing not affecting basic utility, but necessary for consumer acceptance or purchase.

b. Paragraph (m), including subparagraphs (1) through (8), is amended to read as follows:

(m) The following specified building materials:

(1) Cement, including standard Portland Cement; Special Portland Cement, such as high early strength masonry or mortar, low and moderate heat, oilwell, sulphate-resisting, white Portland; or any other cement generally classified as Special Portland Cement; alumina cement, natural cement, puzzolan (slaglime) cement; and masonry cement of the natural cement class; but excluding hydraulic lime.

(2) Ready mixed Portland cement concrete.

(3) Calcined gypsum plasters, not including finished products produced therefrom.

(4) Lime (construction, metallurgical, chemical, agricultural, refractory).

(5) Sand, gravel, crushed stone and slag, both aggregates and industrial.

(6) Light weight aggregates.

(7) Asphaltic concrete and bituminous paving mixes.

(8) Roofing granules, natural and artificial.

c. Subparagraph (6) of paragraph (f) is amended to read as follows:

(6) Fatty acids which occur in vegetable and animal oils in the form of glyceride esters, such as stearic, palmitic, oleic and lauric acids.

d. Paragraph (n) is amended to read as follows:

(n) Primary metals, metallic alloys metallic oxides, and metallic by-products.

e. Paragraph (r) is amended to read as follows:

(r) (1) All non-metallic minerals which are obtained from their natural state solely by mechanical means such as grinding, washing, leaching, classification, flotation, evaporation, dehydration and the like. This term does not include commodities which are obtained by refining or purification processes involving recrystallization or chemical methods including carbonation, ionic interchange and similar methods.

(2) The exceptions provided in subparagraph (1) of this paragraph do not apply to the following dimension and building stone: Basalt and related stones; granite: building, ornamental and monumental; greenstone: interior, or exterior building, structural, ornamental, and monumental; limestone: building, ornamental, and monumental; marble: slabs-building, structural, and decorative; and ornamental and monumental marble; sandstone: building, structural, ornamental, floor and flagging (including bluestone and brownstone); slate: structural, electrical, roofing, floor, and flagging.

f. Paragraph (s) is amended to read as follows:

(s) All cast, rolled, drawn, or extruded metals and alloys which have not been further fabricated, except cast iron soil pipe and fittings, cast iron water and gas pipe and fittings, and valve and pipe fittings.

g. Paragraph (t) is amended to read as follows:

(t) Fabricated structural steel and steel plate and fabricated reinforcing bars, except metal lath and metal lath accessories (including cold rolled channels).

h. The following new paragraphs (y), (z) and (aa) are added to read as follows:

(y) Merchant clays, as listed and described in the Bureau of Mines, U. S. Department of the Interior, current "Minerals Yearbook."

(z) The following iron and steel products: Wire rope and strand; wire (barbed and twisted); wire fence (woven or welded); wire netting; nails (cut and wire); staples; wire bale ties; fence posts; steel screen wire cloth, welded wire concrete reinforcing mesh; hoops; bailing bands, and cotton ties; formed roofing and siding; valley, ridge roll, and flashing; welded pipe and tubing; rails and track accessories.

(aa) Glass containers and closures for glass containers except rubber closures and novelty closures not used by commercial bottlers or packers.

(Sec. 704, Pub Law 774, 81st Cong.)

Effective date. This amendment shall become effective June 19, 1951.

NOTE: The record-keeping and reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

MICHAEL V. DI SALLE,
Director of Price Stabilization.

JUNE 19, 1951.

[F. R. Doc. 51-7133; Filed, June 19, 1951; 4:00 p. m.]

[General Overriding Regulation 4, Amendment 1]

GOR 4—EXEMPTIONS OF CERTAIN CONSUMER SOFT GOODS

CERTAIN INDIAN AND ESKIMO HANDICRAFT OBJECTS

Pursuant to the Defense Production Act of 1950 (Public Law 774, 81st Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this amendment 1 to General Overriding Regulation No. 4 is issued.

STATEMENT OF CONSIDERATIONS

This amendment to General Overriding Regulation 4 adds to the commodities already exempted by that regulation from any ceiling price restrictions imposed by the Office of Price Stabilization. The commodities added are Indian and Eskimo handicraft objects produced by the manual skill of American Indians, Alaskan Indians or Eskimos. Such objects are already exempted from the General Ceiling Price Regulation and like the other commodities exempted by General Overriding Regulation 4, are of minor significance. They have but a trifling effect on the cost of living, the cost of the defense effort or general current industrial costs. These commodities are not so related to any other commodities which are important to the cost of living, the cost of the defense effort or to general current industrial costs as to have any effect on the controls of other commodities remaining under ceiling price restrictions. Moreover, these commodities are often bartered and therefore cannot practically be included in such regulations as Ceiling Price Regulation 7. Furthermore, any ceiling price restrictions im-

posed on these commodities would involve an administrative and enforcement burden out of all proportion to the importance of keeping them under price control.

In view of the nature of the commodities exempted, this amendment to General Overriding Regulation 4 will not have any material effect on the general level of prices.

AMENDATORY PROVISION

General Overriding Regulation 4 is amended by adding a new section 4 to read as follows:

SEC. 4. *Certain Indian and Eskimo handicraft objects.* Indian and Eskimo handicraft objects produced by the manual skill of American Indians, Alaskan Indians or Eskimos.

(Sec. 704, Pub. Law 774, 81st Cong.)

Effective date. This amendment to General Overriding Regulation 4 shall become effective June 23, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JUNE 19, 1951.

[F. R. Doc. 51-7131; Filed, June 19, 1951; 10:47 a. m.]

[General Overriding Regulation 5, Amendment 2]

GOR 5—EXEMPTIONS OF CERTAIN CONSUMER DURABLE GOODS

ADDITIONAL EXEMPTIONS

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this amendment 2 to General Overriding Regulation 5 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment to General Overriding Regulation 5 extends the coverage of that exempting regulation. Precious stones and precious jewelry are exempt from any ceiling price restrictions imposed by the Office of Price Stabilization. These commodities have been exempt from price control since its inception, but have been variously described in the regulations. (See exemption provisions in GCPR, section 14 (i); CPR 7, Appendix B, headnote preceding category 970; CPR 22, Appendix A, (aa).) The purpose of this amendment is to establish a uniform definition of these commodities which have been and are now entitled to exemption.

The commodities exempted by this amendment have but a trifling effect upon the cost of living, the cost of the defense effort, or the general current of industrial costs. These commodities are not so related to any other commodities which are important to the cost of living, to the cost of the defense effort, or to the general current of industrial costs as to have effect on the controls of other commodities remaining under ceiling price restrictions. Furthermore, any ceiling price restrictions imposed on these commodities would involve an administrative enforcement burden out of all proportion to the importance of placing such commodities under price control.

In view of the nature of the commodities exempted, this amendment will not have any material effect on the general level of prices.

AMENDATORY PROVISIONS

General Overriding Regulation 5 is hereby amended in the following respects:

1. A new section designated section 5 is added to read as follows:

SEC. 5. *"Precious stones" and "precious jewelry".* (a) "Precious stone" means a natural pearl, diamond, ruby, sapphire, or emerald. The term "precious stone" also includes any other genuine stone, including a semi-precious stone, any synthetic stone, or any cultured pearl or group of cultured pearls (combined in a single article), when the selling price for any such item by the cutter, wholesale dealer or importer is $25.00 or more.

(b) "Precious jewelry" means any article or mounting, a component part of which is a "precious stone" (or "precious stones") as defined in paragraph (a) of this section when the value of the "precious stone" or ("precious stones") exceeds the value of the total of the other component parts of the finished article.

(Sec. 704, Pub. Law 774, 81st Cong.)

Effective date. This amendment shall become effective June 23, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JUNE 19, 1951.

[F. R. Doc. 51-7135; Filed, June 19, 1951; 4:00 p. m.]

[General Overriding Regulation 6, Amendment 2]

GOR 6—EXEMPTIONS RELATING TO SPECIFIED NONPROFIT ORGANIZATIONS

SALES BY THE SALVATION ARMY, 4-H CLUB SUPPLIES AND CAMP FIRE GIRL SUPPLIES

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738) this amendment 2 to General Overriding Regulation 6 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment to General Overriding Regulation 6 adds certain merchandise sales to those exempted by the regulation from any price regulations issued by the Office of Price Stabilization. The sales here exempted are sales of used and waste goods by the Salvation Army, of official 4-H Club supplies by the National Committee of Boys and Girls Club Work, Incorporated, and of official Camp Fire Girl supplies. The Salvation Army is a religious and charitable nonprofit organization which, in the furtherance of a rehabilitation program, accepts donations of merchandise from the public which are sold in the same condition received or after reconditioning by the beneficiaries of the program. The National Committee on Boys and Girls Club Work is a nonprofit organization which as one of its activities furthers the work of the 4-H Clubs by selling 4-H Club supplies to persons connected with the clubs. Camp Fire Girls, Inc., is a nonprofit organization which receives a royalty on all official Camp Fire Girl Supplies sold. The articles sold, the quality of the merchandise, the manner of distribution and the price at which sold are strictly controlled by Camp Fire Girls, Inc.

This amendment, in addition to exempting the sales referred to also amends the title of General Overriding Regulation 6 to broaden the description of the regulation to include such sales.

In general, the considerations stated in support of General Overriding Regulation 6 are likewise applicable to the sales here referred to. In the judgment of the Director of Price Stabilization, it is not necessary for ceilings to be applied to these transactions.

AMENDATORY PROVISIONS

General Overriding Regulation 6 is amended in the following respects:

1. The title of the regulation is revised to read as set forth above.

2. By adding the following new sections numbered 4, 5 and 6:

SEC. 4. *Sales by the Salvation Army.* No price regulation issued by the Office of Price Stabilization applies to sales at retail by the Salvation Army of used and waste goods donated by members of the public to that organization and sold in the condition received or as reconditioned by the organization.

SEC. 5. *Sales of 4-H supplies.* No price regulation issued by the Office of Price Stabilization applies to sales at retail by National Committee on Boys and Girls Club Work, Incorporated, of articles bearing the official emblem, motto, pledge or other distinguishing mark of the 4-H Clubs.

SEC. 6. *Sales of Camp Fire Girls Supplies.* No price regulation issued by the Office of Price Stabilization applies to sales at wholesale or retail of articles bearing the official emblem, motto, pledge or other distinguishing mark of Camp Fire Girls, Inc.

(Sec. 704, Pub. Law 774, 81st Cong.)

Effective date. This amendment to General Overriding Regulation 6 shall become effective June 19, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JUNE 19, 1951.

[F. R. Doc. 51-7132; Filed, June 19, 1951; 10:47 a. m.]

Chapter XVII—Housing and Home Finance Agency

[CR 3, Appendix 1, as Amended]

CR 3—RELAXATION OF RESIDENTIAL CREDIT CONTROLS: REGULATION GOVERNING PROCESSING AND APPROVAL OF EXCEPTIONS AND TERMS FOR CRITICAL DEFENSE HOUSING AREAS

APP. 1—CRITICAL DEFENSE HOUSING AREAS

Appendix 1 to CR 3, Relaxation of Residential Credit Controls: Regulation Governing Processing and Approval of Exceptions and Terms for Critical Defense Housing Areas, originally issued at 16 F. R. 3838 (May 2, 1951), amended at 16 F. R. 4199 (May 8, 1951), amended at 16 F. R. 4802 (May 23, 1951), and amended at 16 F. R. 5432–33 (June 8, 1951), is hereby amended to read as follows:

APPENDIX 1 TO CR 3 (AS AMENDED)—CRITICAL DEFENSE HOUSING AREAS[1]

Critical defense housing area	State	Date designated
1. San Diego	California	May 2, 1951
2. Corona	do	May 8, 1951
3. Colorado Springs	Colorado	Do.
4. Star Lake	New York	May 23, 1951
5. Fort Leonard Wood area	Missouri	Do.
6. Camp Cooke area	California	June 8, 1951
7. Bremerton	Washington	Do.
8. San Marcos	Texas	Do.
9. Valdosta	Georgia	June 20, 1951
10. Tullahoma	Tennessee	Do.
11. Camp Pendleton area	California	Do.

[1] These areas are in addition to three areas of Atomic Energy Commission installations in which exceptions from residential credit restrictions are issued pursuant to CR 2 of the Housing and Home Finance Agency.

[SEAL] RAYMOND M. FOLEY,
Housing and Home Finance Administrator.

[F. R. Doc. 51–7053; Filed, June 19, 1951; 8:48 a. m.]

TITLE 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 34—CLASSIFICATION AND RATES OF POSTAGE

PARCELS ADDRESSED TO CERTAIN A. P. O.'S

In § 34.95 *Parcels addressed to certain A. P. O.'s* (15 F. R. 8165, 16 F. R. 2152) make the following changes:

1. In the caption of paragraph (b) strike the words "*A. P. O. 55 and 58*" and insert in lieu thereof the words "*A. P. O.'s 10, 11, 55 and 58.*"

2. In the text of paragraph (b) strike the words "A. P. O. 55 or A. P. O. 58" and insert in lieu thereof the words "A. P. O. 10, 11, 55 or 58."

3. Amend the caption of paragraph (c) to read as follows:

(c) *List of Military Post Offices to which parcels may not be dispatched unless accompanied with the required customs declaration on Form 2966 or 2967–A:*

4. In paragraph (c) amend the table of A. P. O.'s to read as follows:

10	55	125
11	58	147
30	124	179

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

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

[F. R. Doc. 51–7035; Filed, June 19, 1951; 8:46 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 1—PRACTICE AND PROCEDURE

MISCELLANEOUS AMENDMENTS

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 13th day of June 1951;

The Commission having under consideration the revision of FCC Form 501–A, Application for Ship Radiotelephone Station License, and the amendment of § 1.318 (b) (5) of the Commission's rules and the "Table showing forms currently in effect and where they are referred to in Part 1 of the rules and regulations"; and

It appearing, that certain editorial changes have been made for the purpose of clarification and the deletion of certain other questions the answers to which are no longer required by the Commission; and

It further appearing, that processing of applications will be expedited by combining the application (FCC Form 501–A) and authorization (FCC Form 551–A) both of which will be completed by the applicant and upon approval by the Commission the authorization portion will be authenticated and returned to the applicant as his official station license; and

It further appearing, that there is no longer any need for filing FCC Form 500 in triplicate; and

It further appearing, that certain editorial changes in the "Table showing forms currently in effect and where they are referred to in Part 1 of the rules and regulations" are necessary to conform with a previous amendment to § 1.320 (c); and

It further appearing, that the changes herein contained are editorial in nature, involving no substantive change requiring general notice of proposed rulemaking under section 4 (a) of the Administrative Procedure Act; and

It further appearing, that blank copies of the application form herein adopted (FCC Form 501–A) will be made available to the public as soon as practicable through the Commission's offices in Washington, D. C., as well as through its field offices throughout the United States, its territories and possessions; and

It further appearing, that authority for the ordered revisions and amendments is contained in sections 4 (i), 303 (r), and 308 (b) of the Communications Act of 1934, as amended:

It is ordered, That, effective July 23, 1951, FCC Form 501–A, Application for Ship Radiotelephone Station License, is revised as set forth in the attachment hereto;[1] and

It is further ordered, That, effective July 23, 1951, Part 1 of the Commission's rules is amended as set forth below:

1. Section 1.318 (b) (5) is amended to read:

(5) FCC Form 500, "Ship Radio Station Equipment"—to be filed with FCC Form 501 in duplicate.

2. The "Table showing forms currently in effect and where they are referred to in Part 1 of the rules and regulations" is amended as follows:

a. Change "502_____1.320 (c) (6)" to read "502_____1.320 (c) (5)."

b. Change "501–A_____1.320 (c) (9)" to read "501–A_____1.320 (c) (8)."

c. Change "501–B_____1.320 (c) (10)" to read "501–B_____1.320 (c) (9)."

(Sec. 4, 48 Stat. 1066 as amended; 47 U. S. C. 154. Interprets or applies secs. 303, 308, 48 Stat. 1082, as amended, 1084; 47 U. S. C. 303, 308)

Released: June 15, 1951.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 51–7064; Filed, June 19, 1951; 8:50 a. m.]

[Docket No. 9958]

PART 31—UNIFORM SYSTEM OF ACCOUNTS FOR CLASS A AND CLASS B TELEPHONE COMPANIES

MISCELLANEOUS AMENDMENTS

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 13th day of June 1951;

The Commission having under consideration the matter of amendment of Part 31 (Uniform System of Accounts for Class A and Class B Telephone Companies) of its rules and regulations and the related interpretation in Case 6–R–1 of Telephone Accounting Bulletin No. 1 (Appendix A to Part 31);

It appearing, that on May 10, 1951, the Commission published in the FEDERAL REGISTER (16 F. R. 4341) a notice of proposed rule making, in accordance with section 4 (a) of the Administrative Procedure Act, which notice set forth a revision of Part 31 and the aforementioned related case interpretation No. 6–R–1 with respect to original cost accounting by Class A and Class B Telephone Companies, and that the period in which interested persons were afforded an opportunity to submit comments expired on June 1, 1951, and that no comments have been received during that period; and

It further appearing, that in addition to the rule amendment set forth in the notice of proposed rule making, the amendment herein provides for the following change in § 31.614:

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

Immediately following the present text of § 31.614, add the following sentence: "This account may also be charged or credited with amounts described in subparagraph (c) (3) of account 100.4;" and

It further appearing, that the aforesaid change does not alter the substance of the amendment set forth in the notice of proposed rule making but comprises appropriate cross-referencing and clarifying language in a related section of Part 31 of the rules, and therefore compliance with requirements of section 4 of the Administrative Procedure Act is not necessary; and

It further appearing, that authority for the promulgation of this amendment is contained in sections 4 (i) and 220 of the Communications Act of 1934, as amended; and

It further appearing, that under section 220 (g) of the Communications Act of 1934, as amended, notice of alterations by the Commission in the required manner or form of keeping accounts shall be given by the Commission at least six months before the same are to take effect;

It is ordered, That effective January 1, 1952, Part 31 of the Commission's rules and regulations and the related case interpretation No. 6–R–1 of Telephone Accounting Bulletin No. 1 are amended as set forth below: *Provided, however*, That any carrier may make this amendment effective at any date subsequent to the date of this order.

(Sec. 4, 48 Stat. 1066, as amended; 47 U. S. C. 154. Interprets or applies sec. 220, 48 Stat. 1078; 47 U. S. C. 220)

Released: June 13, 1951.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

1. Amend subparagraph (2) of § 31.100:4 (c) to read as follows:

(2) Credit amounts shall be disposed of in such manner as this Commission may approve or direct, except for credit amounts referred to in subparagraph (3) of this section.

2. Immediately following subparagraph (2) of § 31.100:4 (c), insert the following new subparagraph:

(3) Within one year from the date of inclusion in this account of a debit or credit amount with respect to a current acquisition, the company may dispose of the total amount (other than that portion relating to land) arising from an acquisition of telephone plant by a lump-sum charge or credit, as appropriate, to account 614, "Amortization of telephone plant acquisition adjustment," without further approval of the Commission, provided that such amount does not exceed $2,000 and that the plant was not acquired from an affiliated company.

3. Immediately following the present text of § 31.614, add the following sentence: "This account may also be charged or credited with amounts described in paragraph (c) (3) of account 100.4."

