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Washington, Saturday, December 19, 1953

TITLE 3—THE PRESIDENT

EXECUTIVE ORDER 10510

ESTABLISHING A SEAL FOR THE DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

WHEREAS the Secretary of Health, Education, and Welfare has adopted and has recommended that I approve a seal of office for the Department of Health, Education, and Welfare, the design of which accompanies and is hereby made a part of this order, and which is described in heraldic terms as follows:

SHIELD: Argent an open book with sanguine binding charged overall with a staff of Aesculapius paleways within an annulet of chain all proper.

CREST: On a wreath argent and sanguine an American bald eagle displayed and wings partially inverted proper.

Below the shield a white scroll inscribed with the motto "SPES ANCHORA VITAE" in black letters, all on a circular sanguine background within a white band, inner edge white, outer edge sanguine, and inscribed "DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE U. S. A.";

AND WHEREAS it appears that such seal is of suitable design and appropriate for adoption as the official seal of the Department of Health, Education, and Welfare:

NOW, THEREFORE, by virtue of the authority vested in me as President of the United States, I hereby approve such seal as the official seal of the Department of Health, Education, and Welfare.

DWIGHT D. EISENHOWER

THE WHITE HOUSE,
December 17, 1953.

[F. R. Doc. 53-10615; Filed, Dec. 18, 1953; 10:02 a. m.]

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RULES AND REGULATIONS

TITLE 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

Subchapter A—General Rules and Regulations

PART 120—ANNUAL, SPECIAL OR PERIODICAL REPORTS

FORM PRESCRIBED FOR SMALL STEAM RAILWAYS AND SWITCHING AND TERMINAL COMPANIES

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 18th day of November A. D. 1953.

The matter of annual reports from steam railway companies and switching and terminal companies of Class III being under consideration, and it appearing that the changes in existing regulations to be effectuated by this order are only minor changes with respect to the data to be furnished, and that public rule-making procedures are unnecessary.

It is ordered, That the order of January 12, 1953, in the matter of annual reports from steam railway companies, and switching and terminal companies, of Class III (49 CFR 120.12) be, and it is hereby modified with respect to annual reports for the year ended December 31, 1953, and subsequent years, as follows:

(Continued on p. 8529)

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§ 120.12 *Form prescribed for small steam railways and switching and terminal companies.* All steam railway companies and switching and terminal companies of Class III subject to the provisions of section 20, Part I of the Interstate Commerce Act, are hereby required to file annual reports for the year ended December 31, 1953, and for each succeeding year until further order, in accordance with Annual Report Form C (Small Steam Roads and Switching and Terminal Companies)[1] which is hereby approved and made a part of this section. The annual report shall be filed, in duplicate, in the Bureau of Transport Economics and Statistics, Interstate Commerce Commission, Washington 25, D. C., on or before March 31 of the year following the one to which it relates.

(Sec. 12, 24 Stat. 383, as amended, sec. 201, 54 Stat. 933; 49 U. S. C. 12, 904. Interprets or applies sec. 20, 24 Stat. 386, as amended, 54 Stat. 944; 49 U. S. C. 20, 913)

NOTE: Budget Bureau No. 60-RO99.10.

By the Commission, Division 1.

[SEAL] GEORGE W. LAIRD, *Secretary.*

[F. R. Doc. 53-10558; Filed, Dec. 18, 1953; 8:50 a. m.]

PART 120—ANNUAL, SPECIAL OR PERIODICAL REPORTS

FORM PRESCRIBED FOR CARRIERS BY PIPE LINE

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 18th day of November A. D. 1953.

The matter of annual reports from carriers by pipe line being under consideration, and it appearing that the changes in existing regulations to be effectuated by this order are only minor changes with respect to the data to be furnished, and that public rule-making procedures are unnecessary;

It is ordered, That the order dated December 10, 1952, in the matter of annual reports from carriers by pipe line (49 CFR 120.61) be, and it is hereby modified with respect to annual reports for the year ended December 31, 1953, and subsequent years, as follows:

§ 120.61 *Form prescribed for carriers by pipe line.* All carriers by pipe line subject to the provisions of section 20, part I of the Interstate Commerce Act, are hereby required to file annual reports for the year ended December 31, 1953, and for each succeeding year until further order, in accordance with Annual Report Form P (Carriers by Pipe Line),[1] which is hereby approved and made a part of this section. The annual report shall be filed, in duplicate, in the Bureau of Transport Economics and Statistics, Interstate Commerce Commission, Washington 25, D. C., on or before March 31 of the year following the one to which it relates.

(Sec. 12, 24 Stat. 383, as amended, sec. 201, 54 Stat. 933; 49 U. S. C. 12, 904. Interprets or applies sec. 20, 24 Stat. 386, as amended, 54 Stat. 944; 49 U. S. C. 20, 913)

NOTE: Budget Bureau No. 60-R108.10.

By the Commission, Division 1.

[SEAL] GEORGE W. LAIRD, *Secretary.*

[F. R. Doc. 53-10557; Filed, Dec. 18, 1953; 8:50 a. m.]

[1] Filed as part of the original document.

Subchapter C—Carriers by Water

PART 301—REPORTS

ANNUAL REPORT FORM PRESCRIBED FOR CARRIERS BY INLAND AND COASTAL WATERWAYS OF CLASS A AND CLASS B

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 10th day of December A. D. 1953.

The matter of annual reports from carriers by water being under consideration, and it appearing that the changes in existing regulations to be effectuated by this order are only minor changes with respect to the data to be furnished, and that public rule-making procedures are unnecessary;

It is ordered, That the order dated December 10, 1952, In the matter of annual reports from carriers by water of Class A and of Class B (49 CFR 301.10) be, and it is hereby modified with respect to annual reports for the year ended December 31, 1953, and subsequent years, as follows:

§ 301.10 *Annual report form prescribed for carriers by inland and coastal waterways of Class A and Class B.* All Inland and Coastal Waterways of Class A and Class B (49 CFR 126.2) subject to the provisions of section 313, Part III of the Interstate Commerce Act, are hereby required to file annual reports for the year ended December 31, 1953, and for each succeeding year until further order, in accordance with Annual Report Form K-A (Inland and Coastal Waterways of Class A and Class B),[1] which is hereby approved and made a part of this section. The annual report shall be filed, in duplicate, in the Bureau of Transport Economics and Statistics, Interstate Commerce Commission, Washington 25, D. C., on or before March 31 of the year following the one to which it relates.

(54 Stat. 933; 49 U. S. C. 904. Interprets or applies 54 Stat. 944; 49 U. S. C. 913)

NOTE: Budget Bureau No. 60-R105.10.

By the Commission, Division 1.

[SEAL] GEORGE W. LAIRD, *Secretary.*

[F. R. Doc. 53-10556; Filed, Dec. 18, 1953; 8:49 a. m.]

TITLE 7—AGRICULTURE

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

PART 51—FRESH FRUITS, VEGETABLES AND OTHER PRODUCTS (INSPECTION, CERTIFICATION, AND STANDARDS)

SUBPART—U. S. STANDARDS FOR BRUSSELS SPROUTS[2]

On October 31, 1953, a notice of proposed rule making was published in the FEDERAL REGISTER (F. R. Doc. 53-9224, 18 F. R. 6887) regarding proposed

[2] Packing of the product in conformity with the requirements of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug and Cosmetic Act.

United States Standards for Brussels Sprouts.

A period of thirty days was allowed for submitting written data, views and arguments for consideration in connection with the proposed standards. After consideration of all relevant matters presented including the proposals set forth in the aforesaid notice of rule making the following United States Standards for Brussels Sprouts are hereby promulgated under the authority contained in the Agricultural Marketing Act of 1946 (60 Stat. 1087; 7 U. S. C. 1621 et seq.) and the Department of Agriculture Appropriation Act 1954 (Pub. Law 156, 83d Cong., approved July 28, 1953).

GRADES

Sec.
51.2250 U. S. No. 1.
51.2251 U. S. No. 2.

UNCLASSIFIED

51.2252 Unclassified.

APPLICATION OF TOLERANCES

51.2253 Application of tolerances.
51.2254 Basis for calculating percentages.

DEFINITIONS

51.2255 Well colored.
51.2256 Firm.
51.2257 Seedstems.
51.2258 Damage.
51.2259 Diameter.
51.2260 Fairly well colored.
51.2261 Fairly firm.
51.2262 Serious damage.

AUTHORITY: §§ 51.2250 to 51.2262 issued under sec. 205, 60 Stat. 1090, Pub. Law 156, 83d Cong.; 7 U. S. C. 1621.

GRADES

§ 51.2250 *U. S. No. 1.* U. S. No. 1 consists of Brussels sprouts which are well colored, firm, not withered or burst, which are free from soft decay and seedstems, and free from damage caused by discoloration, dirt or other foreign material, freezing, disease, insects, or mechanical or other means.

(a) Unless otherwise specified, the diameter of each Brussels sprout shall be not less than one inch, and the length shall be not more than 2¾ inches.

(b) In order to allow for variations incident to proper grading and handling, other than for size, not more than a total of 10 percent, by weight, of the Brussels sprouts in any lot may fail to meet the requirements of the grade: *Provided*, That not more than one-fifth of this amount, or 2 percent, shall be allowed for soft decay. In addition, not more than a total of 5 percent, by weight, of the Brussels sprouts in any lot may be smaller than the specified minimum diameter, and not more than 10 percent may be longer than the specified maximum length.

§ 51.2251 *U. S. No. 2.* U. S. No. 2 consists of Brussels sprouts which are fairly well colored, fairly firm, not withered or burst, which are free from soft decay and seedstems, and free from damage caused by insects, and free from serious damage caused by discoloration, dirt or other foreign material, freezing, disease or mechanical or other means.

(a) Unless otherwise specified, the diameter of each Brussels sprout shall be not less than one inch, and the length shall be not more than 2¾ inches.

(b) In order to allow for variations incident to proper grading and handling, other than for size, not more than a total of 10 percent, by weight, of the Brussels sprouts in any lot may fail to meet the requirements of the grade: *Provided*, That not more than one-fifth of this amount, or 2 percent, shall be allowed for soft decay. In addition, not more than a total of 5 percent, by weight, of the Brussels sprouts in any lot may be smaller than the specified minimum diameter, and not more than 10 percent may be longer than the specified maximum length.

UNCLASSIFIED

§ 51.2252 *Unclassified.* Unclassified consists of Brussels sprouts which have not been classified in accordance with the foregoing grades. The term "unclassified" is not a grade within the meaning of these standards but is provided as a designation to show that no grade has been applied to the lot.

APPLICATION OF TOLERANCES

§ 51.2253 *Application of tolerances.* (a) The contents of individual packages in the lot based on sample inspection, are subject to the following limitations: *Provided*, That the averages for the entire lot are within the tolerances specified for the grade:

(1) For a tolerance of 10 percent or more, individual packages in any lot may contain not more than one and one-half times the tolerance specified; and,

(2) For a tolerance of less than 10 percent, individual packages in any lot may contain not more than double the tolerance specified, except that at least one defective and one off-size specimen may be permitted in any package.

§ 51.2254 *Basis for calculating percentages.* Percentages shall be calculated on the basis of weight or an equivalent basis.

DEFINITIONS

§ 51.2255 *Well colored.* "Well colored" means that the Brussels sprout has a light green or a darker shade of green color characteristic of well-grown Brussels sprouts.

§ 51.2256 *Firm.* "Firm" means that the Brussels sprout is of reasonable solidity and is fairly compact but may yield slightly to moderate pressure.

§ 51.2257 *Seedstems.* "Seedstems" means Brussels sprouts which have seedstalks showing or in which the formation of seedstalks has plainly begun.

§ 51.2258 *Damage.* "Damage" means any defect which materially affects the appearance, or the edible or shipping quality of the Brussels sprout. Any one of the following defects, or any combination of defects, the seriousness of which exceeds the maximum allowed for any one defect, shall be considered as damage:

(a) Discoloration when the appearance is materially affected by discolored leaves or parts of leaves; and.

(b) Insects when there is more than slight aphis infestation within the compact portion of the head, or when the outer leaves are badly infected by them; or when slugs, worms or worm frass are present, or when the appearance is materially affected by slug or worm injury.