4. In Telephone Accounting Bulletin No. 1 (Appendix A to Part 31), redesignate "Case 6–R–1 (Cancels Case 6)" issued on July 13, 1939, and amended on June 20, 1944 as "Case 6–R–2 (Cancels Case 6–R–1)." Delete the present note and amend the first paragraph of the "answer" to read as follows:

Answer: Paragraphs (a) and (b) of § 31.2–21 of the effective system of accounts for telephone companies (the former of which paragraphs includes the expression, "a substantially complete telephone system, exchange, or toll line") shall be interpreted to mean that acquisitions of telephone plant of the types set forth in subparagraphs (a) to (i), inclusive, of the second paragraph of this answer, shall be accounted for in accordance with the provisions of aforementioned paragraphs (a) and (b) of § 31.2–21; *Provided, however*, That telephone plant acquired from a nonaffiliate at a cost not exceeding $25,000 in the case of Class A companies, and $5,000 in the case of Class B companies may be accounted for on the basis of acquisition cost in accordance with the provisions of paragraph (c) of § 31.2–21.

[F. R. Doc. 51–7059; Filed, June 19, 1951; 8:49 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[P. & S. Docket No. 450]

DENVER UNION STOCK YARD CO.

NOTICE OF PETITION FOR MODIFICATION AND HEARING THEREON

On February 17, 1937, pursuant to authority vested in him by the Packers and Stockyards Act, 1921, as amended (7 U. S. C. 181 et seq.), the Secretary of Agriculture, after full hearing under an order of inquiry and notice of hearing, issued an order prescribing various maximum rates to be assessed by respondent for stockyard services at the Denver Stock Yards, Denver, Colorado.

Since February 17, 1937, various temporary or interim orders have been issued in the proceeding prescribing other and different rates for stockyard services. The respondent is presently operating under authority of an order dated June 8, 1948 (7 A. D. 451) as modified and extended by subsequent orders in the proceeding.

On June 12, 1951, respondent, by its attorney, filed a petition alleging that the findings of fact with respect to respondent's rate base are "out of date" and do not reflect the current values attributable to the property used and useful at this time by the respondent for stockyard purposes. In the order of February 17, 1937, respondent's rate base was found to be $2,792,700; whereas, respondent alleges that the rate base is presently not less than $3,450,000. By its petition respondent requests (1) that findings of fact which will reflect the current values of respondent's used and useful property be made, (2) that maximum rates and charges established by the order of February 17, 1937, be found to be unreasonable, (3) that findings of fact be made, after hearing, to the effect that rates and charges identical with the rates and charges currently in effect are reasonable rates and charges at this time, and (4) that an order be issued prescribing rates and charges identical with the rates and charges currently in effect as respondent's rates and charges for stockyard services.

Pursuant to the provisions of section 310 of the Packers and Stockyards Act, 1921, as amended, and the rules governing proceedings under the act (9 CFR 202), a public hearing upon the matters covered by the petition filed by respondent on June 12, 1951, and described above herein, will be held in Room 110, Administration Building, United States Department of Agriculture, at 10:00 a. m., e. s. t., on July 11, 1951.

Respondent's petition is part of the official docket in P. & S. Docket No. 450, in the files of the Hearing Clerk, United States Department of Agriculture, Washington 25, D. C., and is available there for inspection. A copy may be secured by any interested party upon request addressed to the Hearing Clerk.

Any interested person who wishes to be heard or who wishes to submit written evidence, or who wishes to be heard and to submit written evidence upon the matter, shall notify the Hearing Clerk of this desire by communication which must be received by the Hearing Clerk on or before July 5, 1951.

Done at Washington, D. C., this 15th day of June 1951.

[SEAL] KATHERINE L. MASON,
Hearing Clerk.

[F. R. Doc. 51–7082; Filed, June 19, 1951; 8:52 a. m.]

[7 CFR, Part 55]

SAMPLING, GRADING, GRADE LABELING AND SUPERVISION OF PACKAGING OF BUTTER, CHEESE, AND EGGS

NOTICE OF PROPOSED RULE MAKING

Notice is hereby given that the United States Department of Agriculture is considering the issuance, as hereinafter proposed, of an amendment to the rules governing sampling, grading, grade labeling, and supervision of packaging of butter, cheese, and eggs (7 CFR Part 55), to become effective July 1, 1951, pursuant to the authority contained in the Department of Agriculture Appropriation Act of 1951 (Pub. Law 759, 81st Cong., approved September 6, 1950). The provisions of the regulations which

apply to butter and cheese will be superseded as of July 1, 1951, and will be contained in Part 58 of the Code of Federal Regulations. Thereafter Part 55 will be applicable only to eggs and egg products. The currently effective provisions of the regulations applicable to eggs and egg products remain unchanged with the exception of the proposed revision of those sections which deal with the internal organization of the Administration which are changed to reflect the delegation of authority within the organization of the Production and Marketing Administration charged with the administration of the service provided in the aforesaid regulations, and the hourly rate for rendering service on an intermittent fee basis which has been raised from $3.00 to $3.60. The legislation authorizing the performance of these services provides that they be operated on a self-supporting basis and it has been determined that an hourly rate of $3.60 is necessary in order to defray the increased cost in rendering the services.

All persons who desire to submit written data, views, or arguments in connection with the proposals should file the same in triplicate with the Chief of the Marketing Services Division, Poultry Branch, Production and Marketing Administration, United States Department of Agriculture, Room 2099 South Building, Washington 25, D. C., not later than the 5th day after publication of this notice in the FEDERAL REGISTER.

The proposed amendment is as follows:

1. Revise paragraph (z) "National supervisor" in § 55.2 to read as follows:

(z) "National supervisor" means (1) the officer in charge of the egg grading service of the Administration and (2) such other employees of the Administration as may be designated by him.

2. Revise the provisions of § 55.33 *Who may be licensed,* to read as follows:

§ 55.33 *Who may be licensed.* Any person possessing proper qualifications, as determined by an examination for competency, may be licensed by the Secretary as a grader, inspector, sampler, or supervisor of packaging. Such examination shall be held at such time and in such manner as may be prescribed by the Administrator. All licenses issued by the Secretary shall be countersigned by the officer in charge of the poultry grading and inspection service of the Administration. Any prospective licensee, other than a Federal or State employee, shall, prior to the granting of the license, procure and deliver to the Administration a surety bond, issued by such surety as may be approved by the Administrator, in the amount of $1,000 for the proper performance of the duties of such licensee under the act and this part.

3. Revise the provisions of § 55.34 *Limited license may be issued* to read as follows:

§ 55.34 *Limited license may be issued.* To any person possessing proper qualifications, as determined by the Administrator, there may be issued a limited license by the Secretary to perform the following functions: (a) To candle and grade eggs on the basis of Official United States Standards of Quality of Individual Shell Eggs, issued by the Department on January 2, 1943, with respect to eggs purchased from producers or eggs to be packaged with official identification, and (b) to inspect liquid and frozen eggs that are produced under the supervision of an inspector. No person to whom a limited license is issued by the Secretary shall have the authority to issue any grading certificate; and all eggs (whether shell, liquid, or frozen) which are graded and inspected by any such person shall thereafter be check-graded and check-inspected by a grader or an inspector. All limited licenses, issued as aforesaid, shall be countersigned by the aforesaid officer in charge of the poultry grading and inspection service of the Administration.

4. Revise the provisions of § 55.35 *Suspension of license* to read as follows:

§ 55.35 *Suspension of license.* Pending final action by the Secretary the aforesaid officer in charge of the poultry grading and inspection service may, whenever he deems such action necessary, suspend any license or limited license issued pursuant to this part, by giving notice of such suspension to the respective licensee or limited licensee, accompanied by a statement of the reasons therefor. Within seven days after the receipt of the aforesaid notice and statement of reasons by such licensee or limited licensee, he may file an appeal in writing, with the Secretary supported by any argument or evidence that he may wish to offer as to why his license or limited license should not be suspended or revoked. After the expiration of the aforesaid seven-day period and consideration of such argument and evidence, the Secretary will take such action as he deems appropriate with respect to such suspension or revocation.

5. Revise the provision of § 55.39 *On a fee basis* to read as follows:

§ 55.39 *On a fee basis.* * * *

(b) In the event the aforesaid applicable rates are deemed by the Administrator to be inadequate fully to reimburse the Administration for all costs and other items paid or incurred by the Administration in connection with such service, the fees for such service shall not be based on the rates specified in § 55.44 to § 55.49, both inclusive, but shall be based on the time required to perform such service and the travel of each sampler, grader, inspector, and supervisor of packaging at the rate of $3.60 per hour for the time actually required.

(Pub. Law 759, 81st Cong.).

Issued in Washington, D. C., this 15th day of June 1951.

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

[F. R. Doc. 51-7052; Filed, June 19, 1951; 8:48 a. m.]

DEPARTMENT OF LABOR

Division of Public Contracts

[41 CFR, Part 202]

CANVAS PRODUCTS INDUSTRY

NOTICE OF HEARING WITH RESPECT TO PREVAILING MINIMUM WAGE

Pursuant to the provisions of the Walsh-Healey Public Contracts Act (act of June 30, 1936, 49 Stat. 2036, 41 U. S. C. secs. 35–45) it is proposed to hold a hearing for the purpose of determining the prevailing minimum wage in the Canvas Products Industry.

The Canvas Products Industry, for the purpose of this hearing, is defined as that Industry which manufactures or furnishes products such as awnings, tents, covers, tarpaulins, sails, etc., manufactured from canvas or other heavy fabric or from canvas substitutes (such as nylon, orlon, etc.).

Now, therefore, notice is hereby given, that a public hearing will be held on July 26, 1951 at 10:00 a. m. in Room 1214, Department of Labor Building, 14th Street and Constitution Avenue NW., Washington, D. C., before the Administrator of the Wage and Hour and Public Contracts Divisions, or a representative designated to preside in his place, at which hearing all interested persons may appear and submit data, views and argument: (1) As to what are the prevailing minimum wages in the Canvas Products Industry; (2) as to whether there should be included in any determination for this Industry provision for employment of learners, beginners (or probationary workers), 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 or proportion of such subminimum rate employees; and (3) as to the adequacy of the proposed definition.

Persons intending to appear are requested to notify the Administrator of their intention in advance of the hearing. Written statements in lieu of personal appearance may be filed by mail at any time prior to the date of the hearing, or may be filed with the presiding officer at the hearing. An original and four copies of any such statement should be filed.

Tabulations of wage data released by the Bureau of Labor Statistics, as of April 14, 1951, based on a payroll period in August 1950, together with other tabulations prepared by that Bureau at the request of the Wage and Hour and Public Contracts Divisions, will be made available to interested persons upon request to the Wage and Hour and Public Contracts Divisions, United States Department of Labor, Washington, D. C. Interested persons are invited to submit wage data, including data as to changes which may have taken place in the wage structure of the Industry since the time of the survey.

In the discretion of the presiding officer, a period not to exceed 30 days may be allowed for the filing of comment on the evidence and statements introduced into the record of the hearing. If such

supplemental statements are received, an original and four copies of each should be filed.

Signed at Washington, D. C., this 12th day of June 1951.

WM. R. MCCOMB,
Administrator, Wage and Hour and Public Contracts Divisions.

[F. R. Doc. 51-7033; Filed, June 19, 1951; 8:45 a. m.]

Wage and Hour Division

[29 CFR, Part 661]

BANKING, INSURANCE AND FINANCE INDUSTRIES IN PUERTO RICO

NOTICE OF PROPOSED DECISION WITH RESPECT TO MINIMUM WAGE RATES

On October 19, 1950, pursuant to section 5 (a) of the Fair Labor Standards Act of 1938, as amended, hereinafter called the act, the Administrator of the Wage and Hour Division, United States Department of Labor, by Administrative Order No. 403, appointed Special Industry Committee No. 9 for Puerto Rico, hereinafter called the Committee, and directed the Committee to investigate conditions in a number of industries in Puerto Rico specified and defined in the order, including the banking, insurance and finance industries in Puerto Rico, and to recommend minimum wage rates for employees engaged in commerce or in the production of goods for commerce in such industries.

For purposes of investigating conditions in and recommending minimum wage rates for the banking, insurance and finance industries in Puerto Rico, the Committee included three disinterested persons representing the public, a like number representing employers, and a like number representing employees in the banking, insurance and finance industries, and was composed of residents of Puerto Rico and of the United States outside of Puerto Rico.

After investigating economic and competitive conditions in the banking, insurance and finance industries in Puerto Rico, the Committee filed with the Administrator a report containing its recommendation for a minimum wage rate of 58 cents an hour to be paid to employees in the banking, insurance and finance industries in Puerto Rico who are engaged in commerce or in the production of goods for commerce.

Pursuant to notice published in the FEDERAL REGISTER on March 27, 1951, and circulated to all interested persons, a public hearing upon the Committee's recommendations was held before Hearing Examiner E. West Parkinson, as presiding officer, in Washington, D. C., on April 24, 1951, at which all interested persons were given an opportunity to be heard. After the hearing was closed the record of the hearing was certified to the Administrator by the presiding officer.

Upon reviewing all the evidence adduced in this proceeding and after giving consideration to the provisions of the act, particularly sections 5 and 8 thereof, I have concluded that the recommendation of the Committee for a minimum wage rate in the banking, insurance and finance industries in Puerto Rico, as defined, was made in accordance with law, is supported by the evidence adduced at the hearing, and, taking into consideration the same factors as are required to be considered by the Committee, will carry out the purposes of sections 5 and 8 of the act.

I have set forth my decision in a document entitled "Findings and Opinion of the Administrator in the Matter of the Recommendation of Special Industry Committee No. 9 for Puerto Rico of a Minimum Wage Rate in the Banking, Insurance and Finance Industries in Puerto Rico," a copy of which may be had upon request addressed to the Wage and Hour Division, United States Department of Labor, Washington 25, D. C.

Accordingly, notice is hereby given, pursuant to the Administrative Procedure Act (60 Stat. 237; 5 U. S. C. 1001) and the rules of practice governing this proceeding (16 F. R. 2683), that I propose to approve the recommendation of the Committee for the banking, insurance and finance industries and to issue a wage order to read as set forth below to carry such recommendation into effect.

Within 15 days from publication of this notice in the FEDERAL REGISTER, interested parties may submit written exceptions to the proposed action above described. Exceptions should be addressed to the Administrator of the Wage and Hour Division, United States Department of Labor, Washington 25, D. C. They should be submitted in quadruplicate, and should include supporting reasons for any exceptions.

Sec.
661.1 Approval of recommendation of industry committee.
661.2 Wage rate.
661.3 Notices of order.
661.4 Definition of the banking, insurance and finance industries in Puerto Rico.

AUTHORITY: §§ 661.1 to 661.4 issued under sec. 8, 63 Stat. 915; 29 U. S. C. 208. Interpret or apply sec. 5, 63 Stat. 911; 29 U. S. C. 205.

§ 661.1 *Approval of recommendation of industry committee.* The Committee's recommendation is hereby approved.

§ 661.2 *Wage rate.* Wages at a rate of not less than 58 cents per hour shall be paid under section 6 of the Fair Labor Standards Act of 1938, as amended, by every employer to each of his employees in the banking, insurance and finance industries in Puerto Rico who is engaged in commerce or in the production of goods for commerce.

§ 661.3 *Notices of order.* Every employer employing any employees so engaged in commerce or in the production of goods for commerce in the banking, insurance and finance industries in Puerto Rico shall post and keep posted in a conspicuous place in each department of his establishment where such employees are working such notices of this order as shall be prescribed from time to time by the Wage and Hour Division of the United States Department of Labor and shall give such other notice as the Division may prescribe.

§ 661.4 *Definition of the banking, insurance and finance industries in Puerto Rico.* The business, whether or not for profit, carried on by any banking, insurance or other financial institution or enterprise.

Signed at Washington, D. C., this 13th day of June 1951.

WM. R. MCCOMB,
Administrator, Wage and Hour and Public Contracts Divisions.

[F. R. Doc. 51-7065; Filed, June 19, 1951; 8:50 a. m.]

FEDERAL SECURITY AGENCY

Food and Drug Administration

[21 CFR, Parts 51, 52]

[Docket No. FDC-54]

CANNED CORN; DEFINITIONS AND STANDARDS OF IDENTITY, QUALITY, AND FILL OF CONTAINER

NOTICE OF PROPOSED RULE MAKING

In the matter of fixing and establishing definitions and standards of identity for canned corn and canned field corn; establishing a standard of quality for canned corn and standards of fill of container for canned corn and canned field corn:

There was published in the FEDERAL REGISTER on April 12, 1950 (15 F. R. 2060), a tentative order by the Federal Security Administrator which contained findings of fact and regulations proposing to amend the definitions and standards of identity for canned corn and canned field corn and to establish standards of quality and fill of container for canned corn. No final order has been promulgated in this matter. On consideration of the entire record to date, including the exceptions filed to the proposed order, and on the basis of substantial evidence received at the public hearing held pursuant to the notice published in the FEDERAL REGISTER on February 4, 1949 (14 F. R. 489), it is proposed that, by virtue of the authority vested in the Federal Security Administrator by the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 401, 701; 52 Stat. 1046, 1055; 21 U. S. C. 341, 371), the following order be made:

Findings of fact.[1] 1. Canned corn is the food the principal component of which is the succulent kernels from husked, silked ears of sweet corn. The kernel consists of an outer hull (pericarp), the main inner portion (endosperm), the germ (embryo), and the tip cap. The tip cap portion of the kernel in usual preparation remains attached to the cob when the kernels are cut from it, and is not properly included in canned corn. There are five types of canned corn as described hereinafter in findings 3 through 6 and finding 8,

[1] The citations following each finding of fact refer to the pages of the transcript of testimony and the exhibits received in evidence at the hearing.

and the method of preparing the corn ingredient varies with the type of canned corn being prepared. Water is generally added for proper preparation and to aid in processing. Salt and sugar (sucrose) are generally added as seasoning ingredients. The salt and sugar are usually first dissolved in the water to form a solution, generally designated in the canning industry as a brine, which is then added to the corn ingredient. The food is sealed in a container, and is processed by heat to prevent spoilage. The evidence indicates the possibility of the development of other methods of processing, but no such methods have yet come into use. (R. 20, 22–23, 31, 34, 70–78, 281–285, 300, 308, 613–614, 707, 947–948; Ex. 1, OP 14, OP 20)

2. Red or green sweet peppers or mixtures of these are sometimes added to canned corn for seasoning or garnishing. There is no reason why red or green hot peppers could not be similarly used. The added peppers may be fresh, packed in brine, frozen, or canned or mixtures of these forms. The amount used varies, and generally is added without weighing. The labels of canned corn containing peppers customarily show the kind of peppers used. The consumer can be adequately informed by the statement "with _____ peppers," the blanks being filled in with the word "red" or "green" or both to show the color of the peppers used, and the words "sweet" or "hot" or both to show the type of peppers used. (R. 22, 34–35, 114–120, 122–128, 135–141, 142–149, 283, 288–289; Ex. 1, OP 14)

3. The corn ingredient of whole-kernel or whole-grain corn consists of kernels cut from the ear above the tip cap. In packing whole-kernel corn brine is added to aid in processing. In one style of pack enough brine is added to cover the corn ingredient. In another style of pack a considerably lower proportion of brine to the corn ingredient is used, and the containers are sealed under conditions creating a high vacuum in the container in order to prevent a change in the color of kernels not covered by brine. This latter type of pack has come to be known as vacuum pack or vacuum packed. These terms originated with the use of machines for obtaining a high vacuum in the containers by mechanical means. It is in the interest of consumers buying this type of corn to restrict the amount of brine used, because a lower ratio of brine to the total weight of the food in the container is the principal distinguishing characteristic of vacuum-pack whole-kernel corn. The weight of brine drained from the corn ingredient should not exceed 20 percent of the net weight of the food in the container. (R. 21–23, 25, 27, 31, 37–38, 68–69, 73–74, 83, 130–131, 172–185, 186–228, 229–255, 284–287, 299, 303, 908–909, 1215–1217; Ex. 1, FDA 1, OP 10–12, OP 14)

4. The corn ingredient of fritter corn is prepared by slitting the kernels on the cob and scraping out the inner portion, or by scraping out the inner portion after cutting off and removing the top part of the kernel. The corn ingredient consists almost wholly of endosperm and germ. Brine is added to season the food and as an aid in processing. (R. 24–25, 74–77, 287–288, 551–552; Ex. 1, OP 14)

5. The corn ingredient of ground corn is obtained by grinding or comminuting corn kernels. Brine is added to season the food and as an aid to processing. This corn ingredient has not acquired a common name, but the designation "ground corn" adequately describes the product and differentiates it from other corn ingredients. (R. 24–25, 40, 287–288, 529; Ex. 1, OP 14)

6. The corn ingredient of cream-style corn consists of cut kernels, together with portions of kernels that have been scraped from the ear, or a mixture of cut kernels and ground corn or fritter corn or both. Brine is generally added, and the mixture is often given a preliminary heat treatment. A small amount of starch is sometimes added to secure a smooth product, particularly where the corn ingredient is quite immature. There is a possibility that the use of starch may be abused, in that by its use water in excess of that necessary for proper preparation and processing can be incorporated in the product. The evidence, however, does not furnish a basis for setting a numerical maximum limit on the water used. Consistency of cream-style corn, fritter corn, and ground corn was proposed as a factor of identity for the purpose of limiting the amount of water used; however, the consistency of canned corn is affected by other factors than the amount of water used, and is a factor of quality rather than identity. Whenever starch has been used, the label has customarily borne a statement to reveal the addition. Cream-style corn has at times been designated as "crushed corn." In recent years, however, this term has been gradually discontinued as a designation for this style of pack. (R. 24–26, 30, 34, 39–46, 59–60, 77–81, 85–88, 259–276, 279, 295, 307–308, 554–556, 564, 856–857, 861, 905–907, 947–948, 1000–1001; Ex. 1, 2, OP 2, OP 4, OP 14)

7. The material retained on an 8-mesh sieve when cream-style corn is mixed with water and passed over such a sieve is referred to as washed drained residue. There was considerable evidence indicating that some definite proportion of washed drained residue should be required in cream-style corn, or that cream-style corn containing less than a certain amount of washed drained residue should be designated as substandard in quality. Because of the wide variations in the amounts of washed drained residue found in cream-style corn and the divergent opinions expressed as to the significance of washed drained residue, it is inadvisable to prescribe a limit for washed drained residue, either as an identity factor or as a quality factor. (R. 87–88, 90–94, 105, 319, 323, 397–433, 483–497, 529, 534–536, 543–554, 565–569, 575–583, 588–595, 624–652, 681–682, 698–706, 718, 762–763, 768–773, 800–829, 839–856, 866–906, 918–940, 943–956, 966–968, 998–1000; Ex. 1, FDA 5–7, FDA 14A, FDA 14B, FDA 15–16, OP 4, OP 16–18, OP 20, OP 24, OP 25A, OP 25B, OP 26–27)

8. A relatively small amount of a type of canned corn resembling whole-kernel corn, except that the kernels are dried before canning, is packed. In the usual method of preparation the shucked, silked ears of succulent sweet corn are cooked; the kernels are cut from the cob and are partially dehydrated in a blast of hot air. The dried kernels are placed in containers with brine, and the containers are sealed and processed. This type of canned corn is commonly known as evaporated corn. The drying of the kernels results in the corn ingredient having a taste and appearance that distinguish it from whole-kernel corn as described in finding 3. (R. 23–24, 36–37, 158–167, 303–306; Ex. OP 8–9)

9. Under 21 CFR 52.990 provision was made for canned corn on the cob. Manufacture of this product was discontinued during the late war, and the record does not show that it has been resumed. The evidence of record does not furnish a basis for including this form of corn in the definition and standard of identity, standard of quality, or standard of fill of container for canned corn. Canned corn on the cob, if its production is resumed, can best be treated as a food for which no applicable standard exists. (R. 22, 36; Ex. 2)

10. Kernels of yellow sweet corn and white sweet corn are occasionally mixed in preparing canned corn. Due to cross-pollination, canned yellow corn may occasionally contain a few kernels of white corn, and canned white corn may obtain a few kernels of yellow corn. The record does not show that any minimum limit for yellow corn in white corn (or vice versa) is needed. Intentional admixtures should be permitted under proper labels. (R. 26–27, 281–282, 1233–1237, 1241–1244; Ex. 1, OP 14)

11. Field corn has not generally been considered suitable for canning because it is not as sweet and not as tender as sweet corn. Field corn is more starchy than sweet corn. Nothwithstanding its less palatable characteristics, it is canned to a limited extent, either alone or mixed with sweet corn. In mixtures of field corn and sweet corn the latter has been used in proportions of from 20 to 40 percent to improve the appearance and flavor. Although it is generally packed only in the cream-style form, there is no reason why it could not be packed in all the forms previously described in findings 3 through 6 and finding 8. It is in the interest of consumers that a standard be adopted so that if field corn is used the finished food can be definitely differentiated by the consumer from canned sweet corn. To accomplish this it is reasonable to require that the food prepared from field corn or any mixture of field corn with sweet corn bear on the label the name "field corn." (R. 20, 149–158; Ex. 2, OP 6–7)

12. The common or usual name of canned corn includes the generic name "corn," sweet corn," or "sugar corn"; a designation of the color group of the corn, or mixture of color groups used; the words "whole kernel" or "whole grain" when the corn ingredient is that described in finding 3, together with the supplemental statement "vacuum pack" or "vacuum packed," when the conditions characterizing vacuum-pack corn outlined in finding 3 are met; the word "fritter" when the corn ingredient de-

scribed in finding 4 is used; the word "ground" when the corn ingredient described in finding 5 is used; the words "cream style" when the corn ingredient described in finding 6 is used; and the word "evaporated" when the corn ingredient described in finding 8 is used. Many canners wish to use the varietal name of the corn as a part of the name of the canned food. Consumers are sometimes interested in knowing the variety of corn used, and it is in the interest of consumers to provide for a variety designation in the name. The arrangement of the different parts of the name of canned corn varies according to the preference of the packer, and it is reasonable to provide that the different parts of the name be arranged in any order not misleading to the consumer. The same facts apply to the name of field corn, except the words "corn," "sweet corn," and "sugar corn" are replaced by the words "field corn," and the term "golden field corn" is not used. (R. 20, 27, 38, 40, 98–101, 152–153, 163, 287-288, 291, 425, 551–552, 861; Ex. 1, OP 2, OP 6–9, OP 14)

13. The appearance of canned corn is marred by the presence of black or brown discolored kernels or pieces of kernels. Any unit that has upon it a brown or black discolored area is objectionable. For the purpose of a quality standard it is reasonable that only those discolored kernels or pieces of kernels of such size that they remain on an 8-mesh sieve be counted. The presence of more than one such brown or black discolored kernel or piece of kernel in each 2 ounces of drained weight of whole-kernel or evaporated corn, or more than one such brown or black discolored kernel or piece of kernel in each 2 ounces of net weight of fritter, ground, or cream-style corn so lowers the quality of the food that its label should bear a statement of substandard quality. The caramelized color imparted to canned corn in the processing of the evaporated product is not a brown or black discoloration. (R. 23, 314, 439–440, 499–500, 750–751; Ex. FDA 2–7, OP 18)

14. The eating quality of canned corn is adversely affected by the presence of pieces of cob. Cob is inedible, and even a small piece is objectionable. For the purpose of a quality standard it is reasonable that only those pieces of cob of such size that they remain on an 8-mesh sieve be included in the measurement of cob. A practicable method for measuring the amount of such cob is to segregate it and measure its volume by displacement. The presence of more than 1 cubic centimeter of cob remaining on an 8-mesh sieve in each 14 ounces of drained weight of whole-kernel or evaporated corn or in each 20 ounces of net weight of fritter, ground, or cream-style corn so lowers the quality of the food that its label should bear a statement of substandard quality. (R. 315, 321, 323, 447–453, 530–531, 612; Ex. FDA 2–7, OP 18)

15. The appearance and also the eating quality of canned corn are adversely affected by the presence of husk. For the purpose of a quality standard it is reasonable that only those pieces of husk of such size that they remain on an 8-mesh sieve be included in the measurement of husk. A practicable method for measuring the amount of such husk is to segregate the pieces and aggregate their areas. The presence of pieces of husk of such size that they remain on an 8-mesh sieve, and in such an amount as to aggregate more than 1 square inch in each 14 ounces of drained material of whole-kernel or evaporated corn, or in each 20 ounces of net weight of fritter, ground, or cream-style corn, so lowers the quality of the food that its label should bear a statement of substandard quality. (R. 316, 321, 323, 454A–459, 598, 652; Ex. FDA 2–7, OP 18)

16. The appearance and also the eating quality of canned corn are adversely affected by the presence of silk. Silk is unsightly and unpleasant to the taste. There are two different color groups of silk: light green or white, and dark brown. These two color groups are equally objectionable when eaten, but dark-brown silk is more unsightly than lighter colored silk. It is impracticable to distinguish between colors when measuring the amount of silk present. Large pieces of silk are more objectionable to the consumer than small ones, and when the length of a piece is less than ½ inch it ceases to be a significant quality factor. For this reason, when the amount of silk present is measured, pieces less than ½ inch in length should not be counted. A practicable method for measuring the amount of silk is to segregate the pieces ½-inch long or longer remaining on the 8-mesh sieve and determine the aggregate length. The presence of a total length of more than 7 inches of silk for each 1 ounce of drained material of whole-kernel or evaporated corn, or more than a total length of 5 inches of silk in each 1 ounce of net weight of fritter, ground, or cream-style corn so lowers the quality of the food that its label should bear a statement of substandard quality. (R. 316–318, 321, 323, 425, 531–534, 598–599, 771–771A, 989–994; Ex. FDA 2–7, OP 18)

17. In cream-style corn consistency has long been known as a factor of quality. Thinness and wateriness detract from the quality of cream-style corn. Thinness and wateriness may be due to the use of too much water, the use of very young corn, or both. When a thin consistency is due to the use of very young corn, the cream-style corn is acceptable to some buyers despite its relatively thin consistency. When such very young corn is used, the alcohol-insoluble-solids content of the washed drained material, as measured by the method set forth in finding 21, will be less than 20 percent. For many years it has been the practice in the trade dealing in canned corn to judge its consistency by observing its spread when emptied from the container onto a flat surface or by spooning the product, but these methods lack the precision which is necessary in a standard of quality. In the trade more accurate methods, which utilize instruments known as consistometers, have been developed for measuring consistency. The method set forth in finding 21 is practicable, well known, and sufficiently precise for use in a standard of quality. When the consistency of cream-style corn is tested by this method and the sample spreads over an approximately circular area having an average diameter of more than 10 inches in the case of cream-style corn the washed drained material of which has an alcohol-insoluble-solids content of over 20 percent, or spreads over more than 12 inches in the case of cream-style corn the washed drained material of which has an alcohol-insoluble-solids content of 20 percent or less, the quality of the cream-style corn is below standard, and its label should bear a statement of substandard quality. Thinness and wateriness also detract from the quality of fritter corn and ground corn. It is reasonable to determine the consistency of fritter corn and ground corn by the method used for determining consistency of cream-style corn. When the consistency of fritter corn or ground corn is tested by this method and the sample spreads over an approximately circular area having an average diameter of more than 12 inches, its quality is below standard, and its label should bear a statement of substandard quality. (R. 25–26, 34, 59–61, 85, 260–273, 289–292, 319, 322–323, 387–388, 503–507, 556–557, 560–561, 564–565, 709, 853–854, 889, 1000–1001; Ex. 1, FDA 5–7, OP 4, OP 13, OP 18)

18. The eating quality of canned corn is affected by the maturity of the corn used. As corn grows more mature the flavor changes and the corn becomes tough and hard. Accompanying these changes there is an increase in the alcohol-insoluble-solids content of the kernels. Alcohol-insoluble solids comprise certain substances, mostly starch, which are insoluble in warm 80-percent ethyl alcohol. Evidence relating to the determination of alcohol-insoluble solids was confined to the cream-style and whole-kernel corn ingredients. When the percent of alcohol-insoluble solids as determined according to the method set forth in finding 21 for cream-style corn or whole-kernel corn exceeds 27, the product is of such low quality that its label should bear a statement of substandard quality. (R. 32–33, 60, 122–123, 318, 354–356, 433–439, 465–473, 516–517, 561, 611–612, 661, 736–737, 748–750, 760, 762–764, 969–980, 986–987, 996, 1102; Ex. 1, FDA 2–8, OP 28–29)

19. The eating quality of canned corn is adversely affected by the presence of pulled kernels. A pulled kernel is a kernel, or portion of kernel, from which not all of the tip cap has been removed. The tip cap of the kernel is composed of a hard, fibrous material that is unpleasant to chew. All the samples on which pulled kernels were reported showed relatively small numbers of such kernels, and on the basis of the evidence it is difficult to fix a reasonable dividing line between canned corn of standard quality and canned corn that is substandard in quality because of this defect. It is inadvisable at present to include a limit on pulled kernels in a quality standard for canned corn. (R. 314–315, 321–323, 440–447, 454, 500–501, 507–516, 534–535, 596, 738–740, 767–768; Ex. FDA 2–7, OP 18)

20. The determination of the proportionate amounts of black or brown discolored kernels, cob, husk, and silk present in whole-kernel and evaporated

corn should be based upon the drained weight of the corn, in order to allow for different proportions of brine, but in fritter, ground, and cream-style corn, where it is impracticable to separate the corn ingredient from the packing medium, such proportionate amounts should be based upon the net weight of the contents of the container. (R. 317–318, 320–324; Ex. FDA 2–7)

21. A practicable method for determining whether canned corn is of substandard quality is as follows:

A. *In the case of whole-kernel corn and evaporated corn.* Determine the gross weight of the container. Open and distribute the contents of the container over the meshes of an 8-mesh circular sieve which has previously been weighed. The diameter of the sieve is 8 inches if the quantity of the contents of the container is less than 3 pounds, and 12 inches if such quantity is 3 pounds or more. The bottom of the sieve is woven-wire cloth which complies with the specifications for such cloth set forth under "2380 Micron (No. 8)" in Table I of "Standard Specifications for Sieves," published March 1, 1940, in L. C. 584 of the U. S. Department of Commerce, National Bureau of Standards. Without shifting the material on the sieve, so incline the sieve as to facilitate drainage. Two minutes from the time drainage begins, weigh the sieve and the drained material. Record, in ounces, the weight so found, less the weight of the sieve, as the drained weight. Dry and weigh the empty container and subtract this weight from the gross weight to obtain the net weight. Calculate the percent of drained liquid in the net weight.

Pour the drained material from the sieve into a flat tray and spread it in a layer of fairly uniform thickness. Count, but do not remove, the brown or black discolored kernels or pieces of kernel and calculate the number per 2 ounces of drained material. Remove pieces of silk more than ½-inch long, husk, cob, and any pieces of material other than corn. Measure the aggregate length of such pieces of silk and calculate the length of silk per 1 ounce of drained weight. Spread the husk flat, measure its aggregate area, and calculate the area of husk per 14 ounces of drained weight. Place all pieces of cob under a measured amount of water in a cylinder which is so graduated that the volume can be measured to 0.1 cubic centimeter. Take the increase in volume as the aggregate volume of the cob and calculate the volume of cob per 14 ounces of drained weight.

If the corn is whole kernel, comminute a representative 100-gram sample of the drained corn from which the silk, husk, cob, and other material which is not corn (i. e., peppers) have been removed. An equal amount of water is used to facilitate this operation. Weigh to the nearest 0.01 gram a portion of the comminuted material equivalent to approximately 10 grams of the drained corn into a 600-cubic centimeter beaker. Add 300 cubic centimeters of 80-percent alcohol (by volume), stir, cover beaker, and bring to a boil. Simmer slowly for 30 minutes. Fit a Buchner funnel with a previously prepared filter paper of such size that its edges extend ½ inch or more up the vertical sides of the funnel. The previous preparation of the filter paper consists of drying it in a flat-bottomed dish for 2 hours at 100° C., covering the dish with a tight-fitting cover, cooling it in a desiccator, and promptly weighing to the nearest 0.001 gram. After the filter paper is fitted to the funnel, apply suction and transfer the contents of the beaker to the funnel. Do not allow any of the material to run over the edge of the paper. Wash the material on the filter with 80-percent alcohol (by volume) until the washings are clear and colorless. Transfer the filter paper with the material retained thereon to the dish used in preparing the filter paper. Dry the material in a ventilated oven, without covering the dish, for 2 hours at 100° C. Place the cover on the dish, cool it in a desiccator, and promptly weigh to the nearest 0.001 gram. From this weight subtract the weight of the dish, cover, and paper as previously found. Calculate the remainder to percentage.

B. *In the case of fritter corn, ground corn, and cream-style corn.* Allow the container to stand at least 24 hours at a temperature of 68° F. to 85° F. Determine the gross weight, open, transfer the contents into a pan, and mix thoroughly in such a manner as not to incorporate air bubbles. (If the net contents of a single container is less than 18 ounces, determine the gross weight, open, and mix the contents of the least number of containers necessary to obtain 18 ounces.) Fill level full a hollow, truncated cone so placed on a polished horizontal plate as to prevent leakage. The cone has an inside bottom diameter of 3 inches, inside top diameter of 2 inches, and height of $4\frac{27}{32}$ inches. As soon as the cone is filled, lift it vertically. Determine the average of the longest and shortest diameters of the approximately circular area on the plate covered by the sample 30 seconds after lifting the cone. Dry and weigh each empty container and subtract the weight so found from the gross weight to obtain the net weight.

Transfer the material from the plate, cone, and pan onto an 8-mesh sieve as prescribed in the first paragraph of part A. The diameter of the sieve is 8 inches if the quantity of the contents of the container is less than 3 pounds, and 12 inches if such quantity is 3 pounds or more. Set the sieve in a pan. Add enough water to bring the level within ⅜ inch to ¼ inch of the top of the sieve. Gently wash the material on the sieve by combined up-and-down and circular motion for 30 seconds. Repeat washing with a second portion of water. Remove sieve from pan, incline to facilitate drainage, and drain for 2 minutes.