§ 51.2259 *Diameter.* "Diameter" means the greatest dimension measured at right angles to a line running from the stem to the apex of the Brussels sprout.

§ 51.2260 *Fairly well colored.* "Fairly well colored" means that the Brussels sprout shall not be lighter than yellowish-green color.

§ 51.2261 *Fairly firm.* "Fairly firm" means that the Brussels sprout is not soft or puffy and is of reasonable weight for its size but may have considerable open spaces between the leaves in the lower portion of the head.

§ 51.2262 *Serious damage.* "Serious damage" means any defect which seriously affects the appearance, or the edible or shipping quality of the Brussels sprout.

Effective time. The United States Standards for Brussels Sprouts contained in this section shall become effective thirty days after the date of publication in the FEDERAL REGISTER.

Done at Washington, D. C., this 15th day of December 1953.

[SEAL] GEORGE A. DICE,
Deputy Assistant Administrator, Production and Marketing Administration.

[F. R. Doc. 53-10551; Filed, Dec. 18, 1953; 8:48 a. m.]

Chapter IV—Federal Crop Insurance Corporation, Department of Agriculture

PART 420—MULTIPLE CROP INSURANCE

SUBPART—REGULATIONS FOR THE 1950 AND SUCCEEDING CROP YEARS

The following riders for the 1953 and succeeding crop years are hereby published pursuant to § 420.34, as amended, of the above-identified regulations (14 F. R. 5303, 6787; 15 F. R. 2485, 4161, 9033; 16 F. R. 579, 4300; 17 F. R. 2110, 2385, 5082, 5933, 8206, 10537; 18 F. R. 440, 3634, 4418, 6992). Any riders for these counties which have been published previously, except riders for the 1954 and succeeding crop years (14 F. R. 7827; 15 F. R. 2622, 3077, 9271; 16 F. R. 4829, 12111, 12765; 17 F. R. 3265, 3671, 11257, 11379; 18 F. R. 151, 6282, 7222), are hereby superseded for the 1953 and succeeding crop years.

A Rider No. 1 to the Multiple Crop Insurance Policy for each of the following counties:

Georgia—§ 420.59.
Colquitt—§ 420.59-1.
Illinois—§ 420.61.
Johnson—§ 420.61-3.
Iowa—§ 420.63.
Emmet—§ 420.63-1.
Iowa—§ 420.63.
Humboldt—§ 420.63-2.
Iowa—§ 420.63.
Delaware—§ 420.63-3.
Iowa—§ 420.63.
Howard—§ 420.63-4.
Iowa—§ 420.63.
Ida—§ 420.63-5.
Iowa—§ 420.63.
Kossuth—§ 420.63-6.
Iowa—§ 420.63.
Tama—§ 420.63-7.
Iowa—§ 420.63.
Union—§ 420.63-8.
Iowa—§ 420.63.
Warren—§ 420.63-9.
Iowa—§ 420.63.
Winnebago—§ 420.63-10.
Iowa—§ 420.63.
Worth—§ 420.63-11.
Louisiana—§ 420.66.
St. Landry—§ 420.66-2.
Minnesota—§ 420.71.
Faribault—§ 420.71-11.
New York—§ 420.80.
Steuben—§ 420.80-2.
North Dakota—§ 420.82.
Barnes—§ 420.82-1.
North Dakota—§ 420.82.
Ransom—§ 420.82-2.
North Dakota—§ 420.82.
Sargent—§ 420.82-3.
North Dakota—§ 420.82.
Dickey—§ 420.82-4.
North Dakota—§ 420.82.
La Moure—§ 420.82-6.
North Dakota—§ 420.82.
Steele—§ 420.82-7.
North Dakota—§ 420.82.
Richland—§ 420.82-8.
North Dakota—§ 420.82.
Grand Forks—§ 420.82-9.
Oregon—§ 420.85.
Deschutes [1]—§ 420.85-4.
Oregon—§ 420.85.
Polk [1]—§ 420.85-5.
South Dakota—§ 420.89.
Hanson—§ 420.89-9.
South Dakota—§ 420.89.
Kingsbury—§ 420.89-10.
Tennessee—§ 420.90.
Henry—§ 420.90-1.
Tennessee—§ 420.90.
Lincoln—§ 420.90-2.
Tennessee—§ 420.90.
Dyer—§ 420.90-4.
Tennessee—§ 420.90.
Obion—§ 420.90-5.
Tennessee—§ 420.90.
Weakley—§ 420.90-6.
Tennessee—§ 420.90.
Warren [1]—§ 420.90-7.
Tennessee—§ 420.90.
Coffee—§ 420.90-8.
Wyoming—§ 420.98.
Fremont [1]—§ 420.98-3.

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; U. S. C. 1506, 1516)

[SEAL] C. S. LAIDLAW,
Manager,
Federal Crop Insurance Corporation.

§ 420.59 *Georgia.*

§ 420.59-1 *Colquitt County.*

RIDER NO. 1 TO THE MULTIPLE CROP INSURANCE POLICY

(Applicable in Colquitt County, Ga., Beginning With the 1953 Crop Year)

1. *Insurable crops.* For the purpose of the multiple crop insurance program the insurable crops are:

(a) Cotton, restricted to American upland cotton and not including cotton planted primarily for experimental purposes.

(b) Peanuts, Spanish and runner planted for harvest as nuts (excluding acreage of less than one acre on an insurance unit).

(c) Tobacco, type 14.

2. *Coverage per acre.* (a) The coverage per acre for each insured crop, except cotton, shall be reduced 50 percent for any acreage released by the Corporation and planted to a substitute crop.

(b) The coverage per acre for cotton shall be reduced as follows: (1) 60 percent for any acreage which is released by the Corporation because of damage occurring prior to laying by the crop, and (2) 25 percent for any acreage on which the crop is laid by and not harvested.

3. *Insurance period.* Insurance shall attach at the time of planting to any insured acreage of any insured crop. Insurance shall cease with respect to (a) any portion of the tobacco crop upon weighing-in at the tobacco warehouse, transfer of interest in the tobacco after harvest, removal of the tobacco from the insurance unit (except for curing, packing or immediate delivery to the tobacco warehouse), or weighing of the tobacco for casing, (b) any portion of the cotton crop upon picking, the peanut crop upon threshing, or with respect to any portion of any crop (except tobacco) upon removal from the field, whichever is earlier. However, in no event shall insurance remain in effect (a) with respect to tobacco later than October 31 unless such time is extended in writing by the Corporation, (b) with respect to any other crop later than the earlier of (i) the end of the normal harvest period for such crop or (ii) December 10, unless such time is extended in writing by the Corporation, and (c) with respect to any insurance unit later than the date of submission of a claim for indemnity.

4. *Predetermined price for valuing production.* In determining any loss under the contract, production of each insurable crop shall be evaluated at the predetermined price established by the Corporation for that crop and shown on the county actuarial table. The predetermined prices for the 1953 crop year are on file in the county office and for any subsequent crop year shall be on file in the county office at least 15 days prior to the cancellation date. However, any production of peanuts which will not meet the latest available requirements for a Commodity Credit Corporation loan or support because of poor quality due to insurable causes, and would not meet these requirements if properly handled, shall be evaluated at a value per unit determined by the Corporation.

5. *Released crop.* Notwithstanding any other provision of the policy any crop on any insured acreage may be released by the Corporation subject to an appraisal by the Corporation of the yield that would be realized if the crop were harvested.

6. *Amount of loss.* (a) The amount of loss with respect to any insurance unit shall be determined by (1) multiplying the insurable acreage (exclusive of any acreage to which insurance did not attach) planted to each insured crop by the applicable coverage per acre, and the result by the insured interest and (2) subtracting from the total thereof the insured interest in the value (based on the predetermined price) of the total production on such acreage of all insured crops. However, the amount of loss so determined shall be reduced if the premium computed for the insurance unit on the basis of the acreage and interest approved by the Corporation on the acreage report is less than the premium computed for the planted acreage on the insurance unit. This reduction shall be made on the basis of the ratio of the premium computed for the acreage and interest as approved by the Corporation on the acreage report to the premium computed for the planted acreage. The total production for each insured crop on the insurance unit shall include all production determined in accordance with the production schedule below.

The Corporation reserves the right to determine the amount of production on the basis of an appraisal of any unharvested crop standing in the field.

PRODUCTION SCHEDULE

Crop	Acreage classification	Total production [1]
1. Each insured crop except cotton.	Acreage released by the Corporation and planted to a substitute crop.	That portion of the appraised production for such acreage which is in excess of the number of pounds determined by (1) subtracting the total coverage for such acreage from what the total coverage for such acreage would be if it were not planted to a substitute crop, and (2) dividing the result thus obtained by the predetermined price for the crop.
2. Each insured crop except cotton.	Acreage not planted to a substitute crop.	The appraised production or the actual production.
3. Cotton	Acreage released by the Corporation because of damage occurring prior to laying by the crop.	That portion of the appraised production for such acreage which is in excess of the number of pounds determined by (1) subtracting the total coverage for such acreage from what the total coverage for such acreage would be if it were harvested and (2) dividing the result thus obtained by the predetermined price.
4. Cotton	Acreage on which the crop is laid by and not harvested.	That portion of the appraised production for such acreage which is in excess of the number of pounds determined by (1) subtracting the total coverage for such acreage from what the total coverage for such acreage would be if it were harvested and (2) dividing the result thus obtained by the predetermined price.
5. Cotton	Acreage harvested	Production, including an appraisal of production left in the field after harvest.
6. Each insured crop	Acreage put to another use without the consent of the Corporation.	Appraised production for such acreage but not less than the product of (1) such acreage and (2) the pound equivalent of the coverage per acre on the basis of the predetermined price for the crop.
7. Each insured crop	Acreage with reduced yield due solely to cause(s) not insured against.	Appraised number of pounds by which production for such acreage has been reduced but not less than the product of (1) such acreage and (2) the applicable pound equivalent of the coverage per acre, on the basis of the predetermined price for the crop, minus the number of pounds harvested.
8. Each insured crop	Acreage with reduced yield due partially to cause(s) not insured against and partially to cause(s) insured against.	Appraised number of pounds by which production for such acreage has been reduced because of cause(s) not insured against.

[1] Production shall be in pounds for cotton, peanuts and tobacco.

[1] Riders for these counties herein published are superseded by riders for the 1954 and succeeding crop years (18 F. R. 6282, 7222).

Notwithstanding the other provisions of this paragraph (a) regarding the determination of the total production of cotton, in any case where the quality of any cotton production is reduced solely by insured causes to the extent that the value per pound, as determined by the Corporation, is less than 75 percent of the predetermined price, the number of pounds of such poor quality cotton shall be adjusted downward to the number of pounds obtained by dividing the total value of such cotton, as determined by the Corporation, by 75 percent of the predetermined price.

(b) If production from two or more insurance units is commingled and the insured fails to establish and maintain separate acreage and production records satisfactory to the Corporation, the Corporation may allocate the commingled production between the units involved in any manner it deems appropriate or void the insurance on the insurance units involved and declare the premium(s) for such units forfeited by the insured. If production from uninsured acreage and insured acreage is commingled and the insured fails to establish and maintain separate acreage and production records satisfactory to the Corporation, all such production which is commingled shall be considered to have been produced on the insured acreage or the Corporation may void the insurance on the insurance unit(s) involved and declare the premium(s) for such unit(s) forfeited by the insured.

7. *Date table.*

Discount date: June 30.
Maturity date: July 31.
Interest date: October 31.
Cancellation date: February 15.

8. *Definitions.* "Harvest" with respect to any acreage of cotton means the removal (by manual or mechanical means) of an amount of cotton from the stalk which is equal in value (based on the predetermined price) to 10 percent or more of the coverage for such acreage.

9. *Reduction of premium based on good experience.* The insured's annual premium for any year may be reduced 25 percent if he has had seven consecutive years of insured crop(s) under a Federal Crop Insurance contract without a loss for which an indemnity was paid. Credit for consecutive years of good experience under any other existing Federal Crop Insurance contract will not be transferred to the multiple crop contract if the insured is eligible to receive a premium discount based on consecutive years of good experience or based on an accumulated balance of premiums over indemnities under such existing contract. Nothing in this paragraph shall create in the insured any right to a reduced premium.