From the material remaining on the 8-mesh sieve, count, but do not remove, the brown or black discolored kernels or pieces of kernel and calculate the number per 2 ounces of net weight. Remove pieces of silk more than ½-inch long, husk, cob, and other material which is not corn (i. e., peppers). Measure aggregate length of such pieces of silk and calculate the length per ounce of net weight. Spread the husk flat and measure its aggregate area and calculate the area per 20 ounces of net weight. Place all pieces of cob under a measured amount of water in a cylinder which is so graduated that the volume may be measured to 0.1 cubic centimeter. Take the increase in volume as the aggregate volume of the cob and calculate the volume of cob per 20 ounces of net weight. If the corn is cream-style corn, take a representative 100-gram sample of the material remaining on the 8-mesh sieve (if such material weighs less than 100 grams take all of it) and determine the alcohol-insoluble solids as prescribed above for whole-kernel corn. (R. 26, 49–58, 320–324, 354–355, 435–438, 449, 455–457, 468–470, 506, 529, 530, 561, 612, 709, 746–749, 889, 989–990; Ex. 1, FDA 1–8).

22. When canned corn falls below the standard of quality, a label statement that fairly and accurately informs the consumer of that fact is the general statement of substandard quality specified in 21 CFR 10.2 (a). A more specific and equally acceptable statement may be obtained by substituting for the second line, "Good Food—Not High Grade." the words specified after the corresponding number of one of the findings 13 through 17, when the quality facter described in the finding is the only one which such corn fails to meet, as follows:

a. "Excessive discolored kernels." (Finding 13)
b. "Excessive cob." (Finding 14)
c. "Excessive husk." (Finding 15)
d. "Excessive silk." (Finding 16)
e. "Excessive liquid." (Finding 17)

(R. 314–316, 324–325, 473–474; Ex. 1, 2)

23. A reasonable requirement for the fill of container for fritter corn, ground corn, and cream-style corn is a requirement that these foods occupy not less than 90 percent of the total capacity of the container as determined by the general method of fill of container in 21 CFR 10.1 (b). This requirement can be readily met in general practice by canners of fritter corn, ground corn, and cream-style corn. This method of measuring fill is a simple and practicable one, and provides accurate measurement for all shapes of containers. A small proportion of the corn canned in these styles is packed in large-size containers, commonly known as number 10 cans, for restaurant and institutional use. Some care is necessary to remove entrapped air from these large containers to obtain a 90-percent fill. It is reasonable to require that this care be taken, and that the same fill of container requirement be established for all commercial-size containers. When canned corn falls below the standard of fill of container, the consumer should be so informed. A label statement which fairly and accurately informs the consumer of that fact is the general statement of substandard fill of container (21 CFR 10.2 (b)). (R. 1085–1086, 1087, 1088, 1164–1165; Ex. 1, 2.)

24. In the case of whole-kernel and evaporated corn, a requirement based on the total volume occupied by the corn and the packing medium would not be satisfactory, since water added to aid in

processing occupies a large proportion of the volume of the container.

Evidence was received tending to show that a requirement fixing a minimum drained weight of corn in relation to the capacity of the container would be a reasonable and effective method of establishing a standard of fill of container for whole-kernel corn. This evidence, however, showed the need for differentiating between corns of different maturities when fixing minimum drained-weight requirements, but did not furnish an adequate basis for making separate requirements. It is therefore inadvisable on the basis of the evidence now available to include in this order a standard of fill of container for whole-kernel and evaporated corn. (R. 1018–1146, 1146–1166, 1167–1169, 1171–1184; Ex. 1, FDA 17–30, OP 30–33)

25. Although there is no evidence in the record on fill of container for canned field corn specifically, the similarity of canned field corn to canned corn is such that it is reasonable to make the same requirements for fill of container and label statement of substandard fill for canned fritter field corn, ground field corn, and cream-style field corn as for the same types of canned sweet corn. (R. 149–158; Ex. OP 6–7)

Conclusions. Upon consideration of the whole record and the foregoing findings of fact it is concluded that it will promote honesty and fair dealing in the interest of consumers:

1. To amend the regulations fixing and establishing definitions and standards of identity for canned vegetables other than those specifically regulated (21 CFR 52.990) by deleting therefrom all references to corn and field corn.

2. To fix and establish the specific definitions and standards of identity for canned corn and canned field corn as hereinafter set forth.

3. To fix and establish a standard of quality for canned corn as hereinafter set forth, consideration having been given to and due allowance made for the different characteristics of the several varieties of corn.

4. To fix and establish standards of fill of container for fritter, ground, and cream-style corn and for fritter, ground, and cream-style field corn as hereinafter set forth.

It is further concluded that the record does not furnish a satisfactory basis for establishing standards of fill of container for whole-kernel corn and evaporated corn.

1. Therefore, it is proposed to amend Part 51—Canned Vegetables; Definitions and Standards of Identity; Quality; and Fill of Container by adding the following new sections:

§ 51.20 *Canned corn, canned sweet corn, canned sugar corn; identity; label statement of optional ingredients.* (a) Canned corn, canned sweet corn, canned sugar corn is the food consisting of one of the corn ingredients specified in paragraph (b) of this section, with water necessary for proper preparation and processing. It may be seasoned or garnished with one or more of the following optional ingredients:

(1) Salt.

(2) Sugar (sucrose).

(3) Pieces of sweet red peppers or sweet green peppers or hot red peppers or hot green peppers or a mixture of any two or more of these.

It is sealed in a container and so processed by heat as to prevent spoilage.

(b) The corn ingredients referred to in paragraph (a) of this section consist of succulent sweet corn of the white or yellow color groups, or mixtures of these, and are as follows:

(1) Cut kernels from which the hulls have not been separated.

(2) Pieces of the inner portion of the corn kernel substantially free from hull.

(3) Ground kernels from which the hulls have not been separated.

(4) A mixture of the form described in subparagraph (1) of this paragraph with one or both of the forms described in subparagraphs (2) and (3) of this paragraph. When necessary to insure smoothness, starch may be added, in a quantity not more than sufficient for that purpose.

(5) Cut and cooked kernels from which most of the moisture has been evaporated.

In preparing each of the foregoing corn ingredients, the tip caps are removed.

(c) (1) The name of the food is: "Corn" or "Sweet Corn" or "Sugar Corn" with the name of the color group used, "White," "Yellow," or "Golden," or with the names of the color groups used, "White and Yellow" or "White and Golden," when the white color group predominates, and "Yellow and White" or "Golden and White," when the yellow color group predominates, and with:

(i) The words "Whole Kernel" or "Whole Grain," when the corn ingredient specified in paragraph (b) (1) of this section is used. When the weight of the liquid in the container, as determined by the method prescribed in § 51.21 (b) (1), is not more than 20 percent of the net weight, and the container is closed under conditions creating a high vacuum in the container, the words "Vacuum Pack" or "Vacuum Packed" also are part of the name.

(ii) The word "Fritter," when the corn ingredient specified in paragraph (b) (2) of this section is used.

(iii) The word "Ground," when the corn ingredient specified in paragraph (b) (3) of this section is used.

(iv) The words "Cream Style," when the corn ingredient specified in paragraph (b) (4) of this section is used.

(v) The word "Evaporated," when the corn ingredient specified in paragraph (b) (5) of this section is used.

(2) The parts of the name as specified in subparagraph (1) of this paragraph may be arranged in any order of precedence. The varietal name of the corn used may intervene between parts of the name of the food. For the purpose of arrangement of the name, the words "Sweet" and "Corn" may be treated as separate parts of the name. When the varietal name immediately precedes or follows the name or intervenes between parts of the name of the food and it accurately designates the color of the corn ingredient, no other designation of the color group need be made.

(d) (1) When the optional seasoning or garnishing ingredient specified in paragraph (a) (3) of this section is used, the label shall bear the words "With _____ _____ peppers," the blanks being filled in with the words "red" or "green" or both, to show the color of peppers used, and "sweet" or "hot" or both, to show the kind of peppers used, as for example "With green sweet peppers" or "With hot red peppers."

(2) When the optional starch ingredient specified in paragraph (b) (4) of this section is used, the label shall bear the statement "Starch added to insure smoothness."

(e) Wherever the name of the food appears on the label so conspicuously as to be easily seen under customary conditions of purchase, the words and statements prescribed by paragraph (d) of this section shall immediately and conspicuously precede or follow such name, without intervening written, printed, or graphic matter, except that the varietal name of the corn used may so intervene.

§ 51.21 *Canned corn, canned sweet corn, canned sugar corn; quality; label statement of substandard quality.* (a) The standard of quality for canned corn is as follows:

(1) When tested by the method prescribed in paragraph (b) of this section, canned corn in which the corn ingredient is whole-kernel corn (§ 51.20 (b) (1)) or evaporated corn (§ 51.20 (b) (5)):

(i) Contains not more than one brown or black discolored kernel or piece of kernel for each 2 ounces of drained weight;

(ii) Contains not more than 1 cubic centimeter of pieces of cob for each 14 ounces of drained weight;

(iii) Contains not more than 1 square inch of husk for each 14 ounces of drained weight; and

(iv) Contains not more than 7 inches of silk for each 1 ounce of drained weight.

(2) When tested by the method prescribed in paragraph (c) of this section, canned corn in which the corn ingredient is fritter corn (§ 51.20 (b) (2)), ground corn (§ 51.20 (b) (3)), or cream-style corn (§ 51.20 (b) (4)):

(i) Contains not more than one brown or black discolored kernel or piece of kernel for each 2 ounces of net weight;

(ii) Contains not more than 1 cubic centimeter of pieces of cob for each 20 ounces of net weight;

(iii) Contains not more than 1 square inch of husk for each 20 ounces of net weight;

(iv) Contains not more than 5 inches of silk for each 1 ounce of net weight; and

(v) Has a consistency such that the average diameter of the approximately circular area over which the prescribed sample spreads does not exceed 12 inches, except that, in the case of cream-style corn the washed drained material of which contains more than 20 percent of alcohol-insoluble solids, the average diameter of the approximately circular area over which the prescribed sample spreads does not exceed 10 inches.

(3) (i) The weight of the alcohol-insoluble solids of whole kernel corn

(§ 51.20 (b) (1)) does not exceed 27 percent of the drained weight, when tested by the method prescribed in paragraph (b) of this section.

(ii) The weight of the alcohol-insoluble solids of the washed drained material of cream-style corn (§ 51.20 (b) (4)) does not exceed 27 percent of the weight of such material, when tested by the method prescribed in paragraph (c) of this section.

(b) The method referred to in paragraph (a) of this section for testing whole-kernel corn (§ 51.20 (b) (1)) and evaporated corn (§ 51.20 (b) (5)) is as follows:

(1) Determine the gross weight of the container. Open and distribute the contents of the container over the meshes of an 8-mesh circular sieve which has previously been weighed. The diameter of the sieve is 8 inches if the quantity of the contents of the container is less than 3 pounds, and 12 inches of such quantity is 3 pounds or more. The bottom of the sieve is woven-wire cloth which complies with the specifications for such cloth set forth under "2380 Micron (No. 8)" in Table I of "Standard Specifications for Sieves," published March 1, 1940, in L. C. 584 of the U. S. Department of Commerce, National Bureau of Standards. Without shifting the material on the sieve, so incline the sieve as to facilitate drainage. Two minutes from the time drainage begins, weigh the sieve and the drained material. Record, in ounces, the weight so found, less the weight of the sieve, as the drained weight. Dry and weigh the empty container and subtract this weight from the gross weight to obtain the net weight. Calculate the percent of drained liquid in the net weight.

(2) Pour the drained material from the sieve into a flat tray and spread it in a layer of fairly uniform thickness. Count, but do not remove, the brown or black discolored kernels or pieces of kernel and calculate the number per 2 ounces of drained material. Remove pieces of silk more than ½-inch long, husk, cob, and any pieces of material other than corn. Measure the aggregate length of such pieces of silk and calculate the length of silk per 1 ounce of drained weight. Spread the husk flat, measure its aggregate area, and calculate the area of husk per 14 ounces of drained weight. Place all pieces of cob under a measured amount of water in a cylinder which is so graduated that the volume can be measured to 0.1 cubic centimeter. Take the increase in volume as the aggregate volume of the cob and calculate the volume of cob per 14 ounces of drained weight.

(3) If the corn is whole kernel (§ 51.20 (b) (1)), comminute a representative 100-gram sample of the drained corn from which the silk, husk, cob, and other material which is not corn (i. e., peppers) have been removed. An equal amount of water is used to facilitate this operation. Weigh to nearest 0.01 gram a portion of the comminuted material equivalent to approximately 10 grams of the drained corn into a 600-cubic centimeter beaker. Add 300 cubic centimeters of 80-percent alcohol (by volume), stir, cover beaker, and bring to a boil. Simmer slowly for 30 minutes. Fit a Buchner funnel with a previously prepared filter paper of such size that its edges extend ½ inch or more up the vertical sides of the funnel. The previous preparation of the filter paper consists of drying it in a flat-bottomed dish for 2 hours at 100° C., covering the dish with a tight-fitting cover, cooling it in a desiccator, and promptly weighing to the nearest 0.001 gram. After the filter paper is fitted to the funnel, apply suction and transfer the contents of the beaker to the funnel. Do not allow any of the material to run over the edge of the paper. Wash the material on the filter with 80-percent alcohol (by volume) until the washings are clear and colorless. Transfer the filter paper with the material retained thereon to the dish used in preparing the filter paper. Dry the material in a ventilated oven, without covering the dish, for 2 hours at 100° C. Place the cover on the dish, cool it in a desiccator, and promptly weigh to the nearest 0.001 gram. From this weight subtract the weight of the dish, cover, and paper as previously found. Calculate the remainder to percentage.

(c) The method referred to in paragraph (a) of this section for testing fritter corn (§ 51.20 (b) (2)), ground corn (§ 51.20 (b) (3)), and cream-style corn (§ 51.20 (b) (4)) is as follows:

(1) Allow the container to stand at least 24 hours at a temperature of 68° F. to 85° F. Determine the gross weight, open, transfer the contents into a pan, and mix thoroughly in such a manner as not to incorporate air bubbles. (If the net contents of a single container is less than 18 ounces, determine the gross weight, open, and mix the contents of the least number of containers necessary to obtain 18 ounces.) Fill level full a hollow, truncated cone so placed on a polished horizontal plate as to prevent leakage. The cone has an inside bottom diameter of 3 inches, inside top diameter of 2 inches, and height of $4\frac{27}{32}$ inches. As soon as the cone is filled, lift it vertically. Determine the average of the longest and shortest diameters of the approximately circular area on the plate covered by the sample 30 seconds after lifting the cone. Dry and weigh each empty container and subtract the weight so found from the gross weight to obtain the net weight.

(2) Transfer the material from the plate, cone, and pan onto an 8-mesh sieve as prescribed in paragraph (b) (1) of this section. The diameter of the sieve is 8 inches if the quantity of the contents of the container is less than 3 pounds, and 12 inches if such quantity is 3 pounds or more. Set the sieve in a pan. Add enough water to bring the level within ⅜ inch to ¼ inch of the top of the sieve. Gently wash the material on the sieve by combined up-and-down and circular motion for 30 seconds. Repeat washing with a second portion of water. Remove sieve from pan, incline to facilitate drainage, and drain for 2 minutes.

(3) From the material remaining on the 8-mesh sieve, count, but do not remove, the brown or black discolored kernels or pieces of kernel and calculate the number per 2 ounces of net weight. Remove pieces of silk more than ½-inch long, husk, cob, and other material which is not corn (i. e., peppers). Measure aggregate length of such pieces of silk and calculate the length per ounce of net weight. Spread the husk flat and measure its aggregate area and calculate the area per 20 ounces of net weight. Place all pieces of cob under a measured amount of water in a cylinder which is so graduated that the volume may be measured to 0.1 cubic centimeter. Take the increase in volume as the aggregate volume of the cob and calculate the volume of cob per 20 ounces of net weight. If the corn is cream-style corn (§ 51.20 (b) (4)), take a representative 100-gram sample of the material remaining on the 8-mesh sieve (if such material weighs less than 100 grams take all of it) and determine the alcohol-insoluble solids as prescribed in paragraph (b) (3) of this section for whole-kernel corn.

(d) If the quality of canned corn falls below the standard prescribed in paragraph (a) of this section, the label shall bear the general statement of substandard quality specified in § 10.2 (a) of this chapter, in the manner and form therein specified; however, if the quality of the canned corn falls below standard with respect to only one of the factors of quality specified by subdivisions (i) to (iv) of paragraph (a) (1) of this section, or by subdivisions (i) to (v) of paragraph (a) (2) of this section, there may be substituted for the second line of such general statement of substandard quality, "Good Food—Not High Grade," a new line as specified after the corresponding subdivision designation of paragraph (a) of this section which the canned corn fails to meet:

(1) (i) or (2) (i) "Excessive discolored kernels."
(1) (ii) or (2) (ii) "Excessive cob."
(1) (iii) or (2) (iii) "Excessive husk."
(1) (iv) or (2) (iv) "Excessive silk."
(2) (v) "Excessively liquid."

§ 51.22 *Canned corn, canned sweet corn, canned sugar corn where the corn ingredient is in one of the forms known as fritter corn, ground corn, or cream-style corn; fill of container; label statement of substandard fill.* (a) The standard of fill of container for canned corn where the corn ingredient is in one of the forms known as fritter corn (§ 51.20 (b) (2)), ground corn (§ 51.20 (b) (3)), or cream-style corn (§ 51.20 (b) (4)) is a fill of not less than 90 percent of the total capacity of the container, as determined by the general method for fill of containers prescribed in § 10.1 (b) of this chapter.

(b) If canned fritter corn, canned ground corn, or canned cream-style corn falls below the standard of fill of container prescribed in paragraph (a) of this section, the label shall bear the general statement of substandard fill specified in § 10.2 (b) of this chapter, in the manner and form therein specified.

§ 51.30 *Canned field corn; identity; label statement of optional ingredients.*

(a) Canned field corn conforms to the definition and standard of identity, and is subject to the requirements for label statement of optional ingredients, prescribed for canned corn by § 51.20, except that the corn ingredient consists of succulent field corn or a mixture of succulent field corn and succulent sweet corn.

(b) The name of the food conforms to the name specified in § 51.20 (c), except that the words "Corn," "Sweet Corn," and "Sugar Corn" are replaced by the words "Field Corn," and the term "Golden Field Corn" is not used.

§ 51.32 *Canned field corn where the corn ingredient is in one of the forms known as fritter field corn, ground field corn, or cream-style field corn; fill of container; label statement of substandard fill.* Each of the foods canned fritter field corn, canned ground field corn, and canned cream-style field corn conforms to the standard of fill of container and label statement of substandard fill prescribed for canned fritter corn, canned ground corn, and canned cream-style corn by § 51.22 (a) and (b).

2. It is also proposed to amend Part 52—Canned Vegetables Other Than Those Specifically Regulated; Definitions and Standards of Identity in the following respects:

a. In § 52.990 *Canned vegetables; identity; label statement of optional ingredients,* paragraph (b), delete from the table in column I the ten listed references to canned corn, beginning with the words "White sweet corn or" and ending with the words "Field corn", and in column II delete the ten lines beginning with "Seed cut from ears of white sweet corn" and ending with "Seed cut and scraped from ears of field corn" and in column III the eight lines beginning with "Whole grain or whole kernel" and ending with "Cream style or crushed".

b. In § 52.990 (c) (3), delete subdivision (i) and renumber subdivision (ii) as subparagraph (3).

c. In § 52.990 (f) (1), delete the second sentence.