Approved: Beginning with the 1953 crop year.

[SEAL] FEDERAL CROP INSURANCE CORPORATION.

§ 420.61 *Illinois.*

§ 420.61-3 *Johnson County.*

RIDER NO. 1 TO THE MULTIPLE CROP INSURANCE POLICY

(Applicable in Johnson County, Ill., Beginning With the 1953 Crop Year)

1. *Insurable crops.* For the purpose of the multiple crop insurance program the insurable crops are:

(a) Corn normally regarded as field corn. The contract will not provide insurance for true type silage corn, corn planted thick for silage or fodder purposes, sweet corn, popcorn, broom, corn, corn planted for the development of hybrid seed corn, or any type of corn other than that normally regarded as field corn.

(b) Soybeans planted for harvest as beans.

(c) Winter wheat planted for harvest as grain.

2. *Coverage per acre.* The coverage per acre for each insured crop shall be reduced 50 percent for any acreage released by the Corporation and planted to a substitute crop.

3. *Insurance period.* Insurance shall attach at the time of planting to any insured acreage of any insured crop. Insurance shall cease with respect to any portion of the corn crop upon harvesting (picking the corn from the stalk either by hand or machine or cutting the corn for fodder or ensilage), all other insured crops upon threshing, or with respect to any portion of any crop upon removal from the field, whichever is earlier. However, in no event shall insurance remain in effect (a) with respect to any crop later than the earlier of (i) the end of the normal harvest period for such crop or (ii) December 10, unless such time is extended in writing by the Corporation, and (b) with respect to any insurance unit later than the date of submission of a claim for indemnity.

4. *Predetermined price for valuing production.* In determining any loss under the contract, production of each insurable crop shall be evaluated at the predetermined price established by the Corporation for that crop and shown on the county actuarial table. The predetermined prices for the 1953 crop year are on file in the county office and for any subsequent crop year shall be on file in the county office at least 15 days prior to the applicable cancellation date. However, any production of corn, soybeans, or wheat which will not meet the latest available requirements for a Commodity Credit Corporation loan or support because of poor quality due to insurable causes, and would not meet these requirements if properly handled, shall be evaluated at a value per unit determined by the Corporation.

5. *Released crop.* Notwithstanding any other provision of the policy any crop on any insured acreage may be released by the Corporation subject to an appraisal by the Corporation of the yield that would be realized if the crop were harvested, except that any corn may be used for ensilage or fodder without a release by the Corporation if the insured leaves a number of rows considered by the Corporation to be an adequate representative sample for appraising the yield.

6. *Amount of loss.* (a) The amount of loss with respect to any insurance unit shall be determined by (1) multiplying the insurable acreage (exclusive of any acreage to which insurance did not attach) planted to each insured crop by the applicable coverage per acre, and the result by the insured interest, and (2) subtracting from the total therefor of the insured interest in the value (based on the predetermined price) of the total production on such acreage of all insured crops. However, the amount of loss so determined shall be reduced if the premium computed for the insurance unit on the basis of the acreage and interest approved by the Corporation on the acreage report is less than the premium computed for the planted acreage on the insurance unit. This reduction shall be made on the basis of the ratio of the premium computed for the acreage and interest as approved by the Corporation on the acreage report to the premium computed for the planted acreage. The total production for each insured crop on the insurance unit shall include all production determined in accordance with the production schedule below. Where any small grains are seeded with an insured growing small grain crop on acreage not released by the Corporation, all production shall be counted as the insured small grain on a weight basis. In the case of a volunteer crop produced with an insured crop, the production of such volunteer crop shall be included in determining the production of the insured crop.

The Corporation reserves the right to determine the amount of production on the basis of an appraisal of any unharvested crop standing in the field.

PRODUCTION SCHEDULE

Crop	Acreage classification	Total production[1]
1. Each insured crop...	Acreage released by the Corporation and planted to a substitute crop.	That portion of the appraised production for such acreage which is in excess of the number of bushels determined by (1) subtracting the total coverage for such acreage from what the total coverage for such acreage would be if it were not planted to a substitute crop, and (2) dividing the result thus obtained by the predetermined price for the crop.
2. Each insured crop...	Acreage not planted to a substitute crop.	The appraised production or the actual production, including an appraisal of corn left in the field after harvest and an appraisal of corn used for ensilage or fodder.
3. Each insured crop...	Acreage put to another use without the consent of the Corporation.	Appraised production for such acreage but not less than the product of (1) such acreage and (2) the bushel equivalent of the coverage per acre on the basis of the predetermined price for the crop.
4. Each insured crop...	Acreage with reduced yield due solely to cause(s) not insured against.	Appraised number of bushels by which production for such acreage has been reduced but not less than the product of (1) such acreage and (2) the applicable bushel equivalent of the coverage per acre on the basis of the predetermined price for the crop, minus the number of bushels harvested.
5. Each insured crop...	Acreage with reduced yield due partially to cause(s) not insured against and partially to cause(s) insured against.	Appraised number of bushels by which production for such acreage has been reduced because of cause(s) not insured against.

[1] Production shall be in bushels for all crops.

(b) If production from two or more insurance units is commingled and the insured fails to establish and maintain separate acreage and production records satisfactory to the Corporation, the Corporation may allocate the commingled production between the units involved in any manner it deems appropriate or void the insurance on the insurance units involved and declare the premium(s) for such units forfeited by the insured. If production from uninsured acreage and insured acreage is commingled and the insured fails to establish and maintain separate acreage and production records satisfactory to the Corporation, all such production which is commingled shall be considered to have been produced on the insured acreage or the Corporation may void the insurance on the insurance unit(s) involved and declare the premium(s) for such unit(s) forfeited by the insured.

7. *Date table.*

Discount date: June 30.
Maturity date: July 31.
Interest date: October 31.
Cancellation date: February 28.

8. *Reduction of premium based on good experience.* The insured's annual premium for any year may be reduced 25 percent if he has had seven consecutive years of in-

sured crop(s) under a Federal Crop Insurance contract without a loss for which an indemnity was paid. Credit for consecutive years of good experience under any other existing Federal Crop Insurance contract will not be transferred to the multiple crop contract if the insured is eligible to receive a premium discount based on consecutive years of good experience or based on an accumulated balance of premiums over indemnities under such existing contract. Nothing in this paragraph shall create in the insured any right to a reduced premium.

Approved: Beginning with the 1953 crop year.

[SEAL] FEDERAL CROP INSURANCE CORPORATION.

§ 420.63 *Iowa.*

§ 420.63-1 *Emmet County.*

RIDER NO. 1 TO THE MULTIPLE CROP INSURANCE POLICY

(Applicable in Emmet County, Iowa, Beginning With the 1953 Crop Year)

1. *Insurable crops.* For the purpose of the multiple crop insurance program the insurable crops are:

(a) Corn normally regarded as field corn. The contract will not provide insurance for true type silage corn, corn planted thick for silage or fodder purposes, sweet corn, popcorn, broom corn, corn planted for the development of hybrid seed corn, or any type of corn other than that normally regarded as field corn.

(b) Flax planted for harvest as seed.

(c) Oats planted for harvest as grain.

(d) Soybeans planted for harvest as beans.

2. *Coverage per acre.* The coverage per acre for each insured crop shall be reduced 50 percent for any acreage released by the Corporation and planted to a substitute crop.

3. *Insurance period.* Insurance shall attach at the time of planting to any insured acreage of any insured crop. Insurance shall cease with respect to any portion of the corn crop upon harvesting (picking the corn from the stalk either by hand or machine or cutting the corn for fodder or ensilage), all other insured crops upon threshing, or with respect to any portion of any crop upon removal from the field, whichever is earlier. However, in no event shall insurance remain in effect (a) with respect to any crop later than the earlier of (i) the end of the normal harvest period for such crop or (ii) December 10, unless such time is extended in writing by the Corporation, and (b) with respect to any insurance unit later than the date of submission of a claim for indemnity.

4. *Predetermined price for valuing production.* In determining any loss under the contract, production of each insurable crop shall be evaluated at the predetermined price established by the Corporation for that crop and shown on the county actuarial table. The predetermined prices for the 1953 crop year are on file in the county office and for any subsequent crop year shall be on file in the county office at least 15 days prior to the cancellation date. However, any production of corn, flax, oats or soybeans which will not meet the latest available requirements for a Commodity Credit Corporation loan or support because of poor quality due to insurable causes, and would not meet these requirements if properly handled, shall be evaluated at a value per bushel determined by the Corporation.

5. *Released crop.* Notwithstanding any other provision of the policy any crop on any insured acreage may be released by the Corporation subject to an appraisal by the Corporation of the yield that would be realized if the crop were harvested, except that any corn may be used for ensilage or fodder without a release by the Corporation if the insured leaves a number of rows considered by the Corporation to be an adequate representative sample for appraising the yield.

6. *Amount of loss.* (a) The amount of loss with respect to any insurance unit shall be determined by (1) multiplying the insurable acreage (exclusive of any acreage to which insurance did not attach) planted to each insured crop by the applicable coverage per acre, and the result by the insured interest, and (2) subtracting from the total thereof the insured interest in the value (based on the predetermined price) of the total production on such acreage of all insured crops. However, the amount of loss so determined shall be reduced in the premium computed for the insurance unit on the basis of the acreage and interest approved by the Corporation on the acreage report is less than the premium computed for the planted acreage on the insurance unit. This reduction shall be made on the basis of the ratio of the premium computed for the acreage and interest as approved by the Corporation on the acreage report to the premium computed for the planted acreage. The total production for each insured crop on the insurance unit shall include all production determined in accordance with the production schedule below. Where any small grains are seeded with an insured growing small grain crop on acreage not released by the Corporation, all production shall be counted as the insured small grain on a weight basis. In the case of a volunteer crop produced with an insured crop, the production of such volunteer crop shall be included in determining the production of the insured crop.

The Corporation reserves the right to determine the amount of production on the basis of an appraisal of any unharvested crop standing in the field.

PRODUCTION SCHEDULE

Crop	Acreage classification	Total production [1]
1. Each insured crop---	Acreage released by the Corporation and planted to a substitute crop.	That portion of the appraised production for such acreage which is in excess of the number of bushels determined by (1) subtracting the total coverage for such acreage from what the total coverage for such acreage would be if it were not planted to a substitute crop, and (2) dividing the result thus obtained by the predetermined price for the crop.
2. Each insured crop---	Acreage not planted to a substitute crop.	The appraised production or the actual production, including an appraisal of corn left in the field after harvest and an appraisal of corn used for ensilage or fodder.
3. Each insured crop---	Acreage put to another use without the consent of the Corporation.	Appraised production for such areage but not less than the product of (1) such acreage and (2) the bushel equivalent of the coverage per acre on the basis of the predetermined price for the crop.
4. Each insured crop---	Acreage with reduced yield due solely to cause(s) not insured against.	Appraised number of bushels by which production for such acreage has been reduced but not less than the product of (1) such acreage and (2) the applicable bushel equivalent of the coverage per acre on the basis of the predetermined price for the crop, minus the number of bushels harvested.
5. Each insured crop---	Acreage with reduced yield due partially to cause(s) not insured against and partially to cause(s) insured against.	Appraised number of bushels by which production for such acreage has been reduced because of cause(s) not insured against.

[1] Production shall be in bushels for all crops.

(b) If production from two or more insurance units is commingled and the insured fails to establish and maintain separate acreage and production records satisfactory to the Corporation, the Corporation may allocate the commingled production between the units involved in any manner it deems appropriate or void the insurance on the insurance units involved and declare the premium(s) for such units forfeited by the insured. If production from uninsured acreage and insured acreage is commingled and the insured fails to establish and maintain separate acreage and production records satisfactory to the Corporation, all such production which is commingled shall be considered to have been produced on the insured acreage or the Corporation may void the insurance on the insurance unit(s) involved and declare the premium(s) for such unit(s) forfeited by the insured.

7. *Date table.*

Discount date: June 30.
Maturity date: July 31.
Interest date: October 31.
Cancellation date: February 28.

8. *Definitions.* Notwithstanding the provisions of Section 13 of the policy, in any case where a share tenant rents land for a share of the crop and rents other land owned by the same person for cash, for a fixed commodity payment, or for other consideration, all such land which is planted to insurable crops shall constitute an insurance unit except in cases where a combination unit is in effect for the crop year.

9. *Reduction of premium based on good experience.* The insured's annual premium for any year may be reduced 25 percent if he has had seven consecutive years of insured crop(s) under a Federal Crop Insurance contract without a loss for which an indemnity was paid. Credit for consecutive years of good experience under any other existing Federal Crop Insurance contract will not be transferred to the multiple crop contract if the insured is eligible to receive a premium discount based on consecutive years of good experience or based on an accumulated balance of premiums over indemnities under such existing contract. Nothing in this paragraph shall create in the insured any right to a reduced premium.

Approved: Beginning with the 1953 crop year.

[SEAL] FEDERAL CROP INSURANCE CORPORATION.

§ 420.63-2 *Humboldt County.*

RIDER NO. 1 TO THE MULTIPLE CROP INSURANCE POLICY

(Applicable in Humboldt County, Iowa, Beginning With the 1953 Crop Year)

1. *Insurable crops.* For the purpose of the multiple crop insurance program the insurable crops are:

(a) Corn normally regarded as field corn. The contract will not provide insurance for true type silage corn, corn planted thick for silage or fodder purposes, sweet corn, popcorn, broom corn, corn planted for the development of hybrid seed corn, or any type of corn other than that normally regarded as field corn.

(b) Oats planted for harvest as grain.

(c) Soybeans planted for harvest as beans.

2. *Coverage per acre.* The coverage per acre for each insured crop shall be reduced 50 percent for any acreage released by the

Corporation and planted to a substitute crop.

3. *Insurance period.* Insurance shall attach at the time of planting to any insured acreage of any insured crop. Insurance shall cease with respect to any portion of the corn crop upon harvesting (picking the corn from the stalk either by hand or machine or cutting the corn for fodder or ensilage), all other insured crops upon threshing or with respect to any portion of any crop upon removal from the field, whichever is earlier. However, in no event shall insurance remain in effect (a) with respect to any crop later than the earlier of (i) the end of the normal harvest period for such crop or (ii) December 10, unless such time is extended in writing by the Corporation, and (b) with respect to any insurance unit later than the date of submission of a claim for indemnity.

4. *Predetermined price for valuing production.* In determining any loss under the contract, production of each insurable crop shall be evaluated at the predetermined price established by the Corporation for that crop and shown on the county actuarial table. The predetermined prices for the 1953 crop year are on file in the county office and for any subsequent crop year shall be on file in the county office at least 15 days prior to the cancellation date. However, any production of corn, oats, or soybeans which will not meet the latest available requirements for a Commodity Credit Corporation loan or support because of poor quality due to insurable causes, and would not meet these requirements if properly handled, shall be evaluated at a value per bushel determined by the Corporation.

5. *Released crop.* Notwithstanding any other provision of the policy any crop on any insured acreage may be released by the Corporation subject to an appraisal by the Corporation of the yield that would be realized if the crop were harvested, except that any corn may be used for ensilage or fodder without a release by the Corporation if the insured leaves a number of rows considered by the Corporation to be an adequate representative sample for appraising the yield.

6. *Amount of loss.* (a) The amount of loss with respect to any insurance unit shall be determined by (1) multiplying the insurable acreage (exclusive of any acreage to which insurance did not attach) planted to each insured crop by the applicable coverage per acre, and the result by the insured interest, and (2) subtracting from the total thereof the insured interest in the value (based on the predetermined price) of the total production on such acreage of all insured crops. However, the amount of loss so determined shall be reduced if the premium computed for the insurance unit on the basis of the acreage and interest approved by the Corporation on the acreage report is less than the premium computed for the planted acreage on the insurance unit. This reduction shall be made on the basis of the ratio of the premium computed for the acreage and interest as approved by the Corporation on the acreage report to the premium computed for the planted acreage. The total production for each insured crop on the insurance unit shall include all production determined in accordance with the production schedule below. Where any small grains are seeded with an insured growing small grain crop on acreage not released by the Corporation, all production shall be counted as the insured small grain on a weight basis. In the case of a volunteer crop produced with an insured crop, the production of such volunteer crop shall be included in determining the production of the insured crop.

The Corporation reserves the right to determine the amount of production on the basis of an appraisal of any unharvested crop standing in the field.

PRODUCTION SCHEDULE

Crop	Acreage classification	Total production [1]
1. Each insured crop....	Acreage released by the Corporation and planted to a substitute crop.	That portion of the appraised production for such acreage which is in excess of the number of bushels determined by (1) subtracting the total coverage for such acreage from what the total coverage for such acreage would be if it were not planted to a substitute crop, and (2) dividing the result thus obtained by the predetermined price for the crop.
2. Each insured crop....	Acreage not planted to a substitute crop.	The appraised production or the actual production, including an appraisal of corn left in the field after harvest and an appraisal of corn used for ensilage or fodder.
3. Each insured crop....	Acreage put to another use without the consent of the Corporation.	Appraised production for such acreage but not less than the product of (1) such acreage and (2) the bushel equivalent of the coverage per acre on the basis of the predetermined price for the crop.
4. Each insured crop...	Acreage with reduced yield due solely to cause(s) not insured against.	Appraised number of bushels by which production for such acreage has been reduced but not less than the product of (1) such acreage and (2) the applicable bushel equivalent of the coverage per acre on the basis of the predetermined price for the crop, minus the number of bushels harvested.
5. Each insured crop...	Acreage with reduced yield due partially to cause(s) not insured against and partially to cause(s) insured against.	Appraised number of bushels by which production for such acreage has been reduced because of cause(s) not insured against.

[1] Production shall be in bushels for all crops.

(b) If production from two or more insurance units is commingled and the insured fails to establish and maintain separate acreage and production records satisfactory to the Corporation, the Corporation may allocate the commingled production between the units involved in any manner it deems appropriate or void the insurance on the insurance units involved and declare the premium(s) for such units forfeited by the insured. If production from uninsured acreage and insured acreage is commingled and the insured fails to establish and maintain separate acreage and production records satisfactory to the Corporation, all such production which is commingled shall be considered to have been produced on the insured acreage or the Corporation may void the insurance on the insurance unit(s) involved and declare the premium(s) for such unit(s) forfeited by the insured.

7. *Date table.*

Discount date: June 30.
Maturity date: July 31.
Interest date: October 31.
Cancellation date: February 28.

8. *Definitions.* Notwithstanding the provisions of Section 13 of the policy, in any case where a share tenant rents land for a share of the crop and rents other land owned by the same person for cash, for a fixed commodity payment, or for other consideration, all such land which is planted to insurable crops shall constitute an insurance unit except in cases where a combination unit is in effect for the crop year.

9. *Reduction of premium based on good experience.* The insured's annual premium for any year may be reduced 25 percent if he has had seven consecutive years of insured crop(s) under a Federal Crop Insurance contract without a loss for which an indemnity was paid. Credit for consecutive years of good experience under any other existing Federal Crop Insurance contract will not be transferred to the multiple crop contract if the insured is eligible to receive a premium discount based on consecutive years of good experience or based on an accumulated balance of premiums over indemnities under such existing contract. Nothing in this paragraph shall create in the insured any right to a reduced premium.

Approved: Beginning with the 1953 crop year.

[SEAL] FEDERAL CROP INSURANCE CORPORATION.

§ 420.63-3 *Delaware County.*

RIDER NO. 1 TO THE MULTIPLE CROP INSURANCE POLICY

(Applicable in Delaware County, Iowa, Beginning With the 1953 Crop Year)

1. *Insurable crops.* For the purpose of the multiple crop insurance program the insurable crops are:

(a) Corn normally regarded as field corn. The contract will not provide insurance for true type silage corn, corn planted thick for silage or fodder purposes, sweet corn, popcorn, broom corn, corn planted for the development of hybrid seed corn, or any type of corn other than that normally regarded as field corn.

(b) Oats planted for harvest as grain.

(c) Soybeans planted for harvest as beans.

2. *Coverage per acre.* The coverage per acre for each insured crop shall be reduced 50 percent for any acreage released by the Corporation and planted to a substitute crop.

3. *Insurance period.* Insurance shall attach at the time of planting to any insured acreage of any insured crop. Insurance shall cease with respect to any portion of the corn crop upon harvesting (picking the corn from the stalk either by hand or machine or cutting the corn for fodder or ensilage), all other insured crops upon threshing or with respect to any portion of any crop upon removal from the field, whichever is earlier. However, in no event shall insurance remain in effect (a) with respect to any crop later than the earlier of (i) the end of the normal harvest period for such crop or (ii) December 10, unless such time is extended in writing by the Corporation, and (b) with respect to any insurance unit later than the date of submission of a claim for indemnity.

4. *Predetermined price for valuing production.* In determining any loss under the contract, production of each insurable crop shall be evaluated at the predetermined price established by the Corporation for that crop and shown on the county actuarial table. The predetermined prices for the 1953 crop year are on file in the county office and for any subsequent crop year shall be on file in the county office at least 15 days prior to the cancellation date. However, any production of corn, oats, or soybeans which will not meet the latest available requirements for a Commodity Credit Corporation loan or support because of poor quality due to insurable causes, and would not meet these requirements if properly handled, shall be evaluated at a value per bushel determined by the Corporation.

5. *Released crop.* Notwithstanding any other provision of the policy any crop on any insured acreage may be released by the Corporation subject to an appraisal by the Corporation of the yield that would be realized if the crop were harvested, except that any corn may be used for ensilage or fodder without a release by the Corporation if the insured leaves a number of rows considered by the Corporation to be an adequate representative sample for appraising the yield.

6. *Amount of loss.* (a) The amount of loss with respect to any insurance unit shall be determined by (1) multiplying the insurable acreage (exclusive of any acreage to which insurance did not attach) planted to each insured crop by the applicable coverage per acre, and the result by the insured interest, and (2) subtracting from the total thereof the insured interest in the value (based on the predetermined price) of the total production on such acreage of all insured crops. However, the amount of loss so determined shall be reduced if the premium computed for the insurance unit on the basis of the acreage and interest approved by the Corporation on the acreage report is less than the premium computed for the planted acreage on the insurance unit. This reduction shall be made on the basis of the ratio of the premium computed for the acreage and interest as approved by the Corporation on the acreage report to the premium computed for the planted acreage. The total production for each insured crop on the insurance unit shall include all production determined in accordance with the production schedule below. Where any small grains are seeded with an insured growing small grain crop on acreage not released by the Corporation, all production shall be counted as the insured small grain on a weight basis. In the case of a volunteer crop produced with an insured crop, the production of such volunteer crop shall be included in determining the production of the insured crop.

The Corporation reserves the right to determine the amount of production on the basis of an appraisal of any unharvested crop standing in the field.

PRODUCTION SCHEDULE

Crop	Acreage classification	Total production [1]
1. Each insured crop...	Acreage released by the Corporation and planted to a substitute crop.	That portion of the appraised production for such acreage which is in excess of the number of bushels determined by (1) subtracting the total coverage for such acreage from what the total coverage for such acreage would be if it were not planted to a substitute crop, and (2) dividing the result thus obtained by the predetermined price for the crop.
2. Each insured crop...	Acreage not planted to a substitute crop.	The appraised production or the actual production, including an appraisal of corn left in the field after harvest and an appraisal of corn used for ensilage or fodder.
3. Each insured crop...	Acreage put to another use without the consent of the Corporation.	Appraised production for such acreage but not less than the product of (1) such acreage and (2) the bushel equivalent of the coverage per acre on the basis of the predetermined price for the crop.
4. Each insured crop...	Acreage with reduced yield due solely to cause(s) not insured against.	Appraised number of bushels by which production for such acreage has been reduced but not less than the product of (1) such acreage and (2) the applicable bushel equivalent of the coverage per acre on the basis of the predetermined price for the crop, minus the number of bushels harvested.
5. Each insured crop...	Acreage with reduced yield due partially to cause(s) not insured against and partially to cause(s) insured against.	Appraised number of bushels by which production for such acreage has been reduced because of cause(s) not insured against.

[1] Production shall be in bushels for all crops.