Any interested person whose appearance was filed at the hearing may, within fifteen days from the date of publication of this tentative order in the FEDERAL REGISTER, file with the Hearing Clerk, Federal Security Agency, Room 5440, Federal Security Building, Fourth Street and Independence Avenue SW., Washington, D. C., written exceptions thereto. Exceptions shall point out with particularity the alleged errors in this tentative order and shall contain specific references to the pages of the transcript of the testimony or to the exhibits on which such exceptions are based. Such exceptions may be accompanied by a memorandum or brief in support thereof. Exceptions and accompanying memoranda or briefs shall be submitted in quintuplicate.

Dated: June 14, 1951.

[SEAL] OSCAR R. EWING,
Administrator.

[F. R. Doc. 51-7054; Filed, June 19, 1951; 8:48 a. m.]

NOTICES

CIVIL AERONAUTICS BOARD

[Docket No. SR-7-201]

WESTAIR TRANSPORT

NOTICE OF ORAL ARGUMENT

In the matter of C. F. Horne, Administrator of Civil Aeronautics, Complainant v. Aviation Corporation of Seattle, d/b/a Westair Transport, Respondent.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly section 1004 (a) of said act, that oral argument in this case is reassigned to be heard July 9, 1951, at 10:00 a. m. in Room 5042, Commerce Building, Fourteenth Street and Constitution Avenue NW., Washington, D. C., before the Board.

Dated at Washington, D. C., June 15, 1951.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 51-7075; Filed, June 19, 1951; 8:51 a. m.]

[Docket No. 2824 et al.]

MACKEY AIR TRANSPORT, INC., ET AL.; FLORIDA-BAHAMAS SERVICE CASE

NOTICE OF ORAL ARGUMENT

In the matter of the application of Mackey Air Transport, Inc. and other applicants for certificates or amendments of certificates of public convenience and necessity pursuant to section 401 of the Civil Aeronautics Act of 1938, as amended, authorizing scheduled air transportation of persons, property and/or mail betwen points in east Florida and points in the Bahama Islands.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, that oral argument in the above-entitled proceeding is assigned to be held on July 12, 1951, at 10:00 a. m. e. d. s. t. in Room 5042, Commerce Building, Fourteenth Street and Constitution Avenue NW., Washington, D. C., before the Board.

Dated at Washington, D. C., June 15, 1951.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 51-7076; Filed, June 19, 1951; 8:51 a. m.]

ECONOMIC STABILIZATION AGENCY

Office of Price Stabilization

[Delegation of Authority 6, Supplement 10]

CHIEFS OF BRANCHES OF CONSUMER SOFT GOODS DIVISION

REDELEGATION OF AUTHORITY TO REQUEST FURTHER INFORMATION CONCERNING PROPOSED CEILING PRICES

By virtue of the authority vested in me as Director of the Consumer Goods Divisions of the Office of Price Operations, Office of Price Stabilization by Delegation of Authority No. 6, Supplement 1 (16 F. R. 3672) this delegation of authority is hereby issued.

Authority is hereby delegated to the Chiefs of the Branches of the Consumer Soft Goods Division of the Office of Price Operations, Office of Price Stabilization to request further information from a seller who has submitted a proposed ceiling price for approval. This delegation applies wherever a Ceiling Price Regulation permits the seller to operate at the ceiling price proposed by him, whether immediately or after the expiration of a prescribed period of time, unless and until he is notified by the Director of Price Stabilization that the proposed ceiling price has been disapproved or that more information is required.

This delegation of authority shall take effect on June 19, 1951.

HAROLD B. WESS,
Director, Consumer Goods Division, Office of Price Operations.

JUNE 18, 1951.

[F. R. Doc. 51-7097; Filed, June 18, 1951; 10:34 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 9956, 9957]

BRAZOSPORT BROADCASTING CO. AND BRAZORIA BROADCASTING CO.

ORDER CONTINUING HEARING

In re applications of Kelly Bell and J. C. Stallings, d/b as Brazosport Broadcasting Company, Freeport, Texas, Docket No. 9956, File No. BP-7910; King H. Robinson and Wayne E. Marcy, d/b as Brazoria Broadcasting Company, Freeport, Texas, Docket No. 9957, File No. BP-8042; for construction permits.

The Commission having under consideration a motion filed on June 1, 1951, by King H. Robinson and Wayne E. Marcy, d/b as Brazoria Broadcasting Company, requesting that the hearing on the above-entitled applications, which is now scheduled to be held on June 18, 1951, in Washington, D. C., be continued for a period of thirty days in order to afford the petitioner a sufficient period in which to take field intensity

measurements throughout the proposed service areas of both of the applicants herein; and

It appearing, that all of the parties to this proceeding have consented to a grant of the above motion;

It is ordered, This 8th day of June 1951, that the above motion be, and it is hereby, granted; and that the said hearing on the above-entitled applications be, and it is hereby, continued to 10:00 a. m., Wednesday, July 18, 1951, at Washington, D. C.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 51-7061; Filed, June 19, 1951; 8:49 a. m.]

[Docket No. 9960]

TWIN VALLEY BROADCASTERS, INC. (WTVB)

ORDER CONTINUING HEARING

In re application of Twin Valley Broadcasters, Inc. (WTVB), Coldwater, Michigan, Docket No. 9960, File No. BP-7829, for construction permit.

The Commission having under consideration a petition filed on June 1, 1951, by Twin Valley Broadcasters, Inc. (WTVB), Coldwater, Michigan, requesting that the hearing in the above-entitled matter now scheduled for June 22, 1951, be continued for aproximately sixty days; and

It appearing, that the applicant has simultaneously filed a petition for enlargement of the issues in this proceeding which merits consideration and action by the Commission en banc, and further that the applicant desires additional time within which to secure field intensity measurement data pertinent to the issues herein; and

It further appearing, that no opposition to the granting of this petition has been filed with the Commission, and that a grant thereof as herein ordered will conduce to the orderly dispatch of the Commission's business; now therefore,

It is ordered, This 8th day of June 1951, that the petition is granted, and that the hearing in the above-entitled matter is continued from June 22, 1951, to August 22, 1951, at Washington, D. C.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 51-7062; Filed, June 19, 1951; 8:49 a. m.]

[Docket Nos. 9778, 9930]

KINSTON BROADCASTING CO. (WFTC) AND FARMERS BROADCASTING SERVICE, INC. (WELS)

ORDER CONTINUING HEARING

In re applications of Kinston Broadcasting Company (WFTC) Kinston, North Carolina, Docket No. 9778, File No. BP-7752; Farmers Broadcasting Service, Inc. (WELS), Kinston, North Carolina, Docket No. 9930, File No. BP-7979; for construction permits.

The Commission having under consideration a petition filed June 4, 1951, by Farmers Broadcasting Service, Inc. (WELS), applicant herein, requesting a continuance of the further hearing in the above-styled proceeding from June 4, 1951, to July 9, 1951; and

It appearing that there is now pending before the Commission an application (File No. BTC-1111) for the transfer of control of Farmers Broadcasting Service, Inc. (WELS) and that testimony concerning the sale of stock in the Farmers Broadcasting Service, Inc. (WELS) has been received in evidence in the above-entitled proceeding for the purposes of determining the comparative qualifications of the two applicants; and

It appearing that the application to transfer control of Farmers Broadcasting Service, Inc. (WELS) (BTC-1111), may receive consideration by the Commission at an early date, and that the orderly administration of Commission business suggests that the hearing should be continued until after the Commission has had an opportunity to consider the application to transfer control of Farmers Broadcasting Service, Inc. (WELS); and

It appearing that Counsel for the competing applicant, Kinston Broadcasting Company (WFTC), while expressing a desire to have the hearing period proceed on June 4, has agreed that the Examiner may act on such petition immediately; Commission Counsel having consented to immediate action on the petition; and good cause having been shown that the petition should be granted;

It is ordered, This the 4th day of June, 1951, that the petition be and it is hereby granted, and further hearing in the above-entitled proceeding is continued to July 9, 1951, at 10:00 a. m. in the offices of the Commission at Washington, D. C.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 51-7063; Filed, June 19, 1951; 8:49 a. m.]

[Docket No. 9989]

DON H. MARTIN

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re application of Don H. Martin, Salem, Indiana, Docket No. 9989, File No. BP-7481, for construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 6th day of June 1951;

The Commission having under consideration the above-entitled application for a construction permit to erect a new standard broadcast station to be operated on the frequency 1220 kilocycles, with 250 watts of power, daytime only, in Salem, Indiana;

It appearing, that the applicant is legally, technically, financially and otherwise qualified to operate the proposed station, but that the application may involve interference with one or more existing stations and otherwise not comply with the standards of good engineering practice;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application is designated for hearing commencing at 10:00 a. m. on August 3, 1951, at Washington, D. C., upon the following issues:

1. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed station, and the character of other broadcast service available to such areas and populations.

2. To determine whether the operation of the proposed station would involve objectionable interference with Station WINN, Louisville, Kentucky, or with any other existing broadcast stations, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

3. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations, with particular reference to excessive population within the 250 mv/m blanket contour.

It is further ordered, That Kentucky Broadcasting Corporation, Inc., licensee of Station WINN, Louisville, Kentucky, is made a party to this proceeding.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 51-7060; Filed, June 19, 1951; 8:49 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 26171]

FERRO-SILICON FROM BIRMINGHAM AND NORTH BIRMINGHAM, ALA., TO HOUSTON, TEX.

APPLICATION FOR RELIEF

JUNE 15, 1951.

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. 3899.

Commodities involved: Ferro-silicon, silico-manganese and zirconium-ferro-silicon, carloads.

From: Birmingham and North Birmingham, Ala.

To: Houston, Tex.

Grounds for relief: Circuitous routes.

Schedules filed containing proposed rates: D. Q. Marsh's tariff I. C. C. No. 3899, Supp. 53.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commis-

sion 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. 51-7055; Filed, June 19, 1951; 8:49 a. m.]

[4th Sec. Application 26172]

SCRAP IRON OR STEEL FROM NORTH ATLANTIC PORTS TO FRANKLIN, PA.

APPLICATION FOR RELIEF

JUNE 15, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: C. W. Boin and I. N. Doe, Agents, for carriers parties to tariffs listed below.

Commodities involved: Scrap iron or steel, carloads.

From: North Atlantic ports.

To: Franklin, Pa.

Grounds for relief: Circuitous routes and to maintain grouping.

Schedules filed containing proposed rates: C. W. Boin's tariff I. C. C. No. A-914, Supp. 21; I. N. Doe's tariff I. C. C. No. 591, Supp. 38; R. B. LeGrande's tariff I. C. C. No. 238, Supp. 90; G. F. Smith's tariff I. C. C. No. 118, Supp. 67; Reading Co. tariff I. C. C. No. 2330, 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. 51-7056; Filed, June 19, 1951; 8:49 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-1710]

TRANSCONTINENTAL GAS PIPE LINE CORP.

ORDER INSTITUTING INVESTIGATION AND FIXING DATE OF HEARING

JUNE 12, 1951.

Transcontinental Gas Pipe Line Corporation (Transcontinental) field on March 26, 1951, its initial Rate Schedules EM-1 and EX-1. Rate Schedule EM-1 is to cover the sale of natural gas on an emergency basis at a price of 31.6 cents per Mcf. Rate Schedule EX-1 is to cover the exchange of natural gas with a 31.6 cents per Mcf price for any deliveries not returned within 60 days. Deliveries under these rate schedules are to consist of gas not required by Transcontinental to meet its delivery obligations and deliveries are subject to curtailment or interrupations at any time. Transcontinental has also filed a form of service agreement for service under the EX-1 Rate Schedule.

Transcontinental has on file with the Commission its Rate Schedule E, containing a rate of 22 cents per Mcf for gas deliveries which appear to be substantially the same in character as described above for Rate Schedules EM-1 and EX-1.

The pricing provisions of the Rate Schedules EM-1 and EX-1 may be unjust, unreasonable, unduly discriminatory, or preferential.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission on its own motion institute an investigation and enter upon a hearing, pursuant to the authority contained in the Natural Gas Act and particularly sections 5, 14, and 15 thereof, concerning the lawfulness of any rate, charge, or classification demanded, observed, charged, or collected by Transcontinental Gas Pipe Line Corporation in connection with any transportation or sale of natural gas, subject to the jurisdiction of the Commission, pursuant to the provisions of its Rate Schedules EM-1 or EX-1, filed on March 26, 1951, and concerning the lawfulness of any rule, regulation, practice, or contract affecting such rate, charge, or classification.

The Commission orders:

(A) An investigation be and the same hereby is instituted for the purpose of enabling the Commission to determine whether any rate, charge, or classification demanded, observed, charged, or collected by Transcontinental Gas Pipe Line Corporation in connection with any transportation or sale of natural gas, subject to the jurisdiction of the Commission, pursuant to the provisions of its Rate Schedules EM-1 or EX-1, filed on March 26, 1951, or any rule, regulation, practice, or contract affecting such rate, charge, or classification is unjust, unreasonable, unduly discriminatory, or preferential.

(B) A public hearing be held commencing on August 6, 1951 at 10:00 a. m., e. d. s. t., in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., with respect to the matters referred to in paragraph (A) hereof.

(C) The order of procedure at the public hearing referred to in paragraph (B) hereof shall be for Transcontinental to proceed first with the presentation of data, if any there be, showing any differences in the nature of the services to be rendered under Rate Schedules EM-1 and EX-1, on the one hand, and Rate Schedule E, on the other, any differences in the costs of such services, the circumstances under which each such Rate Schedule will be applicable, and any other evidence relevant to the foregoing differences, and the order of presentation of evidence by any other participants, including the staff of the Federal Power Commission, shall be as determined by the presiding officer.

(D) If, after hearing, the Commission shall find that any rate, charge, classification, rule, regulation, practice, or contract referred to in paragraph (A) hereof is unjust, unreasonable, unduly discriminatory, or preferential, it will determine the just and reasonable rate, charge, classification, rule, regulation, practice, or contract to be thereafter observed and in force.

Date of issuance: June 14, 1951.

By the Commission.

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

[F. R. Doc. 51-7034; Filed, June 19, 1951; 8:46 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Reclamation

YUMA IRRIGATION PROJECT, ARIZONA-CALIFORNIA

PUBLIC NOTICE OF ANNUAL OPERATION AND MAINTENANCE CHARGES AND ANNUAL WATER RENTAL CHARGES

APRIL 19, 1951.

1. *Annual operation and maintenance charges for lands under public notice, Reservation Division.* The minimum annual operation and maintenance charge for the calendar year 1951 and thereafter until further notice against all lands of the Reservation Division under public notice shall be $6.00 per irrigable acre, whether water is used or not, payment of which will entitle the water user to 7 acre-feet of water per acre on certain sandy areas shown on the list set forth below and to 5 acre-feet of water per irrigable acre on all other lands of the division under public notice. Additional water, if available, will be furnished at the rate of $1.50 per acre-foot.

Where in the opinion of the Project Superintendent it may be done without interference with other project requirements, upon written request filed in advance by a water user who is not delinquent in the payment of any operation and maintenance charges, water will be furnished free of charge for reclaiming lands by the usual methods: *Provided, however,* That lands for which free water was served during the preceding calendar year will not again be served free water in the absence of evidence satisfactory to the Project Superintendent

that although the water so served free of charge during such preceding year was applied to the land in sufficient quantities over a period of not less than 3 months, the results accomplished during such preceding year were not satisfactory.

All operation and maintenance charges shall be due and payable on January 1 of each year for the preceding calendar year.

2. *Annual water rental charges for other lands, Reservation Division.* Irrigation water will be furnished during the calendar year 1951 and thereafter until further notice for lands in the Reservation Division not under public notice which can be irrigated from the present distribution system without further construction expense by the Bureau, upon a rental basis under approved applications for temporary water service, at the following rates: the minimum annual charge shall be $6.00 per irrigable acre, payment of which will entitle the applicant to 5 acre-feet of water per acre. Additional water, if available, will be furnished at the rate of $1.50 per acre-foot. All charges shall be payable in advance of the delivery of water. Refund will be made for additional water paid for but not used.

3. *Annual water rental charges for lands in the Valley Division not under Public Notice.* Irrigation water will be furnished during the calendar year 1951 and thereafter until further notice for lands in the Valley Division not under public notice which can be irrigated from the present distribution system without further construction expense by the United States, upon a rental basis under approved applications for temporary water service, at the following rates:

(a) The minimum annual charge shall be $16.00 per irrigable acre, payment of which will entitle the applicant to 5 acre-feet of water per irrigable acre. Additional water, if available, will be furnished at the rate of $2.50 per acre-foot.

(b) The charge per calendar year for each city or town lot having a maximum width not exceeding sixty (60) feet shall be $10.00. Where an applicant requests water service for more than one such lot in the same city or town the charge per calendar year for each additional lot shall be $4.00. Where lots exceed sixty (60) feet in width, each sixty (60) feet of additional width or fractional part thereof shall be considered as one additional lot.

All charges shall be payable in advance of the delivery of water. Refund will be made for additional water paid for under subdivision (a) hereof but not used.

4. *Penalties.* On all payments not made on or before the due dates, there shall be added on the following day a penalty of one-half of one percent of the amount unpaid and a like penalty of one-half of one percent of the amount unpaid on the first day of each calendar month thereafter so long as such default shall continue.

5. *Place of payment.* All payments should be made to the Agent-Cashier, Bureau of Reclamation, Yuma Air Base, or mailed to the Agent-Cashier, Bureau of Reclamation, Bin 151, Yuma, Arizona.

E. A. MORITZ,
Regional Director.

SANDY AREAS IN THE RESERVATION DIVISION UNDER PUBLIC NOTICE

Township 15 South, Range 23 E., S. B. M., California

Section	Farm unit	Description	Acres sandy
32	D	SE¼NE¼	28.00
	E	SW¼NE¼	5.90
	G	NW¼SE¼	17.60
	H	NE¼SE¼	19.00
	J	SE¼SE¼	19.00
33	E	SW¼NW¼	30.00
	F	W½SE¼NW¼	19.50
		E½SE¼NW¼	19.50
	H	SE¼NE¼	9.40
	J	NE¼SE¼	39.00
	K	NW¼SE¼	38.00
	L	NE¼SE¼	38.00
	M	NW¼SW¼	29.00
	N	SW¼SW¼	37.00
	O	SE¼SW¼	38.00
	P	SW¼SE¼	37.00
	Q	That part of the SE¼SE¼ north of the Reservation Main Canal	28.08
		That part of the SW¼SW¼, sec. 34, north of the Reservation Main Canal	3.92
	V	NE¼NW¼	19.80
	W	SW¼SE¼	29.00
34	C	NE¼NW¼	32.96
	M	NW¼NW¼	10.00
	N	That part of SW¼SW¼ south of Reservation Main Canal	30.20
		That part of SE¼SE¼, sec. 33, south of Reservation Main Canal	5.80
	T	Lot 1, sec. 34; and Lot 6A, sec. 35	23.50

Township 16 South, Range 23 E., S. B. M., California

3	B	NE¼NW¼	10.00
	C	NW¼NW¼	44.00
	D	Part of S½NW¼	20.00
	J	W½NW¼SW¼	15.00
	K	N½SW¼SW¼	10.00
4	A	NE¼NE¼	44.00
	B	NW¼NE¼	34.50
	C	NE¼NW¼	21.00
	D	NW¼NW¼	20.00
	E	SW¼NW¼	29.00
	F	SE¼NW¼	30.00
	G	SW¼NE¼	20.00
	H	SE¼NE¼	31.50
	J	Part of N½SE¼	35.00
	K	Part of N½SE¼	13.00
	M	Part of S½SE¼	10.00
5	B	NW¼NE¼	10.00
	C	NE¼NW¼	18.00
	D	N½NW¼NW¼	21.00
	E	SW¼NW¼	38.00
	F	SE¼NW¼	38.00
	G	SW¼NW¼	18.00
	H	SE¼NE¼	37.00
	J	NE¼SE¼	3.00
	K	NW¼SE¼	13.00
	L	NE¼SW¼	20.00
	M	NW¼SW¼	28.00
	O	SE¼SW¼	27.00
	P	That part of the SW¼SE¼ lying east of drain	6.00
	Q	SE¼SE¼	10.00
6	A	NE¼NE¼	10.00
	E	SW¼NW¼	20.00
	F	SE¼NE¼	39.00
	G	NE¼SE¼	29.00
	H	NW¼SE¼	30.00
	J	NE¼SW¼	30.00
	K	NW¼SW¼	25.00
	L	SW¼SW¼	26.20
	M	SE¼SW¼	40.00
	N	SW¼SE¼	28.00
7	B	NW¼NE¼	29.00
	C	NE¼NW¼	18.00
	D	NW¼NW¼	30.30
9	A	Part of N½NW¼	31.00
	B	Part of N½NW¼	29.00
	C	SW¼NW¼	30.00
	D	N½SE¼NW¼	10.00
	E	N½SE¼NW¼	6.00
	F	Part of N½SW¼	12.00
	G	W½NW¼SE¼	3.00
	H	E½NW¼SE¼	16.00
	J	W½NE¼SE¼	14.00
	P	SE¼NE¼	22.00
	Q	SW¼NE¼	16.00

[F. R. Doc. 51—7029; Filed, June 19, 1951; 8:45 a. m.]

SHOSHONE PROJECT, MONTANA

FIRST FORM RECLAMATION WITHDRAWAL

APRIL 19, 1951.

Pursuant to the authority delegated by Departmental Order No. 2515 of April 7, 1949, I hereby withdraw the following described lands from public entry, under the first form of withdrawal, as provided by section 3 of the act of June 17, 1902 (32 Stat. 388):

PRINCIPAL MERIDIAN, MONTANA

T. 9 S., R. 25 E.,
Sec. 1, NE¼, S½;
Sec. 4, W½NW¼;
Sec. 5, NE¼NE¼, W½SW¼, SE¼SW¼;
Sec. 6, Lots 1 to 4, incl., S½NE¼, SE¼NW¼, E½SW¼, SE¼;
Sec. 10, NW¼NW¼;
Sec. 11, W½NW¼, NE¼SE¼, S½SE¼;
Sec. 12, N½SW¼;
Sec. 13, E½, S½NW¼, SW¼;
Sec. 14, SE¼NE¼, SW¼NW¼, NW¼SW¼, E½SE¼;
Secs. 22 to 27, incl., all;
Sec. 31, Lots 4, 5, 6;
Sec. 33, Lot 2;
Sec. 34, all;
Sec. 35, Lot 1, N½, N½SW¼.
T. 9 S., R. 26 E.,
Secs. 6, 7, and 18, all;
Sec. 19, Lots 3, 4, E½SW¼, SE¼;
Sec. 29, SW¼;
Secs. 30 and 31, all;
Sec. 32, W½.

The above areas aggregate 11,616.94 acres.

WESLEY R. NELSON,
Assistant Commissioner.

I concur. The records of the Bureau of Land Management will be noted accordingly.

WILLIAM ZIMMERMAN, Jr.,
Associate Director,
Bureau of Land Management.

MAY 31, 1951.

Notice for Filing Objections to Order Withdrawing Public Lands for the Shoshone Project, Montana

Notice is hereby given that for a period of 30 days from the date of publication of this notice, persons having cause to object to the terms of the above order withdrawing certain public lands in the State of Montana, for use in connection with the Shoshone Project may present their objections to the Secretary of the Interior. Such objections should be in writing, should be addressed to the Secretary of the Interior, and should be filed in duplicate in the Department of the Interior, Washington 25, D. C.

In case any objection is filed and the nature of the opposition is such as to warrant it, a public hearing will be held at a convenient time and place, which will be announced, where oponents to the order may state their views and where the proponents of the order can explain its purpose, intent, and extent. Should any objection be filed, notice of the determination by the Secretary as to whether the order should be rescinded, modified or let stand will be given to all interested parties of record and the general public.

WESLEY R. NELSON,
Assistant Commissioner.

[F. R. Doc. 51-7030; Filed, June 19, 1951; 8:45 a. m.]

RAPID VALLEY PROJECT, SOUTH DAKOTA

ANNUAL WATER RENTAL CHARGES

MAY 31, 1951.

1. *Water rental.* Pursuant to Article 13 of the Contract of July 27, 1943, among the United States of America, Rapid City, South Dakota, and the Rapid Valley Conservancy District, water will be released for delivery to the District when available during the water year 1951, and thereafter until further notice, in accordance with requests by the Rapid Valley Conservancy District, made at least twenty-four (24) hours in advance of such time as delivery is needed by the District, acting through a person designated in writing for that purpose.

2. *Charges and terms of payment.* The rental charges shall be, until further notice, $1.00 per acre-foot for each acre-foot released to the District. These charges shall be payable by the District to the United States on May 1 of the year succeeding release for delivery.

Pursuant to Article 17 of the Contract, for each 1,000 acre-feet of water or fraction thereof released for delivery to the District from its share of the stored waters during water year 1951, and during each succeeding year until further notice, the District shall pay to the municipality of Rapid City, South Dakota, the amount of $333.33 which is one-eighth (⅛) of fifty three and one-third (53⅓) per cent of the total operation and maintenance charge of $5,000 as noticed in letter of October 5, 1948, to the City of Rapid City.

3. *Delivery of water.* Water will be delivered and measured by governmental personnel at the outlet works of Deerfield Dam.

4. *Penalties.* On all payments to the United States not made on or before the due dates, there shall be added on the following day a penalty of one-half of one per cent of the amount unpaid and a like penalty of one-half of one per cent of the amount unpaid on the first day of each calendar month thereafter so long as such default shall continue.

5. Applications for water release shall be received by the gate tender at Deerfield Dam and payments to the United States should be made payable to Treasurer, United States, and forwarded to the Bureau of Reclamation, Missouri-Oahe District Office, Huron, South Dakota.

K. F. VERNON,
Regional Director.

[F. R. Doc. 51-7031; Filed, June 19, 1951; 8:45 a. m.]

RAPID VALLEY PROJECT, SOUTH DAKOTA

NOTICE OF APPROVED RATES AND TERMS FOR RENTAL OF SURPLUS WATER

MAY 31, 1951.

1. Pursuant to Article 18 of the Contract of July 27, 1943, the following rates and terms are approved for temporary rental of surplus water to the District by the municipality for the calendar year 1951; and for successive years until further notice:

a. Construction charge component—$1.30 per acre-foot.

b. Operation and maintenance charge component—$0.33 per acre-foot.

c. Payment for such surplus water delivered is to be made by the District to the municipality prior to December 31 of each year in which water is delivered.

2. *Delivery of water.* Water will be delivered and measured by governmental personnel at the outlet works of Deerfield Dam.

K. F. VERNON,
Regional Director.

[F. R. Doc. 51-7032; Filed, June 19, 1951; 8:45 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 59-89]

EASTERN UTILITIES ASSOCIATES ET AL.

NOTICE OF APPLICATION REQUESTING EXTENSION OF TIME AND GIVING OPPORTUNITY FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 13th day of June A. D. 1951.

Notice is hereby given that Eastern Utilities Associates ("EUA"), a registered holding company, on behalf of itself and its subsidiary companies, namely, Blackstone Valley Gas and Electric Company ("Blackstone"), Brockton Edison Company ("Brockton"), Fall River Electric Light Company ("Fall River") and Montaup Electric Company ("Montaup") has filed an application with this Commission, pursuant to section 11 (c) of the Public Utility Holding Company Act of 1935.

Notice is further given that any interested person may not later than June 29, 1951, at 5:30 p. m., e. d. s. t., request this Commission in writing that a hearing be held on such matter, stating the reasons for such request, the nature of his interest and the issues of fact or law raised by said application which he desires to controvert, or may request that he be notified if this Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after June 29, 1951, said application, as filed or as amended, may be granted.

All interested persons are referred to said application, which is on file in the offices of this Commission, for a statement of the nature of the application which is summarized as follows:

EUA requests that this Commission, by order, extend the time for compliance by it and its subsidiary companies with this Commission's order, dated April 4, 1950, and issued pursuant to sections 11 (b) (1), 11 (b) (2) and certain other sections of the act. This order provides, in part, that (1) EUA, within one year from the date of said order, shall terminate its existence and distribute its assets to its security holders pursuant to a fair and equitable plan, filed with and approved by this Commission, or (2) if EUA, within such year, shall have acquired, directly or indirectly, all interests in excess of 10 per-cent held outside its system, then, EUA shall, within such year, pursuant to a fair and equitable plan filed with and approved by this Commission, reclassify its Common and Convertible shares into a single class of shares and allocate such new shares among its security holders, or, in the alternative, terminate its existence and distribute its assets to its security holders. This order, in effect, further requires the disposition of the gas properties owned by Blackstone, within one year from the date of said order.

On May 22, 1950, EUA filed a plan of reorganization under section 11 (e) of the act for the purpose of complying with said Commission's order, dated April 4, 1950. This plan, adopting the second alternative of said order, was divided into two steps, the first of which, after hearings thereon, was approved by order of this Commission, dated August 17, 1950. Pursuant to Step 1 and this Commission's order of August 17, 1950, EUA acquired all but 2,662 shares of Fall River's capital stock held outside its system and now owns 98½ percent of that company's voting power.

On March 20, 1951, EUA filed its amended plan of reorganization dividing Step 2 into two parts, the first of which covers the acquisition of all of the properties and assets of Brockton, Fall River and Montaup and all of Blackstone's securities by a newly organized holding operating company, and the permanent financing of such company and the second of which covers the allocation of the new company's common stock between EUA's Common and Convertible shareholders. After appropriate notice, hearings on the amended plan were reconvened on May 8, 1951, and have been continued subject to further order of the Commission.

With respect to the disposition of Blackstone's gas properties, the application states that EUA has taken, and is taking, steps to interest possible purchasers in such properties. In this connection it is further stated that although the advent of natural gas to Blackstone's service area is expected by the end of 1951, the exact manner in which natural gas is to be furnished to this area is unsettled.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 51-7043; Filed, June 19, 1951; 8:47 a. m.]

[File No. 70-2066]

NORTH AMERICAN CO. AND UNION ELECTRIC CO. OF MISSOURI

ORDER EXTENDING TIME FOR DISPOSITION OF INTEREST IN WATER AND ICE PROPERTIES AND BUSINESSES

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 13th day of June 1951.

The North American Company ("North American"), a registered holding company and its public utility sub-

sidiary, Union Electric Company of Missouri ("Union"), also a registered holding company, having filed a joint application-declaration and amendments thereto, pursuant to the Public Utility Holding Company Act of 1935 ("act") and the rules and regulations promulgated thereunder, with respect to the transfer by North American to Union of all of the outstanding common stock, consisting of 1,500,000 shares, par value $5 per share, of Missouri Power & Light Company ("Missouri"), a public utility subsidiary of North American, in exchange for 600,000 additional shares of common stock, without par value, of Union; and

The Commission, by order dated December 28, 1950, having granted and permitted to become effective said application-declaration, as amended, subject, among other things, to the following condition:

"(1) That within six months after the receipt by Union of the Missouri common stock, or such further time as the Commission may grant upon good cause shown, Union shall cause the disposition of its interest in Missouri's water and ice properties and businesses and Missouri's electric properties located at Clinton, Missouri; and that North American shall cause Union to take such action;" and

Union and Missouri, on March 14, 1951, having notified the Commission, pursuant to Rule U-44 (c) under the act, of the proposed sale of Missouri's ice manufacturing equipment located in the City of Mexico, Missouri, to Mexico Ice Company, a non-affiliated company, and the Commission having determined on March 22, 1951, that the filing of a declaration was not required in connection with such transaction; and

The Commission, by order dated June 4, 1951, having permitted the proposed sale by Missouri of its electric properties located at Clinton, Missouri, to Missouri Public Service Company, a non-affiliated public utility company; and

Union and Missouri, by letters dated June 1, 1951, having stated that despite diligent efforts the companies will be unable to dispose of Missouri's remaining water and ice properties and businesses within the time specified in the aforementioned condition, and having requested the Commission to extend for an additional six months the time for compliance with the said condition; and

The Commission having considered such request and the reasons advanced in support thereof and deeming that the public interest and the interests of investors and consumers will not be affected adversely by granting such request:

It is ordered, That the time prescribed for compliance by Union and North American with the above recited condition be, and hereby is, extended to December 31, 1951.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-7040; Filed, June 19, 1951; 8:46 a. m.]

[File No. 70-2563]

WEST PENN ELECTRIC CO.

SUPPLEMENTAL ORDER RELEASING JURISDICTION HERETOFORE RESERVED OVER FEES AND EXPENSES FOR SERVICES IN CONNECTION WITH COMMON STOCK OFFERING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 13th day of June 1951.

The West Penn Electric Company ("West Penn Electric"), a registered holding company, having heretofore filed with this Commission an application-declaration, pursuant to the Public Utility Holding Company Act of 1935 (the "act") and certain rules and regulations promulgated thereunder, proposing, among other things, an offer to its stockholders of rights to subscribe for the purchase of 320,000 additional shares of its no par value common stock on the basis of one additional share for each ten shares of common stock held together with certain privileges to regular full time employees to subscribe for shares of the new common stock not subscribed for by stockholders; and further proposing to offer to underwriters, pursuant to the competitive bidding requirements of Rule U-50, shares not subscribed for by stockholders or employees; and the Commission by orders dated February 21, 1951, and March 8, 1951, having granted the application and permitted the declaration to become effective subject to certain terms and conditions including a reservation of jurisdiction over certain fees and expenses incurred by West Penn Electric in connection with the proposed transactions;

West Penn Electric now having completed the record with respect to the details of fees and expenses applicable to the proposed transactions, these data indicating the following requested fees and expenses:

(a) Sullivan & Cromwell, New York, New York, as counsel to West Penn Electric, $10,000 fee and $100 expenses; (b) Cravath, Swaine & Moore, New York, New York, as counsel for the successful bidders, $6,000 fee and $1,500 expenses; (c) Price Waterhouse & Co., New York City, as independent accountants for West Penn Electric, $16,250 fee and $1,683.41 expenses; (d) City Bank Farmers Trust Company, New York City, as New York subscription agent and common stock transfer agent, $34,022.09 fee and $13,048.47 expenses; (e) City National Bank and Trust Company of Chicago, as Chicago subscription agent, $2,724.50 fee and $1,069.36 expenses; (f) Bank of America National Trust and Savings Association, San Francisco, California, as San Francisco subscription agent, $770.00 fee and $35.05 expenses; (g) Guaranty Trust Company of New York, New York City, as common stock registrar, $1,307.10 fee; and

The Commission having considered these requested fees in the light of the special circumstances of this case and having concluded that said fees and expenses are not unreasonable;

It is ordered, That jurisdiction heretofore reserved herein with respect to fees and expenses be, and the same hereby is, released.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-7036; Filed, June 19, 1951; 8:46 a. m.]

[File No. 70-2626]

PUBLIC SERVICE CO. OF NEW HAMPSHIRE

SUPPLEMENTAL ORDER AUTHORIZING SALE OF BONDS AND RELEASING JURISDICTION OVER LEGAL FEES AND EXPENSES

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 13th day of June A. D. 1951.

Public Service Company of New Hampshire ("Public Service"), a public utility subsidiary of New England Public Service Company, a registered holding company, having filed an application, and amendments thereto, pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935 and Rule U-50 promulgated thereunder, regarding, inter alia, the sale, at competitive bidding, of $3,000,000 principal amount of First Mortgage Bonds, Series F, __ percent, due 1981; and

The Commission having, by order dated May 31, 1951, granted said application, as amended, subject to the condition, among others, that the proposed sale of bonds should not be consummated (a) until the supplemental order of the Public Service Commission of New Hampshire with respect to the results of competitive bidding should have been entered and made a part of the record herein and (b) until the results of competitive bidding, pursuant to Rule U-50, should have been made a matter of record in this proceeding and a further order should have been entered by this Commission in the light of the record so completed; and subject to a reservation of jurisdiction with respect to the payment of fees and expenses of counsel for Public Service and independent counsel for the underwriters incurred or to be incurred in connection with the proposed transactions; and

Public Service having, on June 13, 1951, filed a further amendment to its application setting forth action taken by it to comply with the requirements of Rule U-50 and stating that, pursuant to the invitation for competitive bids with respect to the bonds, the following bids were received:

Bidder	Annual interest rate (percent)	Price to company[1] (percent of principal)	Annual cost to company (percent)
Halsey, Stuart & Co., Inc.	3¾	101.81	3.6502
The First Boston Corp. and Coffin & Burr, Inc.	3¾	101.0599	3.6913
White, Weld & Co.	3¾	100.631	3.7149
Kidder, Peabody & Co., and Blyth & Co., Inc.	3⅞	101.30	3.8020

[1] Exclusive of accrued interest from June 1, 1951.

The amendment further stating that Public Service has accepted the bid of Halsey, Stuart & Co., Inc., for the bonds, as set forth above, and that the bonds will be offered for sale to the public at a price of 102.738 percent of their principal amount, plus accrued interest from June 1, 1951, resulting in an underwriting spread of 0.928 percent of the principal amount of the bonds or an aggregate of $27,840; and

The amendment also including a copy of the supplemental order of the Public Service Commission of New Hampshire authorizing the issuance and sale of the bonds at the price and interest rate set forth above; and

The record having been completed with respect to the fees and estimated expenses of counsel for Public Service and independent counsel for the underwriters incurred or to be incurred in connection with the proposed transactions, for which requests for payment have been made in the following amounts:

Counsel for Public Service:	
Ropes, Gray, Best, Coolidge & Rugg	$6,500
Sulloway Piper Jones Hollis & Godfrey	1,620
E. H. Maxcy	551
Counsel for Underwriters:	
Choate, Hall & Stewart:	
Payable by the underwriters	3,500
Disbursements for blue sky qualification payable by Public Service	500

The Commission having examined said amendment and having considered the record herein and finding no basis for imposing terms and conditions with respect to the price to be received for said bonds, the interest rate thereon, the redemption prices thereof, or the underwriter's spread; and also finding that the fees and estimated expenses of counsel for Public Service and independent counsel for the underwriters are not unreasonable, and that jurisdiction with respect thereto should be released; and

It appearing that the Public Service Commission of Vermont has issued its order authorizing the issuance and sale of the bonds to the extent that such bonds are issued on account of property or expenditures within Vermont and that a copy of said order has been filed in the record herein:

It is ordered, That jurisdiction heretofore reserved with respect to the matters to be determined as a result of competitive bidding for said bonds, under Rule U-50, be, and the same hereby is, released, and that said application, as further amended, be and the same hereby is granted, subject to the terms and conditions prescribed in Rule U-24.