(b) If production from two or more insurance units is commingled and the insured fails to establish and maintain separate acreage and production records satisfactory to the Corporation, the Corporation may allocate the commingled production between the units involved in any manner it deems appropriate or void the insurance on the insurance units involved and declare the premium(s) for such units forfeited by the insured. If production from uninsured acreage and insured acreage is commingled and the insured fails to establish and maintain separate acreage and production records satisfactory to the Corporation, all such production which is commingled shall be considered to have been produced on the insured acreage or the Corporation may void the insurance on the insurance unit(s) involved and declare the premium(s) for such unit(s) forfeited by the insured.

7. *Date table.*

Discount date: June 30.
Maturity date: July 31.
Interest date: October 31.
Cancellation date: February 28.

8. *Definitions.* Notwithstanding the provisions of Section 13 of the policy, in any case where a share tenant rents land for a share of the crop and rents other land owned by the same person for cash, for a fixed commodity payment, or for other consideration, all such land which is planted to insurable crops shall constitute an insurance unit except in cases where a combination unit is in effect for the crop year.

9. *Reduction of premium based on good experience.* The insured's annual premium for any year may be reduced 25 percent if he has had seven consecutive years of insured crop(s) under a Federal Crop Insurance contract without a loss for which an indemnity was paid. Credit for consecutive years of good experience under any other existing Federal Crop Insurance contract will not be transferred to the multiple crop contract if the insured is eligible to receive a premium discount based on consecutive years of good experience or based on an accumulated balance of premiums over indemnities under such existing contract. Nothing in this paragraph shall create in the insured any right to a reduced premium.

Approved: Beginning with the 1953 crop year.

[SEAL] FEDERAL CROP INSURANCE CORPORATION.

§ 420.63-4 *Howard County.*

RIDER NO. 1 TO THE MULTIPLE CROP INSURANCE POLICY

(Applicable in Howard County, Iowa, Beginning With the 1953 Crop Year)

1. *Insurable crops.* For the purpose of the multiple crop insurance program the insurable crops are:

(a) Corn normally regarded as field corn. The contract will not provide insurance for true type silage corn, corn planted thick for silage or fodder purposes, sweet corn, popcorn, broom corn, corn planted for the development of hybrid seed corn, or any type of corn other than that normally regarded as field corn.

(b) Oats planted for harvest as grain.

(c) Soybeans planted for harvest as beans.

2. *Coverage per acre.* The coverage per acre for each insured crop shall be reduced 50 percent for any acreage released by the Corporation and planted to a substitute crop.

3. *Insurance period.* Insurance shall attach at the time of planting to any insured acreage of any insured crop. Insurance shall cease with respect to any portion of the corn crop upon harvesting (picking the corn from the stalk either by hand or machine or cutting the corn for fodder or ensilage), all other insured crops upon threshing or with respect to any portion of any crop upon removal from the field, whichever is earlier. However, in no event shall insurance remain in effect (a) with respect to any crop later than the earlier of (i) the end of the normal harvest period for such crop or (ii) December 10, unless such time is extended in writing by the Corporation, and (b) with respect to any insurance unit later than the date of submission of a claim for indemnity.

4. *Predetermined price for valuing production.* In determining any loss under the contract, production of each insurable crop shall be evaluated at the predetermined price established by the Corporation for that crop and shown on the county actuarial table. The predetermined prices for the 1953 crop year are on file in the county office and for any subsequent crop year shall be on file in the county office at least 15 days prior to the cancellation date. However, any production of corn, oats, or soybeans which will not meet the latest available requirements for a Commodity Credit Corporation loan or support because of poor quality due to insurable causes, and would not meet these requirements if properly handled, shall be evaluated at a value per bushel determined by the Corporation.

5. *Released crop.* Notwithstanding any other provision of the policy any crop on any insured acreage may be released by the Corporation subject to an appraisal by the Corporation of the yield that would be realized if the crop were harvested, except that any corn may be used for ensilage or fodder without a release by the Corporation if the insured leaves a number of rows considered by the Corporation to be an adequate representative sample for appraising the yield.

6. *Amount of loss.* (a) The amount of loss with respect to any insurance unit shall be determined by (1) multiplying the insurable acreage (exclusive of any acreage to which insurance did not attach) planted to each insured crop by the applicable coverage per acre, and the result by the insured interest, and (2) subtracting from the total thereof the insured interest in the value (based on the predetermined price) of the total production on such acreage of all insured crops. However, the amount of loss so determined shall be reduced if the premium computed for the insurance unit on the basis of the acreage and interest approved by the Corporation on the acreage report is less than the premium computed for the planted acreage on the insurance unit. This reduction shall be made on the basis of the ratio of the premium computed for the acreage and interest as approved by the Corporation on the acreage report to the premium computed for the planted acreage. The total production for each insured crop on the insurance unit shall include all production determined in accordance with the production schedule below. Where any small grains are seeded with an insured growing small grain crop on acreage not released by the Corporation, all production shall be counted as the insured small grain on a weight basis. In the case of a volunteer crop produced with an insured crop, the production of such volunteer crop shall be included in determining the production of the insured crop.

The Corporation reserves the right to determine the amount of production on the basis of an appraisal of any unharvested crop standing in the field.

PRODUCTION SCHEDULE

Crop	Acreage classification	Total production [1]
1. Each insured crop...	Acreage released by the Corporation and planted to a substitute crop.	That portion of the appraised production for such acreage which is in excess of the number of bushels determined by (1) subtracting the total coverage for such acreage from what the total coverage for such acreage would be if it were not planted to a substitute crop, and (2) dividing the result thus obtained by the predetermined price for the crop.
2. Each insured crop...	Acreage not planted to a substitute crop.	The appraised production or the actual production, including an appraisal of corn left in the field after harvest and an appraisal of corn used for ensilage or fodder.
3. Each insured crop...	Acreage put to another use without the consent of the Corporation.	Appraised production for such acreage but not less than the product of (1) such acreage and (2) the bushel equivalent of the coverage per acre on the basis of the predetermined price for the crop.
4. Each insured crop...	Acreage with reduced yield due solely to cause(s) not insured against.	Appraised number of bushels by which production for such acreage has been reduced but not less than the product of (1) such acreage and (2) the applicable bushel equivalent of the coverage per acre on the basis of the predetermined price for the crop, minus the number of bushels harvested.
5. Each insured crop...	Acreage with reduced yield due partially to cause(s) not insured against and partially to cause(s) insured against.	Appraised number of bushels by which production for such acreage has been reduced because of cause(s) not insured against.

[1] Production shall be in bushels for all crops.

(b) If production from two or more insurance units is commingled and the insured fails to establish and maintain separate acreage and production records satisfactory to the Corporation, the Corporation may allocate the commingled production between the units involved in any manner it deems appropriate or void the insurance on the insurance units involved and declare the premium(s) for such units forfeited by the insured. If production from uninsured acreage and insured acreage is commingled and the insured fails to establish and maintain separate acreage and production records satisfactory to the Corporation, all such production which is commingled shall be considered to have been produced on the insured acreage or the Corporation may void the insurance on the insurance unit(s) involved and declare the premium(s) for such unit(s) forfeited by the insured.

7. *Date table.*

Discount date: June 30.
Maturity date: July 31.
Interest date: October 31.
Cancellation date: February 28.

8. *Definitions.* Notwithstanding the provisions of Section 13 of the policy, in any case where a share tenant rents land for a share of the crop and rents other land owned by the same person for cash, for a fixed commodity payment, or for other consideration, all such land which is planted to insurable crops shall constitute an insurance unit except in cases where a combination unit is in effect for the crop year.

9. *Reduction of premium based on good experience.* The insured's annual premium for any year may be reduced 25 percent if he has had seven consecutive years of insured crop(s) under a Federal Crop Insurance contract without a loss for which an indemnity was paid. Credit for consecutive years of good experience under any other existing Federal Crop Insurance contract will not be transferred to the multiple crop contract if the insured is eligible to receive a premium discount based on consecutive years of good experience or based on an accumulated balance of premiums over indemnities under such existing contract. Nothing in this paragraph shall create in the insured any right to a reduced premium.

Approved: Beginning with the 1953 crop year.

[SEAL] FEDERAL CROP INSURANCE CORPORATION.

§ 420.63-5 *Ida County.*

RIDER NO. 1 TO THE MULTIPLE CROP INSURANCE POLICY

(Applicable in Ida County, Iowa, Beginning With the 1953 Crop Year)

1. *Insurable crops.* For the purpose of the multiple crop insurance program the insurable crops are:

(a) Corn normally regarded as field corn. The contract will not provide insurance for true type silage corn, corn planted thick for silage or fodder purposes, sweet corn, popcorn, broom corn, corn planted for the development of hybrid seed corn, or any type of corn other than that normally regarded as field corn.

(b) Oats planted for harvest as grain.

(c) Soybeans planted for harvest as beans.

2. *Coverage per acre.* The coverage per acre for each insured crop shall be reduced 50 percent for any acreage released by the Corporation and planted to a substitute crop.

3. *Insurance period.* Insurance shall attach at the time of planting to any insured acreage of any insured crop. Insurance shall cease with respect to any portion of the corn crop upon harvesting (picking the corn from the stalk either by hand or machine or cutting the corn for fodder or ensilage), all other insured crops upon threshing or with respect to any portion of any crop upon removal from the field, whichever is earlier. However, in no event shall insurance remain in effect (a) with respect to any crop later than the earlier of (i) the end of the normal harvest period for such crop or (ii) December 10, unless such time is extended in writing by the Corporation, and (b) with respect to any insurance unit later than the date of submission of a claim for indemnity.

4. *Predetermined price for valuing production.* In determining any loss under the contract, production of each insurable crop shall be evaluated at the predetermined price established by the Corporation for that crop and shown on the county actuarial table. The predetermined prices for the 1953 crop year are on file in the county office and for any subsequent crop year shall be on file in the county office at least 15 days prior to the cancellation date. However, any production of corn, oats, or soybeans which will not meet the latest available requirements for a Commodity Credit Corporation loan or support because of poor quality due to insurable causes, and would not meet these requirements if properly handled, shall be evaluated at a value per bushel determined by the Corporation.

5. *Released crop.* Notwithstanding any other provision of the policy any crop on any insured acreage may be released by the Corporation subject to an appraisal by the Corporation of the yield that would be realized if the crop were harvested, except that any corn may be used for ensilage or fodder without a release by the Corporation if the insured leaves a number of rows considered by the Corporation to be an adequate representative sample for appraising the yield.

6. *Amount of loss.* (a) The amount of loss with respect to any insurance unit shall be determined by (1) multiplying the insurable acreage (exclusive of any acreage to which insurance did not attach) planted to each insured crop by the applicable coverage per acre, and the result by the insured interest, and (2) subtracting from the total thereof the insured interest in the value (based on the predetermined price) of the total production on such acreage of all insured crops. However, the amount of loss so determined shall be reduced if the premium computed for the insurance unit on the basis of the acreage and interest approved by the Corporation on the acreage report is less than the premium computed for the planted acreage on the insurance unit. This reduction shall be made on the basis of the ratio of the premium computed for the acreage and interest as approved by the Corporation on the acreage report to the premium computed for the planted acreage. The total production for each insured crop on the insurance unit shall include all production determined in accordance with the production schedule below. Where any small grains are seeded with an insured growing small grain crop on acreage not released by the Corporation, all production shall be counted as the insured small grain on a weight basis. In the case of a volunteer crop produced with an insured crop, the production of such volunteer crop shall be included in determining the production of the insured crop.

The Corporation reserves the right to determine the amount of production on the basis of an appraisal of any unharvested crop standing in the field.