It is further ordered, That jurisdiction heretofore reserved over payment of fees and expenses of counsel for Public Service and independent counsel for the underwriters incurred or to be incurred in connection with the proposed transactions be, and the same hereby is, released.

It is further ordered, That this order shall become effective upon its issuance.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 51-7041; Filed, June 19, 1951; 8:47 a. m.]

[File No. 70-2641]

WASHINGTON WATER POWER CO.

ORDER AUTHORIZING BORROWING FROM CERTAIN BANKING INSTITUTIONS

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 14th day of June A. D. 1951.

The Washington Water Power Company ("Washington"), an electric utility subsidiary company of American Power & Light Company, a registered holding company, having filed an application and amendments thereto with this Commission pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935 regarding the following transactions:

Washington proposes to borrow from Guaranty Trust Company of New York, Mellon National Bank and Trust Company of Pittsburgh, Pennsylvania, and Seattle-First National Bank (Spokane and Eastern branch), Spokane, Washington, under a revolving credit, an aggregate principal amount of not to exceed $26,000,000, from time to time prior to June 15, 1954, and to issue notes in evidence thereof. The notes evidencing the loans would bear interest at the rate of 2¾ percent per annum from their respective dates until June 15, 1952, and 2⅞ percent thereafter to maturity. All such notes would mature not later than June 15, 1954. Each of the above-named banks would participate in the proposed borrowings in amounts not to exceed those designated in the Credit Agreement between the three banks and Washington. Under the Credit Agreement, Washington would pay a commitment fee of ½ of 1 percent per annum on the daily average unused amount of such commitment to June 15, 1954.

Washington proposes to use a portion of the proceeds from the above-mentioned loans to repay the entire balance of the Company's 2 percent bank loans from Seattle-First National Bank (Spokane and Eastern branch), of which a maximum principal amount of $7,150,000 will be outstanding prior to their maturity on October 31, 1951. The balance of the proceeds would be used to meet necessary expenditures to be incurred in connection with the Company's construction program.

Washington states that it proposes to take the first step toward a permanent financing program in the latter part of 1951 or early in 1952, at which time the Company proposes to issue first mortgage bonds to the maximum amount possible and to retire a large part or all of the bank loans of the Company then outstanding. The Company further states that, conditional upon earnings being sufficient, it proposes thereafter to issue additional first mortgage bonds to the extent possible and the proceeds from such additional bonds would be used toward reducing the Company's bank loans. Washington states that, at the time of its first permanent debt financing, it will pursue a program for the complete refinancing of all of the bank loans and such program will provide for the retirement of the Company's presently outstanding $6 Preferred Stock.

The Company estimates that fees and expenses in connection with the transactions will aggregate $10,165, of which $2,500 will be for legal fees.

The Company requests that the Commission's order granting the application be effective upon issuance.

Said application having been filed on May 24, 1951, and amendments thereto having been filed on June 1st and 12th, 1951, and notice of said filing having been given in the form and manner prescribed by Rule U-23 promulgated pursuant to the act, and the Commission not having received a request for a hearing with respect to said application, as amended, within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The proposed transaction having been expressly authorized by the Washington Public Service Commission, which is the regulatory Commission of the State in which the Company is organized and doing business, and by the Public Utilities Commission of the State of Idaho, the only other State in which the Company operates; and

The Commission finding that said application, as amended, satisfies the requirements of the applicable provisions of the act and the rules and regulations thereunder, and deeming it appropriate in the public interest and in the interest of investors and consumers that the application, as amended, be granted forthwith;

It is ordered, Pursuant to Rule U-23 and the applicable provisions of the Public Utility Holding Company Act of 1935, that said application, as amended, be and the same hereby is, granted, effective forthwith, subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 51-7039; Filed, June 19, 1951; 8:46 a. m.]

[File No. 70-2646]

POTOMAC EDISON CO. ET AL.

NOTICE OF FILING REGARDING THE ISSUANCE OF COMMON STOCK BY WHOLLY OWNED SUBSIDIARY COMPANIES AND ACQUISITION THEREOF BY PARENT HOLDING COMPANY

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C. on the 13th day of June 1951.

In the matter of the Potomac Edison Company, Northern Virginia Power Company, Potomac Light and Power

Company, South Penn Power Company; File No. 70-2646.

Notice is hereby given that a joint application-declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 (the "act") by the Potomac Edison Company ("Potomac Edison"), a registered holding company and a public utility company, and three of its direct and wholly owned public utility subsidiaries, namely, Northern Virginia Power Company ("Northern Virginia"), Potomac Light and Power Company ("Potomac Light") and South Penn Power Company ("South Penn"). The filing has designated sections 6, 7, 9, 10 and 12 of the act and Rules U-43 and U-44 promulgated thereunder as being applicable to the transactions described therein.

Notice is further given that any interested person may, not later than June 29, 1951, at 5:30 p. m., request the Commission in writing that a hearing be held on such matter stating the nature of his interest, the reason for such request and the issues, if any, of fact or law proposed to be controverted; or he may request that he be notified if the Commission should order a hearing thereon. At any time after said date said joint application-declaration, as filed or as amended, may be granted and permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rules U-20 and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C.

All interested persons are referred to said joint application-declaration which is on file in the offices of this Commission for a statement of the transactions therein proposed which are summarized as follows: Northern Virginia, Potomac Light and South Penn propose to issue and sell additional shares of their authorized and unissued capital stock and Potomac Edison proposes to acquire such shares in each case for a cash consideration equal to the aggregate par or stated value thereof as follows: (a) Northern Virginia, 4,500 shares common stock par value $100 per share, aggregating $450,000; (b) Potomac Light, 6,250 shares common stock par value $100 per share, aggregating $625,000; and (c) South Penn, 70,000 shares capital stock no par stated value $5 per share, aggregating $350,000.

Each of the subsidiary companies of Potomac Edison proposes to use proceeds from the sale of such additional shares of capital stock for the construction of property additions, and in the case of Potomac Light also to discharge its open account indebtedness amounting to $100,000 payable to Potomac Edison.

Potomac Edison at the present time owns all of the capital stocks of Northern Virginia, Potomac Light and South Penn, as well as the outstanding indebtedness of Potomac Light. All of the outstanding shares of capital stocks of these three subsidiary companies are at the present time pledged under the indenture of Potomac Edison securing its First Mortgage and Collateral Trust Bonds, it being proposed that the additional shares to be issued at this time and acquired by Potomac Edison will be pledged under said indenture in accordance with the requirements thereof.

The filing states that Potomac Edison presently has in its treasury funds in excess of the aggregate purchase price of the shares of capital stocks proposed to be acquired and that accordingly no financing by Potomac Edison is required in connection with its acquisition of such shares. The filing further states that expenses involved in the proposed transactions are estimated in total at less than $3,200.

The filing indicates that authorizations from the Public Service Commission of Maryland, the Public Service Commission of West Virginia, the State Corporation Commission of Virginia, and the Public Utility Commission of Pennsylvania are to be obtained with respect to certain aspects of the various transactions.

The joint application-declaration requests that any order of this Commission authorizing the proposed transactions become effective forthwith upon issuance.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-7042; Filed, June 19, 1951; 8:47 a. m.]

[File No. 812-687]

INVESTORS DIVERSIFIED SERVICES, INC., AND INVESTORS SYNDICATE OF CANADA, LTD.

NOTICE OF APPLICATION AND OPPORTUNITY FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 14th day of June A. D. 1951.

Notice is hereby given that Investors Diversified Services, Inc., a registered investment company and its wholly owned subsidiary, Investors Syndicate of Canada, Limited, have filed jointly an application under sections 6 (c) and 17 (b) of the Investment Company Act of 1940 for an order exempting from the provisions of sections 17 (a) (1) and 17 (a) (2) of that act certain proposed transactions between the applicants.

The proposed transactions for which exemption is requested involve the sale by Investors Diversified Services, Inc., to its wholly owned subsidiary, Investors Syndicate of Canada, Limited, of loans and mortgages or other first liens on Canadian real estate securing the same, owned or to be acquired by Investors Diversified Services, Inc., subject to certain limitations set forth in the application. In previous orders of the Commission, Investors Diversified Services, Inc., and Investors Syndicate of America, Inc., have been granted exemptions from the provisions of sections 17 (a) (1) and 17 (a) (2) of the Investment Company Act of 1940 for the sales by the former to the latter of loans, mortgages and other first liens on United States real estate.

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

Notice is further given that the Commission will issue an order granting the application, pursuant to the provisions of sections 6 (c) and 17 (b) of the act, subject to the provisions to be stated therein, at any time after the 28th day of June 1951, unless prior thereto a hearing upon the application is ordered by the Commission, as provided in Rule N-5 of the rules and regulations promulgated under the Investment Company Act of 1940. Any interested person may not later than the 25th day of June, 1951, at 5:30 p. m. e. d. s. t., submit to the Commission in writing his views or any additional facts bearing upon the application or the desirability of a hearing thereon, or request the Commission in writing that a hearing be held thereon. Any such application or request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. and should state briefly the nature of the interest of the person submitting such information or requesting a hearing, the reasons for such request and the issues of fact or law raised by the application which he desires to controvert.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-7044; Filed, June 19, 1951; 8:47 a. m.]

[File No. 812-734]

BLUE RIDGE MUTUAL FUND, INC.

NOTICE OF APPLICATION

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 14th day of June A. D. 1951.

Notice is hereby given that Blue Ridge Mutual Fund, Inc. ("applicant"), of New York, New York, a registered investment company, has filed an application for an order pursuant to section 6 (c) of the Investment Company Act of 1940 exempting applicant from the provisions of sections 15 (a), 15 (a) (3), 18 (i), 22 (e), and 32 (a) (1) and (2) of the act.

Section 15 (a) makes it unlawful for a person to act as investment adviser for a registered investment company except pursuant to a written contract containing certain specified statutory terms which has been approved by the vote of a majority of its outstanding voting securities. Applicant requests exemption from this provision pending approval or disapproval of the written advisory contract at the annual meeting of applicant's stockholders to be held in 1952.

Section 15 (a) (3) requires an investment advisory contract to provide, in substance, that it may be terminated at any time, without the payment of any penalty, by the board of directors or by majority vote of the outstanding voting securities of the registered investment company on not more than sixty days' written notice to the investment adviser. Applicant requests exemption from this

provision until the annual meeting in 1952 or nine months from the effective date of the merger of Blue Ridge Corporation into applicant, whichever period is longer.

Section 18 (i) provides that every share of stock issued by a registered investment company shall be a voting stock and have equal voting rights with every other outstanding voting stock. Applicant requests exemption from this provision for the issuance of scrip for fractional shares expiring within six months after the aforementioned merger.

Section 22 (e) prohibits a registered investment company from suspending the right of redemption or postponing the date of payment of any redeemable security in accordance with its terms for more than seven days after tender for redemption except under certain conditions not here pertinent. Applicant requests exemption from this provision during an initial period after its open-ending in accordance with the plan of reorganization of its predecessor and the merger agreement hereinafter described.

Section 32 (a) (1) and (2) makes it unlawful for a registered management company to file with the Commission any financial statement signed or certified by an independent public accountant unless such accountant has been selected by a certain specified majority of the board of directors within a designated period and such selection has been submitted to the stockholders for ratification or rejection. Applicant requests exemption from these provisions until the ratification or rejection of the selected accountant may be submitted to stockholders at the annual meeting in 1952.

It appears from the application that applicant was incorporated under the laws of Delaware on January 17, 1950, as Central States Electric Corporation (Del.), which changed its name to that of applicant on May 15, 1951; that Central States Electric Corporation (Va.) is now in process of reorganization under Chapter X of the Bankruptcy Act in the United States District Court for the Eastern District of Virginia; that the plan of reorganization proposed for Central States Electric Corporation (Va.) provides for the transfer of its cash and securities to a new Delaware corporation, i. e., Central States Electric Corporation (Del.), followed by the merger into it of Blue Ridge Corporation; that Central States Electric Corporation (Va.) and its subsidiary, Blue Ridge Corporation, are registered closed-end, management investment companies; that said plan of reorganization was recommended for approval by this Commission to said District Court, was approved and confirmed by said Court after acceptance by interested security holders and is now being consummated after denial of petitions for certiorari by the United States Supreme Court on appeals from the United States Court of Appeals for the Fourth Circuit affirming the orders of approval and confirmation of the plan and the order denying a motion to dismiss the reorganization proceedings; that said plan and merger agreement provide that applicant shall be an open-end, management, investment company, the shares of which will be redeemable at the holder's option, subject to certain restrictions on redemption during an initial period; that said redemption restrictions provide that stock presented for redemption during the first six months after the open-ending shall be redeemable at net asset value sixty days after the date of presentation and stock presented for redemption during the sixty-day period immediately following said six-month period shall be redeemable on the last day of said sixty-day period, unless in each case the board of directors shall fix a shorter period; that said plan and merger agreement provide for the issuance of scrip for fractional shares which shall expire and become void within six months after said merger unless presented with other fractional scrip certificates for exchange for full shares of stock; that said plan and merger agreement provide for the employment of investment managers by means of an investment advisory contract, and in pursuance thereof, an investment advisory contract was entered into with Research-Distributing Corporation after approval by said reorganization court upon notice to all interested security holders; that said contract provides for its termination without penalty by the board of directors or by majority vote of its stockholders except that the board of directors shall not terminate the contract until the next annual meeting of stockholders or nine months after said merger, whichever period is longer, without the approval of a majority of the outstanding stock; that at a meeting on May 10, 1951, a majority of the board of directors of applicant who are not investment advisers or affiliated therewith, or officers or employees of applicant, slected the firm of Lybrand, Ross Bros. & Montgomery as independent public accountants for the year 1951.

Applicant asserts that under the circumstances, the requested temporary exemptions are necessary and appropriate in aid of consummation of said plan of reorganization and merger agreement; that the issuance of scrip, the execution of the investment advisory contract, and the initial non-redeemability of stock are pursuant to said plan and merger agreement which have been passed upon by this Commission and approved by the reorganization court after notice thereof to all interested security holders; that the investment advisory contract was executed and Lybrand, Ross Bros. & Montgomery selected at the time to enable applicant to file registration statements with this Commission under the Investment Company Act and the Securities Act of 1933 and to commence business as an investment company by offering its shares to the public; that after the first year of operation, none of the requested exemptions will be in effect; that at the next annual meeting in 1952, the approval of said investment advisory contract and selection of a firm of independent public accountants will be submitted to the vote of stockholders.

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

Notice is further given that an order granting the application, subject to such terms and conditions as the Commission may deem necessary or appropriate, may be issued by the Commission at any time on or after June 29, 1951, unless prior thereto a hearing upon the application is ordered by the Commission, as provided in Rule N-5 of the rules and regulations promulgated under the act. Any interested person may, not later than June 27, 1951, at 5:30 p. m., e. d. s. t., submit in writing to the Commission his views or any additional facts bearing upon this application or the desirability of a hearing thereon, or request the Commission in writing that a hearing be held thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D. C., and should state briefly the nature of the interest of the person submitting such information or requesting a hearing, the reasons for such request, and the issues of fact or law raised by the application which he desires to controvert.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 51-7037; Filed, June 19, 1951; 8:46 a. m.]

[File No. 812-735]

LEHMAN CORP. AND CHICAGO CORP.

NOTICE OF APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 14th day of June A. D. 1951.

Notice is hereby given that the Lehman Corporation (Lehman), a registered investment company, One William Street, New York 4, New York, and the Chicago Corporation (Chicago), 135 South LaSalle Street, Chicago, Illinois, have filed an application pursuant to section 17 (b) of the Investment Company Act of 1940 for an order of the Commission exempting from the provisions of section 17 (a) of said act a proposed transaction in which Lehman is to sell and Chicago is to purchase 1,725 shares of the capital stock of Gulf Plains Corporation (Gulf Plains) at $1,569.62 per share, or an aggregate purchase price of $2,707,594.50.

The application discloses that Gulf Plains is a Texas corporation organized in 1939 for the purpose of acquiring certain gas and leasehold estates near Corpus Christi, Texas, and constructing and operating a natural gas and recycling plant adjacent to such leasehold properties. Gulf Plains presently has outstanding 5,953 shares of capital stock, of which Chicago owns 3,978 shares, Lehman owns 1,725 shares and Maracaibo

Oil Exploration Corporation (Maracaibo) owns the remaining 250 shares. Chicago, Lehman and Maracaibo, in arm's-length bargaining, entered into an agreement dated June 8, 1951, which provides for the purchase by Chicago, subject to the granting of the application by order of the Commission, of the Gulf Plains stock owned by Lehman and Maracaibo at the price per share stated above. Lehman and Chicago are affiliated persons of Gulf Plains within the meaning of section 2 (a) (3) of the act and as a consequence, since Lehman is a registered investment company, section 17 (a) prohibits Chicago from purchasing the stock of Gulf Plains owned by Lehman unless the Commission issues an order of exemption pursuant to the provisions of section 17 (b) of the act. The transaction in which Chicago proposes to purchase the stock of Gulf Plains owned by Maracaibo is not subject to the provisions of section 17 (a) of the act but the obligation of Chicago to purchase the stock owned by Lehman or Maracaibo is subject to the condition that all of the 1,975 shares owned by the sellers shall be sold to Chicago.

Gulf Plains, according to a report by a petroleum geologist and engineer dated January 1, 1950, had through leases recoverable gas reserves of 498,569,000 Mcf and condensate reserves of 9,180,067 barrels. The financial statements of Gulf Plains, included in the application, indicate that per share earnings on its outstanding stock amounted to approximately $137 in 1949, $103 in 1950 and $24 in the three-months period ended March 31, 1951. Dividends paid on the stock amounted to $150 and $170 per share in 1949 and 1950, respectively.

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

Notice is further given that an order granting the application may be issued by the Commission at any time on or after June 28, 1951, unless a hearing upon the application is ordered by the Commission as provided in Rule N-5 of the rules and regulations promulgated under the act. Any interested person may, not later than June 27, 1951, at 5:30 p. m., e. d. s. t., submit to the Commission in writing his views or any additional facts bearing upon the application or the desirability of a hearing thereon, or request in writing that the Commission order a hearing to be held thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C., and should state briefly the nature of the interest of the person submitting such information or requesting a hearing, the reasons for such request, and the issues of fact or law raised by the application which he desires to controvert.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 51-7038; Filed, June 19, 1951; 8:46 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 17977]

CREDIT SUISSE

In re: Accounts maintained in the name of Credit Suisse, Zurich, Switzerland, and owned by persons whose names are unknown, F-63-60 (Zurich), Temporary No. II.