PRODUCTION SCHEDULE

Crop	Acreage classification	Total production [1]
1. Each insured crop...	Acreage released by the Corporation and planted to a substitute crop.	That portion of the appraised production for such acreage which is in excess of the number of bushels determined by (1) subtracting the total coverage for such acreage from what the total coverage for such acreage would be if it were not planted to a substitute crop, and (2) dividing the result thus obtained by the predetermined price for the crop.
2. Each insured crop...	Acreage not planted to a substitute crop.	The appraised production or the actual production, including an appraisal of corn left in the field after harvest and an appraisal of corn used for ensilage or fodder.
3. Each insured crop...	Acreage put to another use without the consent of the Corporation.	Appraised production for such acreage but not less than the product of (1) such acreage and (2) the bushel equivalent of the coverage per acre on the basis of the predetermined price for the crop.
4. Each insured crop...	Acreage with reduced yield due solely to cause(s) not insured against.	Appraised number of bushels by which production for such acreage has been reduced but not less than the product of (1) such acreage and (2) the applicable bushel equivalent of the coverage per acre on the basis of the predetermined price for the crop, minus the number of bushels harvested.
5. Each insured crop...	Acreage with reduced yield due partially to cause(s) not insured against and partially to cause(s) insured against.	Appraised number of bushels by which production for such acreage has been reduced because of cause(s) not insured against.

[1] Production shall be in bushels for all crops.

(b) If production from two or more insurance units is commingled and the insured fails to establish and maintain separate acreage and production records satisfactory to the Corporation, the Corporation may allocate the commingled production between the units involved in any manner it deems appropriate or void the insurance on the insurance units involved and declare the premium(s) for such units forfeited by the insured. If production from uninsured acreage and insured acreage is commingled and the insured fails to establish and maintain separate acreage and production records satisfactory to the Corporation, all such production which is commingled shall be considered to have been produced on the insured acreage or the Corporation may void the insurance on the insurance unit(s) involved and declare the premium(s) for such unit(s) forfeited by the insured.

7. *Date table.*

Discount date: June 30.
Maturity date: July 31.
Interest date: October 31.
Cancellation date: February 28.

8. *Definitions.* Notwithstanding the provisions of Section 13 of the policy in any case where a share tenant rents land for a share of the crop and rents other land owned by the same person for cash, for a fixed commodity payment, or for other consideration, all such land which is planted to insurable crops shall constitute an insurance unit except in cases where a combination unit is in effect for the crop year.

9. *Reduction of premium based on good experience.* The insured's annual premium for any year may be reduced 25 percent if he has had seven consecutive years of insured crop(s) under a Federal Crop Insurance contract without a loss for which an indemnity was paid. Credit for consecutive years of good experience under any other existing Federal Crop Insurance contract will not be transferred to the multiple crop contract if the insured is eligible to receive a premium discount based on consecutive years of good experience or based on an accumulated balance of premiums over indemnities under such existing contract. Nothing in this paragraph shall create in the insured any right to a reduced premium.

Approved: Beginning with the 1953 crop year.

[SEAL] FEDERAL CROP INSURANCE CORPORATION.

§ 420.63-6 *Kossuth County.*

RIDER NO. 1 TO THE MULTIPLE CROP INSURANCE POLICY

(Applicable in Kossuth County, Iowa, Beginning With the 1953 Crop Year)

1. *Insurable crops.* For the purpose of the multiple crop insurance program the insurable crops are:

(a) Corn normally regarded as field corn. The contract will not provide insurance for true type silage corn, corn planted thick for silage or fodder purposes, sweet corn, popcorn, broom corn, corn planted for the development of hybrid seed corn, or any type of corn other than that normally regarded as field corn.

(b) Oats planted for harvest as grain.

(c) Soybeans planted for harvest as beans.

2. *Coverage per acre.* The coverage per acre for each insured crop shall be reduced 50 percent for any acreage released by the Corporation and planted to a substitute crop.

3. *Insurance period.* Insurance shall attach at the time of planting to any insured acreage of any insured crop. Insurance shall cease with respect to any portion of the corn crop upon harvesting (picking the corn from the stalk either by hand or machine or cutting the corn for fodder or ensilage), all other insured crops upon threshing or with respect to any portion of any crop upon removal from the field, whichever is earlier. However, in no event shall insurance remain in effect (a) with respect to any crop later than the earlier of (i) the end of the normal harvest period for such crop or (ii) December 10, unless such time is extended in writing by the Corporation, and (b) with respect to any insurance unit later than the date of submission of a claim for indemnity.

4. *Predetermined price for valuing production.* In determining any loss under the contract, production of each insurable crop shall be evaluated at the predetermined price established by the Corporation for that crop and shown on the county actuarial table. The predetermined prices for the 1953 crop year are on file in the county office and for any subsequent crop year shall be on file in the county office at least 15 days prior to the cancellation date. However, any production of corn, oats, or soybeans which will not meet the latest available requirements for a Commodity Credit Corporation loan or support because of poor quality due to insurable causes, and would not meet these requirements if properly handled, shall be evaluated at a value per bushel determined by the Corporation.

5. *Released crop.* Notwithstanding any other provision of the policy any crop on any insured acreage may be released by the Corporation subject to an appraisal by the Corporation of the yield that would be realized if the crop were harvested, except that any corn may be used for ensilage or fodder without a release by the Corporation if the insured leaves a number of rows considered by the Corporation to be an adequate representative sample for appraising the yield.

6. *Amount of loss.* (a) The amount of loss with respect to any insurance unit shall be determined by (1) multiplying the insurable acreage (exclusive of any acreage to which insurance did not attach) planted to each insured crop by the applicable coverage per acre, and the result by the insured interest, and (2) subtracting from the total thereof the insured interest in the value (based on the predetermined price) of the total production on such acreage of all insured crops. However, the amount of loss so determined shall be reduced if the premium computed for the insurance unit on the basis of the acreage and interest approved by the Corporation on the acreage report is less than the premium computed for the planted acreage on the insurance unit. This reduction shall be made on the basis of the ratio of the premium computed for the acreage and interest as approved by the Corporation on the acreage report to the premium computed for the planted acreage. The total production for each insured crop on the insurance unit shall include all production determined in accordance with the production schedule below. Where any small grains are seeded with an insured growing small grain crop on acreage not released by the Corporation, all production shall be counted as the insured small grain on a weight basis. In the case of a volunteer crop produced with an insured crop, the production of such volunteer crop shall be included in determining the production of the insured crop.

The Corporation reserves the right to determine the amount of production on the basis of an appraisal of any unharvested crop standing in the field.

PRODUCTION SCHEDULE

Crop	Acreage classification	Total production [1]
1. Each insured crop...	Acreage released by the Corporation and planted to a substitute crop.	That portion of the appraised production for such acreage which is in excess of the number of bushels determined by (1) subtracting the total coverage for such acreage from what the total coverage for such acreage would be if it were not planted to a substitute crop, and (2) dividing the result thus obtained by the predetermined price for the crop.
2. Each insured crop...	Acreage not planted to a substitute crop.	The appraised production or the actual production, including an appraisal of corn left in the field after harvest and an appraisal of corn used for ensilage or fodder.
3. Each insured crop...	Acreage put to another use without the consent of the Corporation.	Appraised production for such acreage but not less than the product of (1) such acreage and (2) the bushel equivalent of the coverage per acre on the basis of the predetermined price for the crop.
4. Each insured crop...	Acreage with reduced yield due solely to cause(s) not insured against.	Appraised number of bushels by which production for such acreage has been reduced but not less than the product of (1) such acreage and (2) the applicable bushel equivalent of the coverage per acre on the basis of the predetermined price for the crop, minus the number of bushels harvested.
5. Each insured crop....	Acreage with reduced yield due partially to cause(s) not insured against and partially to cause(s) insured against.	Appraised number of bushels by which production for such acreage has been reduced because of cause(s) not insured against.

[1] Production shall be in bushels for all crops.

(b) If production from two or more insurance units is commingled and the insured fails to establish and maintain separate acreage and production records satisfactory to the Corporation, the Corporation may allocate the commingled production between the units involved in any manner it deems appropriate or void the insurance on the insurance units involved and declare the premium(s) for such units forfeited by the insured. If production from uninsured acreage and insured acreage is commingled and the insured fails to establish and maintain separate acreage and production records satisfactory to the Corporation, all such production which is commingled shall be considered to have been produced on the insured acreage or the Corporation may void the insurance on the insurance unit(s) involved and declare the premium(s) for such unit(s) forfeited by the insured.

7. *Date table.*

Discount date: June 30.
Maturity date: July 31.
Interest date: October 31.
Cancellation date: February 28.

8. *Definitions.* Notwithstanding the provisions of Section 13 of the policy, in any case where a share tenant rents land for a share of the crop and rents other land owned by the same person for cash, for a fixed commodity payment, or for other consideration, all such land which is planted to insurable crops shall constitute an insurance unit except in cases where a combination unit is in effect for the crop year.

9. *Reduction of premium based on good experience.* The insured's annual premium for any year may be reduced 25 percent if he has had seven consecutive years of insured crop(s) under a Federal Crop Insurance contract without a loss for which an indemnity was paid. Credit for consecutive years of good experience under any other existing Federal Crop Insurance contract will not be transferred to the multiple crop contract if the insured is eligible to receive a premium discount based on consecutive years

of good experience or based on an accumulated balance of premiums over indemnities under such existing contract. Nothing in this paragraph shall create in the insured any right to a reduced premium.

Approved: Beginning with the 1953 crop year.

[SEAL] FEDERAL CROP INSURANCE CORPORATION.

§ 420.63-7 *Tama County.*

RIDER NO. 1 TO THE MULTIPLE CROP INSURANCE POLICY

(Applicable in Tama County, Iowa, Beginning With the 1953 Crop Year)

1. *Insurable crops.* For the purpose of the multiple crop insurance program the insurable crops are:

(a) Corn normally regarded as field corn. The contract will not provide insurance for true type silage corn, corn planted thick for silage or fodder purposes, sweet corn, popcorn, broom corn, corn planted for the development of hybrid seed corn, or any type of corn other than that normally regarded as field corn.

(b) Oats planted for harvest as grain.

(c) Soybeans planted for harvest as beans.

2. *Coverage per acre.* The coverage per acre for each insured crop shall be reduced 50 percent for any acreage released by the Corporation and planted to a substitute crop.

3. *Insurance period.* Insurance shall attach at the time of planting to any insured acreage of any insured crop. Insurance shall cease with respect to any portion of the corn crop upon harvesting (picking the corn from the stalk either by hand or machine or cutting the corn for fodder or ensilage), all other insured crops upon threshing or with respect to any portion of any crop upon removal from the field, whichever is earlier. However, in no event shall insurance remain in effect (a) with respect to any crop later than the earlier of (i) the end of the normal harvest period for such crop or (ii) December 10, unless such time is extended in writing by the Corporation, and (b) with respect to any insurance unit later than the date of submission of a claim for indemnity.

4. *Predetermined price for valuing production.* In determining any loss under the contract, production of each insurable crop shall be evaluated at the predetermined price established by the Corporation for that crop and shown on the county actuarial table. The predetermined prices for the 1953 crop year are on file in the county office and for any subsequent crop year shall be on file in the county office at least 15 days prior to the cancellation date. However, any production of corn, oats, or soybeans which will not meet the latest available requirements for a Commodity Credit Corporation loan or support because of poor quality due to insurable causes, and would not meet these requirements if properly handled, shall be evaluated at a value per bushel determined by the Corporation.

5. *Released crop.* Notwithstanding any other provision of the policy any crop on any insured acreage may be released by the Corporation subject to an appraisal by the Corporation of the yield that would be realized if the crop were harvested, except that any corn may be used for ensilage or fodder without a release by the Corporation if the insured leaves a number of rows considered by the Corporation to be an adequate representative sample for appraising the yield.

6. *Amount of loss.* (a) The amount of loss with respect to any insurance unit shall be determined by (1) multiplying the insurable acreage (exclusive of any acreage to which insurance did not attach) planted to each insured crop by the applicable coverage per acre, and the result by the insured interest, and (2) subtracting from the total thereof the insured interest in the value (based on the predetermined price) of the total production on such acreage of all insured crops. However, the amount of loss so determined shall be reduced if the premium computed for the insurance unit on the basis of the acreage and interest approved by the Corporation on the acreage report is less than the premium computed for the planted acreage on the insurance unit. This reduction shall be made on the basis of the ratio of the premium computed for the acreage and interest as approved by the Corporation on the acreage report to the premium computed for the planted acreage. The total production for each insured crop on the insurance unit shall include all production determined in accordance with the production schedule below. Where any small grains are seeded with an insured growing small grain crop on acreage not released by the Corporation, all production shall be counted as the insured small grain on a weight basis. In the case of a volunteer crop produced with an insured crop, the production of such volunteer crop shall be included in determining the production of the insured crop.

The Corporation reserves the right to determine the amount of production on the basis of an appraisal of any unharvested crop standing in the field.

PRODUCTION SCHEDULE

Crop	Acreage classification	Total production [1]
1. Each insured crop...	Acreage released by the Corporation and planted to a substitute crop.	That portion of the appraised production for such acreage which is in excess of the number of bushels determined by (1) subtracting the total coverage for such acreage from what the total coverage for such acreage would be if it were not planted to a substitute crop, and (2) dividing the result thus obtained by the predetermined price for the crop.
2. Each insured crop...	Acreage not planted to a substitute crop.	The appraised production or the actual production, including an appraisal of corn left in the field after harvest and an appraisal of corn used for ensilage or fodder.
3. Each insured crop...	Acreage put to another use without the consent of the Corporation.	Appraised production for such acreage but not less than the product of (1) such acreage and (2) the bushel equivalent of the coverage per acre on the basis of the predetermined price for the crop.
4. Each insured crop...	Acreage with reduced yield due solely to cause(s) not insured against.	Appraised number of bushels by which production for such acreage has been reduced but not less than the product of (1) such acreage and (2) the applicable bushel equivalent of the coverage per acre on the basis of the predetermined price for the crop, minus the number of bushels harvested.
5. Each insured crop...	Acreage with reduced yield due partially to cause(s) not insured against and partially to cause(s) insured against.	Appraised number of bushels by which production for such acreage has been reduced because of cause(s) not insured against.

[1] Production shall be in bushels for all crops.

(b) If production from two or more insurance units is commingled and the insured fails to establish and maintain separate acreage and production records satisfactory to the Corporation, the Corporation may allocate the commingled production between the units involved in any manner it deems appropriate or void the insurance on the insurance units involved and declare the premium(s) for such units forfeited by the insured. If production from uninsured acreage and insured acreage is commingled and the insured fails to establish and maintain separate acreage and production records satisfactory to the Corporation, all such production which is commingled shall be considered to have been produced on the insured acreage or the Corporation may void the insurance on the insurance unit(s) involved and declare the premium(s) for such unit(s) forfeited by the insured.

7. *Date table.*

Discount date: June 30.
Maturity date: July 31.
Interest date: October 31.
Cancellation date: February 28.

8. *Definitions.* Notwithstanding the provisions of Section 13 of the policy, in any case where a share tenant rents land for a share of the crop and rents other land owned by the same person for cash, for a fixed commodity payment, or for other consideration, all such land which is planted to insurable crops shall constitute an insurance unit except in cases where a combination unit is in effect for the crop year.

9. *Reduction of premium based on good experience.* The insured's annual premium for any year may be reduced 25 percent if he has had seven consecutive years of insured crop(s) under a Federal Crop Insurance contract without a loss for which an indemnity was paid. Credit for consecutive years of good experience under any other existing Federal Crop Insurance contract will not be transferred to the multiple crop contract if the insured is eligible to receive a premium discount based on consecutive years of good experience or based on an accumulated balance of premiums over indemnities under such existing contract. Nothing in this paragraph shall create in the insured any right to a reduced premium.

Approved: Beginning with the 1953 crop year.

[SEAL] FEDERAL CROP INSURANCE CORPORATION.

§ 420.63-8 *Union County.*

RIDER NO. 1 TO THE MULTIPLE CROP INSURANCE POLICY

(Applicable in Union County, Iowa, Beginning With the 1953 Crop Year)

1. *Insurable crops.* For the purpose of the multiple crop insurance program the insurable crops are:

(a) Corn normally regarded as field corn. The contract will not provide insurance for true type silage corn, corn planted thick for silage or fodder purposes, sweet corn, popcorn, broom corn, corn planted for the development of hybrid seed corn, or any type of corn other than that normally regarded as field corn.

(b) Oats planted for harvest as grain.

(c) Soybeans planted for harvest as beans.

2. *Coverage per acre.* The coverage per acre for each insured crop shall be reduced 50 percent for any acreage released by the Corporation and planted to a substitute crop.

3. *Insurance period.* Insurance shall attach at the time of planting to any insured acreage of any insured crop. Insurance shall cease with respect to any portion of the corn crop upon harvesting (picking the corn from the stalk either by hand or machine or cutting the corn for fodder or ensilage), all other insured crops upon threshing or with respect to any portion of any crop upon removal from the field, whichever is earlier. However, in no event shall insurance remain in effect (a) with respect to any crop later than the earlier of (i) the end of the normal harvest period for such crop or (ii) December 10, unless such time is extended in writ-

ing by the Corporation, and (b) with respect to any insurance unit later than the date of submission of a claim for indemnity.

4. *Predetermined price for valuing production.* In determining any loss under the contract, production of each insurable crop shall be evaluated at the predetermined price established by the Corporation for that crop and shown on the county actuarial table. The predetermined prices for the 1953 crop year are on file in the county office and for any subsequent crop year shall be on file in the county office at least 15 days prior to the cancellation date. However, any production of corn, oats, or soybeans which will not meet the latest available requirements for a Commodity Credit Corporation loan or support because of poor quality due to insurable causes, and would not meet these requirements if properly handled, shall be evaluated at a value per bushel determined by the Corporation.

5. *Released crop.* Notwithstanding any other provision of the policy any crop on any insured acreage may be released by the Corporation subject to an appraisal by the Corporation of the yield that would be realized if the crop were harvested, except that any corn may be used for ensilage or fodder without a release by the Corporation if the insured leaves a number of rows considered by the Corporation to be an adequate representative sample for appraising the yield.

6. *Amount of loss.* (a) The amount of loss with respect to any insurance unit shall be determined by (1) multiplying the insurable acreage (exclusive of any acreage to which insurance did not attach) planted to each insured crop by the applicable coverage per acre, and the result by the insured interest, and (2) subtracting from the total thereof the insured interest in the value (based on the predetermined price) of the total production on such acreage of all insured crops. However, the amount of loss so determined shall be reduced if the premium computed for the insurance unit on the basis of the acreage and interest approved by the Corporation on the acreage report is less than the premium computed for the planted acreage on the insurance unit. This reduction shall be made on the basis of the ratio of the premium computed for the acreage and interest as approved by the Corporation on the acreage report to the premium computed for the planted acreage. The total production for each insured crop on the insurance unit shall include all production determined in accordance with the production schedule below. Where any small grains are seeded with an insured growing small grain crop on acreage not released by the Corporation, all production shall be counted as the insured small grain on a weight basis. In the case of a volunteer crop produced with an insured crop, the production of such volunteer crop shall be included in determining the production of the insured crop.

The Corporation reserves the right to determine the amount of production on the basis of an appraisal of any unharvested crop standing in the field.

PRODUCTION SCHEDULE

Crop	Acreage classification	Total production [1]
1. Each insured crop...	Acreage released by the Corporation and planted to a substitute crop.	That portion of the appraised production for such acreage which is in excess of the number of bushels determined by (1) subtracting the total coverage for such acreage from what the total coverage for such acreage would be if it were not planted to a substitute crop, and (2) dividing the result thus obtained by the predetermined price for the crop.
2. Each insured crop...	Acreage not planted to a substitute crop.	The appraised production or the actual production, including an appraisal of corn left in the field after harvest and an appraisal of corn used for ensilage or fodder.
3. Each insured crop...	Acreage put to another use without the consent of the Corporation.	Appraised production for such acreage but not less than the product of (1) such acreage and (2) the bushel equivalent of the coverage per acre on the basis of the predetermined price for the crop.
4. Each insured crop...	Acreage with reduced yield due solely to cause(s) not insured against.	Appraised number of bushels by which production for such acreage has been reduced but not less than the product of (1) such acreage and (2) the applicable bushel equivalent of the coverage per acre on the basis of the predetermined price for the crop, minus the number of bushels harvested.
5. Each insured crop...	Acreage with reduced yield due partially to cause(s) not insured against and partially to cause(s) insured against.	Appraised number of bushels by which production for such acreage has been reduced because of cause(s) not insured against.

[1] Production shall be in bushels for all crops.

(b) If production from two or more insurance units is commingled and the insured fails to establish and maintain separate acreage and production records satisfactory to the Corporation, the Corporation may allocate the commingled production between the units involved in any manner it deems appropriate or void the insurance on the insurance units involved and declare the premium(s) for such units forfeited by the insured. If production from uninsured acreage and insured acreage is commingled and the insured fails to establish and maintain separate acreage and production records satisfactory to the Corporation, all such production which is commingled shall be considered to have been produced on the insured acreage or the Corporation may void the insurance on the insurance unit(s) involved and declare the premium(s) for such unit(s) forfeited by the insured.

7. *Date table.*

Discount date: June 30.
Maturity date: July 31.
Interest date: October 31.
Cancellation date: February 28.

8. *Definitions.* Notwithstanding the provisions of Section 13 of the policy, in any case where a share tenant rents land for a share of the crop and rents other land owned by the same person for cash, for a fixed commodity payment, or for other consideration, all such land which is planted to insurable crops shall constitute an insurance unit except in cases where a combination unit is in effect for the crop year.

9. *Reduction of premium based on good experience.* The insured's annual premium for any year may be reduced 25 percent if he has had seven consecutive years of insured crop(s) under a Federal Crop Insurance contract without a loss for which an indemnity was paid. Credit for consecutive years of good experience under any other existing Federal Crop Insurance contract will not be transferred to the multiple crop contract if the insured is eligible to receive a premium discount based on consecutive years of good experience or based on an accumulated balance of premiums over indemnities under such existing contract. Nothing in this paragraph shall create in the insured any right to a reduced premium.

Approved: Beginning with the 1953 crop year.

[SEAL] FEDERAL CROP INSURANCE CORPORATION.

§ 420.63-9 *Warren County.*

RIDER NO. 1 TO THE MULTIPLE CROP INSURANCE POLICY

(Applicable in Warren County, Iowa, Beginning With the 1953 Crop Year)

1. *Insurable crops.* For the purpose of the multiple crop insurance program the insurable crops are:

(a) Corn normally regarded as field corn. The contract will not provide insurance for true type silage corn, corn planted thick for silage or fodder purposes, sweet corn, popcorn, broom corn, corn planted for the development of hybrid seed corn, or any type of corn other than that normally regarded as field corn.

(b) Oats planted for harvest as grain.

(c) Soybeans planted for harvest as beans.

2. *Coverage per acre.* The coverage per acre for each insured crop shall be reduced 50 percent for any acreage released by the Corporation and planted to a substitute crop.

3. *Insurance period.* Insurance shall attach at the time of planting to any insured acreage of any insured crop. Insurance shall cease with respect to any portion of the corn crop upon harvesting (picking the corn from the stalk either by hand or machine or cutting the corn for fodder or ensilage), all other insured crops upon threshing or with respect to any portion of any crop upon removal from the field, whichever is earlier. However, in no event shall insurance remain in effect (a) with respect to any crop later than the earlier of (i) the end of the normal harvest period for such crop or (ii) December 10, unless such time is extended in writing by the Corporation, and (b) with respect to any insurance unit later then the date of submission of a claim for indemnity.

4. *Predetermined price for valuing production.* In determining any loss under the contract, production of each insurable crop shall be evaluated at the predetermined price established by the Corporation for that crop and shown on the county actuarial table. The predetermined prices for the 1953 crop year are on file in the county office and for any subsequent crop year shall be on file in the county office at least 15 days prior to the cancellation date. However, any production of corn, oats, or soybeans which will not meet the latest available requirements for a Commodity Credit Corporation loan or support because of poor quality due to insurable causes, and would not meet these requirements if properly handled, shall be evaluated at a value per bushel determined by the Corporation.

5. *Released crop.* Notwithstanding any other provision of the policy any crop on any insured acreage may be released by the Corporation subject to an appraisal by the Corporation of the yield that would be realized if the crop were harvested, except that any corn may be used for ensilage or fodder without a release by the Corporation if the insured leaves a number of rows considered by the Corporation to be an adequate representative sample for appraising the yield.