Under the authority of the Trading With the Enemy Act, as amended, Executive Orders 9193, as amended, 9788 and 9989, and pursuant to law, after investigation, it is hereby found:

1. That the property described as follows: All property, rights and interests in the accounts identified in Exhibit A set forth below and by reference made a part hereof, together with

(a) Any other property, rights and interests which represent accumulations or accruals to, changes in form of, or substitutions for, any of the property, rights and interests in said identified accounts on October 2, 1950, and which are now held in other accounts being maintained as blocked or otherwise subject to the restrictions of Executive Order 8389, as amended, or regulations, rulings, orders or instructions issued thereunder, and

(b) Any and all rights in, to and under any securities (including, without limitation, bonds, coupons, mortgage participation certificates, shares of stock, scrip and warrants) and any and all declared and unpaid dividends on any shares of stock, in any of said accounts,

excepting from the foregoing, however, all property, rights and interests which are expressly excluded in Exhibit A, and all lawful liens and setoffs of the respective institutions in the United States with whom the aforesaid accounts are maintained,

is property within the United States;

2. That the property described in subparagraph 1 hereof is owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or is evidence of ownership or control by persons, names unknown, who, if individuals, there is reasonable cause to believe are residents of a designated enemy country and which, if partnerships, associations, corporations, or other organizations, there is reasonable cause to believe are organized under the laws of a designated enemy country or on or since the effective date of Executive Order 8389, as amended, have had their principal places of business in a designated enemy country;

3. That the persons referred to in subparagraph 2 hereof are nationals of a designated enemy country;

and it is hereby determined:

4. That to the extent that the persons referred to in subparagraph 2 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country.

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, and the term "designated enemy country" has reference to Germany or Japan.

Executed at Washington, D. C., on May 31, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

[Accounts maintained in the name of Credit Suisse, Zurich, Switzerland]

Column I Name and address of institution which maintains account	Column II Designation of account	Column III Property, rights and interests in the Account as of Oct. 2, 1950, excluded from this vesting order [1]
Guaranty Trust Co. of New York, 140 Broadway, New York, N. Y.	(a) Miscellaneous portfolio of stocks and bonds, regular account XC 238, as described by Guaranty Trust Co. of New York in its report on Form OAP-700, bearing its Serial No. CU 0084, (b) Regular Deposit Account, and (c) general ruling No. 6 account; as described by Guaranty Trust Co. of New York in its report on Form OAP-700, bearing its Serial No. FB 148.	12 common shares United States Steel Co., $58,000, 7½ percent Europ. Mortgage Series B Corp. due February 1, 1966, $10,000. 7½ percent Europ. Mortgage Series C Corp., due September 15, 1967, $38,500. 4½ percent Kingdom of Hungary due August 1, 1979 stpd., and $2,000 7 percent Ital. Publ. Utility Credit Institute, due January 1, 1952, which, according to the report on Form OAP-700 filed by Guaranty Trust Co. of New York, bearing its Serial No. CU 0084, is property of persons domiciled in Hungary; $90.22 of the general ruling No. 6 account, which according to the report on Form OAP-700 filed by Guaranty Trust Co. of New York, bearing its Serial No. FB 148, is property of persons domiciled in Hungary.

[1] Also excluded from this vesting order are (a) any accumulations or accruals to, changes in form of, or substitutions for, any such property, rights and interests, since Oct. 2, 1950 and (b) any and all rights in, to and under any securities (including, without limitation, bonds, coupons, mortgage participation certificates, shares of stock, scrip and warrants), and any and all declared and unpaid dividends on any shares of stock, listed in column III or excluded under (a) of this footnote.

[F. R. Doc. 51-7066; Filed, June 19, 1951; 8:50 a. m.]

[Vesting Order 17978]

CREDIT SUISSE

In re: Accounts maintained in the name of Credit Suisse, Zurich, Switzerland, and owned by persons whose names are unknown. F63-60 (Zurich) Temporary No. 111.

Under the authority of the Trading With the Enemy Act, as amended, Executive Orders 9193, as amended, 9788 and 9989, and pursuant to law, after investigation, it is hereby found:

1. That the property described as follows: All property, rights and interests in the accounts identified in Exhibit A set forth below and by reference made a part hereof, together with

(a) Any other property, rights and interests which represent accumulations or accruals to, changes in form of, or substitutions for, any of the property, rights and interests in said identified accounts on October 2, 1950, and which are now held in other accounts being maintained as blocked or otherwise subject to the restrictions of Executive Order 8389, as amended, or regulations, rulings, orders or instructions issued thereunder, and

(b) Any and all rights in, to and under any securities (including, without limitation, bonds, coupons, mortgage participation certificates, shares of stock, scrip and warrants) and any and all declared and unpaid dividends on the shares of stock in any of said accounts,

excepting from the foregoing, however, all property, rights and interests which are expressly excluded in Exhibit A, and all lawful liens and setoffs of the respective institutions in the United States with whom the aforesaid accounts are maintained,

is property within the United States;

2. That the property described in subparagraph 1 hereof is owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or is evidence of ownership or control by persons, names unknown, who, if individuals, there is reasonable cause to believe are residents of a designated enemy country and which, if partnerships, associations, corporations, or other organizations, there is reasonable cause to believe are organized under the laws of a designated enemy country or on or since the effective date of Executive Order 8389, as amended, have had their principal places of business in a designated enemy country;

3. That the persons referred to in subparagraph 2 hereof are nationals of a designated enemy country;

and it is hereby determined:

4. That to the extent that the persons referred to in subparagraph 2 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country.

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, and the term "designated enemy country" has reference to Germany or Japan.

Executed at Washington, D. C., on May 31, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

[Accounts maintained in the name of Credit Suisse, Zurich, Switzerland]

Column I Name and address of institution which maintains account	Column II Designation of account	Column III Property, rights and interests in the account as of Oct. 2, 1950, excluded from this vesting order [1]
Bankers Trust Co., 16 Wall St., New York, N. Y.	(a) Miscellaneous stocks and bonds of determinable value, and (b) miscellaneous stocks and bonds of indeterminable value; as described by Bankers Trust Co. in its report on Form OAP-700, bearing its Serial No. CU 25. (c) Custodian cash A/C general ruling No. 6 a/c, and (d) Bonds; as described by Bankers Trust Co. in its report on Form OAP-700, bearing its Serial No. CU 24.	$1,000 6½ percent Imperial Japanese Government due Feb. 1, 1954, which, according to the report on Form OAP-700 filed by Bankers Trust Co., bearing its Serial No. CU 25, is property of persons domiciled in Hungary; $7,000 6½ percent Berlin City Electric Co., due Dec. 1, 1951, Nos. 5490, 5505, 6768, 6998, 15119, 15923/24; $1,000 5½ percent German Government, due June 1, 1965, Nos. B 854 and B 1103; the proceeds of $600 3 percent Province of Buenos Aires, due Mar. 1, 1984, Nos. 3713/18, and $15,000 4½ percent; 4⅜ percent Province of Buenos Aires, due Mar. 1, 1977, which is claimed to be property of Rolf von Paur, Nelly von Paur, Fritz Prager and the heirs of Lilly Prager; $1,016.10, which, according to the report on Form OAP-700 filed by Bankers Trust Co., bearing its Serial No. CU 25, is property of a person domiciled in Hungary.

[1] Also excluded from this vesting order are (a) any accumulations or accruals to, changes in form of, or substitutions for, any such property, rights and interests, since Oct. 2, 1950, and (b) any and all rights in, to and under any securities (including, without limitation, bonds, coupons, mortgage participation certificates, shares of stock, scrip and warrants), and any and all declared and unpaid dividends on any shares of stock, listed in Column III or excluded under (a) of this footnote.

[F. R. Doc. 51-7067; Filed, June 19, 1951; 8:50 a. m.]

[Vesting Order 17750, Amdt.]

TOSHIHIKO ONO ET AL.

In re: Real and personal property, property insurance policies, postal savings account and bank account owned by Toshihiko Ono, also known as Toshikiko Ono and as Henry T. Ono, and others. D-39-9701.

Vesting Order 17750, dated April 30, 1951, is hereby amended as follows and not otherwise:

By deleting the number 2619 from subparagraph 5 of said Vesting Order 17750 and substituting therefor the number 2618.

All other provisions of said Vesting Order 17750 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 June 12, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-7072; Filed, June 19, 1951; 8:51 a. m.]

[Vesting Order 17979]

CREDIT SUISSE

In re: Accounts maintained in the name of Credit Suisse, Zurich, Switzerland, and owned by persons whose names are unknown. F-63-60 (Zurich), Temporary No. IV.

Under the authority of the Trading With the Enemy Act, as amended, Executive Orders 9193, as amended, 9788 and 9989, and pursuant to law, after investigation, it is hereby found:

1. That the property described as follows: All property, rights and interests in the accounts identified in Exhibit A set forth below and by reference made a part hereof, together with

(a) Any other property, rights and interests which represent accumulations or accruals to, changes in form of, or substitutions for, any of the property, rights and interests in said identified accounts on October 2, 1950, and which are now held in other accounts being maintained as blocked or otherwise subject to the restrictions of Executive Order 8389, as amended, or regulations, rulings, orders or instructions issued thereunder, and

(b) Any and all rights in, to and under any securities (including, without limitation, bonds, coupons, mortgage participation certificates, shares of stock, scrip and warrants) and any and all declared and unpaid dividends on any shares of stock in any of said accounts,

excepting from the foregoing, however, all property, rights and interests which are expressly excluded in Exhibit A, and all lawful liens and setoffs of the respective institutions in the United States with whom the aforesaid accounts are maintained,

is property within the United States;

2. That the property described in subparagraph 1 hereof is owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or is evidence of ownership or control by persons, names unknown, who, if individuals, there is reasonable cause to believe are residents of a designated enemy country and which, if partnerships, associations, corporations, or other organizations, there is reasonable cause to believe are organized under the laws of a designated enemy country or on or since the effective date of Executive Order 8389, as amended, have had their principal places of business in a designated enemy country;

3. That the persons referred to in subparagraph 2 hereof are nationals of a designated enemy country;

and it is hereby determined:

4. That to the extent that the persons referred to in subparagraph 2 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country.

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, and the term "designated enemy country" has reference to Germany or Japan.

Executed at Washington, D. C., on May 31, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

[Accounts maintained in the name of Credit Suisse, Zurich, Switzerland]

Column I Name and address of institution which maintains account	Column II Designation of account	Column III Property, rights and interests in the account as of Oct. 2, 1950, excluded from this vesting order [1].
Brown Bros. Harriman & Co., 59 Wall St., New York 5, N. Y.	(a) Credit Suisse, Zurich, ordinary account, blocked account; (b) Credit Suisse, Zurich, general ruling No. 6 account; (c) Credit Suisse, Zurich, special account EMA blocked account; (d) Credit Suisse, Zurich remittances of Coupons called and matured securities; and (3) Credit Suisse, Zurich, special account EMA general ruling No. 6; as described by Brown Bros. Harriman & Co. in its report on Form OAP-700, bearing its Serial No. 35; (f) Credit Suisse, Zurich, ordinary account, blocked account; (g) Credit Suisse, Zurich, general ruling No. 6 account; (h) Credit Suisse, Zurich, special account EMA blocked account; and (i) Credit Suisse, Zurich, special account EMA general ruling No. 6 account; as described by Brown Bros. Harriman & Co. in its report on Form OAP-700, bearing its Serial No. 36.	$309.48 of Credit Suisse, Zurich, general ruling No. 6 account, which, according to the report on form OAP-700 filed by Brown Bros. Harriman & Co., bearing its Serial No. 35, is property of a person domiciled in Hungary; $234.42 of Credit Suisse, Zurich, general ruling No. 6 account, which, according to a letter dated Mar. 19, 1951, from Credit Suisse, New York Agency, represents part of the "Non-German" interest in the estate of Emil Tottien; 20 shares no par value common stock Dome Mines, Ltd., and 20 shares $10 par value common stock F. W. Woolworth Co., which according to the report on Form OAP-700, filed by Brown Bros. Harriman & Co., bearing its Serial No. 36, is property of persons domiciled in Hungary, three-tenths (3/10th) interest in those certain Kingdom of Denmark 4½ percent bonds, having an aggregate face value of $2,000 and in those certain City of Copenhagen 4½ percent bonds, having an aggregate face value of $500, the remaining seven-tenths (7/10ths) interest having been vested by V. O. 17615.

[1] Also excluded from this vesting order are (a) any accumulations or accruals to, changes in form of, or substitutions for, any such property, rights and interests, since Oct. 2, 1950 and (b) any and all rights in, to and under any securities (including, without limitation, bonds, coupons, mortage participation certificates, shares of stock, scrip and warrants), and any and all declared and unpaid dividends on any shares of stock, listed in column III or excluded under (a) of this footnote.

[F. R. Doc. 51-7068; Filed, June 19, 1951; 8:50 a. m.]

[Vesting Order 17986]

ROTTERDAMSCHE BANK N. V.

In re: Accounts maintained in the name of Rotterdamsche Bank N. V., The Hague, The Netherlands, and owned by persons whose names are unknown. F-49-702.

Under the authority of the Trading With the Enemy Act, as amended, Executive Orders 9193, as amended, 9788 and 9989, and pursuant to law, after investigation, it is hereby found:

1. That the property described as follows: All property, rights and interests in the accounts identified in Exhibit A set forth below and by reference made a part hereof, together with

(a) Any other property, rights and interests which represent accumulations or accruals to, changes in form of, or substitutions for, any of the property, rights and interests in said identified accounts on October 2, 1950, and which are now held in other accounts being maintained as blocked or otherwise subject to the restrictions of Executive Order 8389, as amended, or regulations, rulings, orders or instructions issued thereunder, and

(b) Any and all rights in, to and under any securities (including, without limitation, bonds, coupons, mortgage participation certificates, shares of stock, scrip and warrants) and any and all declared and unpaid dividends on any shares of stock in any of said accounts,

excepting from the foregoing, however, all lawful liens and setoffs of the respective institutions in the United States with whom the aforesaid accounts are maintained,

is property within the United States;

2. That the property described in subparagraph 1 hereof is owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or is evidence of ownership or control by persons, names unknown, who, if individuals, there is reasonable cause to believe are residents of a designated enemy country and which, if partnerships, associations, corporations, or other organizations, there is reasonable cause to believe are organized under the laws of a designated enemy country or on or since the effective date of Executive Order 8389, as amended, have had their principal places of business in a designated enemy country;

3. That the persons referred to in subparagraph 2 hereof are nationals of a designated enemy country;

and it is hereby determined:

4. That to the extent that the persons referred to in subparagraph 2 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country.

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, and the term "designated enemy country" has reference to Germany or Japan.

Executed at Washington, D. C., on May 31, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

[Accounts maintained in the name of Rotterdamsche Bank N. V., The Hague, The Netherlands]

Column I Name and address of institution which maintains account	Column II Designation of account
Guaranty Trust Co. of New York, 140 Broadway, New York 15, N. Y.	(a) "Nontreaty account" a/c XC 9062, as described by the Guaranty Trust Co. of New York in its report on Form OAP-700, bearing its Serial No. CU 0079. (b) Rotterdamsche Bank, N. V., Kneuterdijh, The Hague, Holland, as described by the Guaranty Trust Co. of New York in its report on Form OAP-700, bearing its Serial No. FB 95.

[F. R. Doc. 51-7070; Filed, June 19, 1951; 8:51 a. m.]

AGENZIE GENERALI ESTREMO ORIENTE

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

Agenzie Generali Estremo Oriente, Milan, Italy; Claim No. 35838; $868.25 in the Treasury of the United States.

Executed at Washington, D. C., on June 13, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-7073; Filed, June 19, 1951; 8:51 a. m.]

FRANCOIS-THEOPHILE WENIGER AND ANNA-MARIE LINCK

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

Francois-Theophile Weniger, Paris, France, Anna-Maria Linck, Colmar (Haut-Rhin), France; Claim No. 41454; $1,911.38 in the Treasury of the United States in two equal shares of $955.69 each, one to Francois-Theophile Weniger and one to Anna-Maria Linck.

Executed at Washington, D. C., on June 13, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-7074; Filed, June 19, 1951; 8:51 a. m.]

[Vesting Order 17983]

NEDERLANDSCHE BANK VOOR ZUID AFRICA N. V.

In re: Accounts maintained in the name of Nederlandsche Bank voor Zuid Africa N. V., Amsterdam, The Netherlands, and owned by persons whose names are unknown. F-49-855.

Under the authority of the Trading With the Enemy Act, as amended, Executive Orders 9193, as amended, 9788 and 9989, and pursuant to law, after investigation, it is hereby found:

1. That the property described as follows: All property, rights and interests in the accounts identified in Exhibit A set forth below and by reference made a part hereof, together with

(a) Any other property, rights and interests which represent accumulations or accruals to, changes in form of, or substitutions for, any of the property, rights and interests in said identified accounts on October 2, 1950, and which are now held in other accounts being maintained as blocked or otherwise subject to the restrictions of Executive Order 8389, as amended, or regulations, rulings, orders or instructions issued thereunder, and

(b) Any and all rights in, to and under any securities (including, without limitation, bonds, coupons, mortgage participation certificates, shares of stock, scrip and warrants) and any and all declared and unpaid dividends on any shares of stock, in any of said accounts,

excepting from the foregoing, however, all property, rights and interests which are expressly excluded in Exhibit A, and all lawful liens and setoffs of the respective institutions in the United States with whom the aforesaid accounts are maintained,

is property within the United States;

2. That the property described in subparagraph 1 hereof is owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or is evidence of ownership or control by persons, names unknown, who, if individuals, there is reasonable cause to believe are residents of a designated enemy country and which, if partnerships, associations, corporations, or other organizations, there is reasonable cause to believe are organized under the laws of a designated enemy country or on or since the effective date of Executive Order 8389, as amended, have had their principal places of business in a designated enemy country;

3. That the persons referred to in subparagraph 2 hereof are nationals of a designated enemy country;

and it is hereby determined:

4. That to the extent that the persons referred to in subparagraph 2 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country.

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, and the term "designated enemy country" has reference to Germany or Japan.

Executed at Washington, D. C., on May 31, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

[Accounts maintained in the name of Nederlandsche Bank voor Zuid Africa N. V., Amsterdam, The Netherlands]

Column I Name and address of institution which maintains account	Column II Designation of account	Column III Property, rights and interests in the Account as of Oct. 2, 1950 excluded from this vesting order [1]
Bank of the Manhattan Co., 40 Wall St., New York, N. Y.	(a) Bonds and stock-depot "B" (both of determinable and indeterminable value), as described by the Bank of the Manhattan Company in its reports on Form OAP-700, bearing its serial No. 045. (b) Bank deposit-depot "B", as described by the Bank of the Manhattan Co., in its report on Form OAP-700, bearing its Serial No. 046.	From bonds and stock-depot "B", $5,000.00 Kingdom of Denmark 6/42 bonds, Nos. M 36, M 19750, M 26209, M 26318, D 556, D 2605, and $10,000.00 Kingdom of Denmark 5½/55 bonds, Nos. M 3702, M 5791, M 8785, M 10101, M 10643, M 14036, M 19712, M 25523, M 25894, D 559, D 1828, which, according to license application No. NY 870923 filed by Harry A. Gottlieb, are claimed by Dr. Jacob Miang, a citizen and resident of Denmark. From bank deposit-depot "B", $16,579.03 which, according to license application No. NY 870923 filed by Harry A. Gottlieb, is claimed by Dr. Jacob Miang, a citizen and resident of Denmark, and represents interest payments on the above described bonds and the proceeds of redeemed bonds.

[1] Also excluded from this vesting order are (a) any accumulations or accruals to, changes in form of, or substitutions for, any such property, rights, and interests, since Oct. 2, 1950, and (b) any and all rights in, to and under any securities (including, without limitation, bonds, coupons, mortgage participation certificates, shares of stock, scrip, and warrants), and any and all declared and unpaid dividends on any shares of stock, listed in column III or excluded under (a) of this footnote.

[F. R. Doc. 51-7069; Filed, June 19, 1951; 8:51 a. m.]