6. *Amount of loss.* (a) The amount of loss with respect to any insurance unit shall be determined by (1) multiplying the insurable acreage (exclusive of any acreage to which insurance did not attach) planted to each insured crop by the applicable coverage per acre, and the result by the insured interest, and (2) subtracting from the total thereof the insured interest in the value (based on the predetermined price) of the total production on such acreage of all in-

sured crops. However, the amount of loss so determined shall be reduced if the premium computed for the insurance unit on the basis of the acreage and interest approved by the Corporation on the acreage report is less than the premium computed for the planted acreage on the insurance unit. This reduction shall be made on the basis of the ratio of the premium computed for the acreage and interest as approved by the Corporation on the acreage report to the premium computed for the planted acreage. The total production for each insured crop on the insurance unit shall include all production determined in accordance with the production schedule below. Where any small grains are seeded with an insured growing small grain crop on acreage not released by the Corporation, all production shall be counted as the insured small grain on a weight basis. In the case of a volunteer crop produced with an insured crop, the production of such volunteer crop shall be included in determining the production of the insured crop.

The Corporation reserves the right to determine the amount of production on the basis of an appraisal of any unharvested crop standing in the field.

PRODUCTION SCHEDULE

Crop	Acreage classification	Total production [1]
1. Each insured crop	Acreage released by the Corporation and planted to a substitute crop.	That portion of the appraised production for such acreage which is in excess of the number of bushels determined by (1) subtracting the total coverage for such acreage from what the total coverage for such acreage would be if it were not planted to a substitute crop, and (2) dividing the result thus obtained by the predetermined price for the crop.
2. Each insured crop	Acreage not planted to a substitute crop.	The appraised production or the actual production, including an appraisal of corn left in the field after harvest and an appraisal of corn used for ensilage or fodder.
3. Each insured crop	Acreage put to another use without the consent of the Corporation.	Appraised production for such acreage but not less than the product of (1) such acreage and (2) the bushel equivalent of the coverage per acre on the basis of the predetermined price for the crop.
4. Each insured crop	Acreage with reduced yield due solely to cause(s) not insured against.	Appraised number of bushels by which production for such acreage has been reduced but not less than the product of (1) such acreage and (2) the applicable bushel equivalent of the coverage per acre on the basis of the predetermined price for the crop, minus the number of bushels harvested.
5. Each insured crop	Acreage with reduced yield due partially to cause(s) not insured against and partially to cause(s) insured against.	Appraised number of bushels by which production for such acreage has been reduced because of cause(s) not insured against.

[1] Production shall be in bushels for all crops.

(b) If production from two or more insurance units is commingled and the insured fails to establish and maintain separate acreage and production records satisfactory to the Corporation, the Corporation may allocate the commingled production between the units involved in any manner it deems appropriate or void the insurance on the insurance units involved and declare the premium(s) for such units forfeited by the insured. If production from uninsured acreage and insured acreage is commingled and the insured fails to establish and maintain separate acreage and production records satisfactory to the Corporation, all such production which is commingled shall be considered to have been produced on the insured acreage or the Corporation may void the insurance on the insurance unit(s) involved and declare the premium(s) for such unit(s) forfeited by the insured.

7. *Date table.*
Discount date: June 30.
Maturity date: July 31.
Interest date: October 31.
Cancellation date: February 28.

8. *Definitions.* Notwithstanding the provisions of Section 13 of the policy, in any case where a share tenant rents land for a share of the crop and rents other land owned by the same person for cash, for a fixed commodity payment, or for other consideration, all such land which is planted to insurable crops shall constitute an insurance unit except in cases where a combination unit is in effect for the crop year.

9. *Reduction of premium based on good experience.* The insured's annual premium for any year may be reduced 25 percent if he has had seven consecutive years of insured crop(s) under a Federal Crop Insurance contract without a loss for which an indemnity was paid. Credit for consecutive years of good experience under any other existing Federal Crop Insurance contract will not be transferred to the multiple crop contract if the insured is eligible to receive a premium discount based on consecutive years of good experience or based on an accumulated balance of premiums over indemnities under such existing contract. Nothing in this paragraph shall create in the insured any right to a reduced premium.

Approved: Beginning with the 1953 crop year.

[SEAL] FEDERAL CROP INSURANCE CORPORATION.

§ 420.63-10 *Winnebago County.*

RIDER NO. 1 TO THE MULTIPLE CROP INSURANCE POLICY

(Applicable in Winnebago County, Iowa, Beginning With the 1953 Crop Year)

1. *Insurable crops.* For the purpose of the multiple crop insurance program the insurable crops are:

(a) Corn normally regarded as field corn. The contract will not provide insurance for true type silage corn, corn planted thick for silage or fodder purposes, sweet corn, popcorn, broom corn, corn planted for the development of hybrid seed corn, or any type of corn other than that normally regarded as field corn.

(b) Oats planted for harvest as grain.

(c) Soybeans planted for harvest as beans.

2. *Coverage per acre.* The coverage per acre for each insured crop shall be reduced 50 percent for any acreage released by the Corporation and planted to a substitute crop.

3. *Insurance period.* Insurance shall attach at the time of planting to any insured acreage of any insured crop. Insurance shall cease with respect to any portion of the corn crop upon harvesting (picking the corn from the stalk either by hand or machine or cutting the corn for fodder or ensilage), all other insured crops upon threshing or with respect to any portion of any crop upon removal from the field, whichever is earlier. However, in no event shall insurance remain in effect (a) with respect to any crop later than the earlier of (i) the end of the normal harvest period for such crop or (ii) December 10, unless such time is extended in writing by the Corporation, and (b) with respect to any insurance unit later than the date of submission of a claim for indemnity.

4. *Predetermined price for valuing production.* In determining any loss under the contract, production of each insurable crop shall be evaluated at the predetermined price established by the Corporation for that crop and shown on the county actuarial table. The predetermined prices for the 1953 crop year are on file in the county office and for any subsequent crop year shall be on file in the county office at least 15 days prior to the cancellation date. However, any production of corn, oats, or soybeans which will not meet the latest available requirements for a Commodity Credit Corporation loan or support because of poor quality due to insurable causes, and would not meet these requirements if properly handled, shall be evaluated at a value per bushel determined by the Corporation.

5. *Released crop.* Notwithstanding any other provision of the policy any crop on any insured acreage may be released by the Corporation subject to an appraisal by the Corporation of the yield that would be realized if the crop were harvested, except that any corn may be used for ensilage or fodder without a release by the Corporation if the insured leaves a number of rows considered by the Corporation to be an adequate representative sample for appraising the yield.

6. *Amount of loss.* (a) The amount of loss with respect to any insurance unit shall be determined by (1) multiplying the insurable acreage (exclusive of any acreage to which insurance did not attach) planted to each insured crop by the applicable coverage per acre, and the result by the insured interest, and (2) subtracting from the total thereof the insured interest in the value (based on the predetermined price) of the total production on such acreage of all insured crops. However, the amount of loss so determined shall be reduced if the premium computed for the insurance unit on the basis of the acreage and interest approved by the Corporation on the acreage report is less than the premium computed for the planted acreage on the insurance unit. This reduction shall be made on the basis of the ratio of the premium computed for the acreage and interest as approved by the Corporation on the acreage report to the premium computed for the planted acreage. The total production for each insured crop on the insurance unit shall include all production determined in accordance with the production schedule below. Where any small grains are seeded with an insured growing small grain crop on acreage not released by the Corporation, all production shall be counted as the insured small grain on a weight basis. In the case of a volunteer crop produced with an insured crop, the production of such volunteer crop shall be included in determining the production of the insured crop.

The Corporation reserves the right to determine the amount of production on the basis of an appraisal of any unharvested crop standing in the field.

PRODUCTION SCHEDULE

Crop	Acreage classification	Total production [1]
1. Each insured crop...	Acreage released by the Corporation and planted to a substitute crop.	That portion of the appraised production for such acreage which is in excess of the number of bushels determined by (1) subtracting the total coverage for such acreage from what the total coverage for such acreage would be if it were not planted to a substitute crop, and (2) dividing the result thus obtained by the predetermined price for the crop.
2. Each insured crop...	Acreage not planted to a substitute crop.	The appraised production or the actual production, including an appraisal of corn left in the field after harvest and an appraisal of corn used for ensilage or fodder.
3. Each insured crop....	Acreage put to another use without the consent of the Corporation.	Appraised production for such acreage but not less than the product of (1) such acreage and (2) the bushel equivalent of the coverage per acre on the basis of the predetermined price for the crop.
4. Each insured crop...	Acreage with reduced yield due solely to cause(s) not insured against.	Appraised number of bushels by which production for such acreage has been reduced but not less than the product of (1) such acreage and (2) the applicable bushel equivalent of the coverage per acre on the basis of the predetermined price for the crop, minus the number of bushels harvested.
5. Each insured crop...	Acreage with reduced yield due partially to cause(s) not insured against and partially to cause(s) insured against.	Appraised number of bushels by which production for such acreage has been reduced because of cause(s) not insured against.

[1] Production shall be in bushels for all crops.

(b) If production from two or more insurance units is commingled and the insured fails to establish and maintain separate acreage and production records satisfactory to the Corporation, the Corporation may allocate the commingled production between the units involved in any manner it deems appropriate or void the insurance on the insurance units involved and declare the premium(s) for such units forfeited by the insured. If production from uninsured acreage and insured acreage is commingled and the insured fails to establish and maintain separate acreage and production records satisfactory to the Corporation, all such production which is commingled shall be considered to have been produced on the insured acreage or the Corporation may void the insurance on the insurance unit(s) involved and declare the premium(s) for such unit(s) forfeited by the insured.

7. *Date table.*
Discount date: June 30.
Maturity date: July 31.
Interest date: October 31.
Cancellation date: February 28.

8. *Definitions.* Notwithstanding the provisions of Section 13 of the policy, in any case where a share tenant rents land for a share of the crop and rents other land owned by the same person for cash, for a fixed commodity payment, or for other consideration, all such land which is planted to insurable crops shall constitute an insurance unit except in cases where a combination unit is in effect for the crop year.

9. *Reduction of premium based on good experience.* The insured's annual premium for any year may be reduced 25 percent if he has had seven consecutive years of insured crop(s) under a Federal Crop Insurance contract without a loss for which an indemnity was paid. Credit for consecutive years of good experience under any other existing Federal Crop Insurance contract will not be transferred to the multiple crop contract if the insured is eligible to receive a premium discount based on consecutive years of good experience or based on an accumulated balance of premiums over indemnities under such existing contract. Nothing in this paragraph shall create in the insured any right to a reduced premium.

Approved: Beginning with the 1953 crop year.

[SEAL] FEDERAL CROP INSURANCE CORPORATION.

§ 420.63-11 *Worth County.*

RIDER NO. 1 TO THE MULTIPLE CROP INSURANCE POLICY

(Applicable in Worth County, Iowa, Beginning With the 1953 Crop Year)

1. *Insurable crops.* For the purpose of the multiple crop insurance program the insurable crops are:

(a) Corn normally regarded as field corn. The contract will not provide insurance for true type silage corn, corn planted thick for silage or fodder purposes, sweet corn, popcorn, broom corn, corn planted for the development of hybrid seed corn, or any type of corn other than that normally regarded as field corn.

(b) Oats planted for harvest as grain.

(c) Soybeans planted for harvest as beans.

2. *Coverage per acre.* The coverage per acre for each insured crop shall be reduced 50 percent for any acreage released by the Corporation and planted to a substitute crop.

3. *Insurance period.* Insurance shall attach at the time of planting to any insured acreage of any insured crop. Insurance shall cease with respect to any portion of the corn crop upon harvesting (picking the corn from the stalk either by hand or machine or cutting the corn for fodder or ensilage), all other insured crops upon threshing or with respect to any portion of any crop upon removal from the field, whichever is earlier. However, in no event shall insurance remain in effect (a) with respect to any crop later than the earlier of (i) the end of the normal harvest period for such crop or (ii) December 10, unless such time is extended in writing by the Corporation, and (b) with respect to any insurance unit later than the date of submission of a claim for indemnity.

4. *Protection against loss of quality.* In determining any loss under the contract, production of each insurable crop shall be evaluated at the predetermined price established by the Corporation for that crop and shown on the county actuarial table. However, any production of corn, oats, or soybeans which will not meet the latest available requirements for a Commodity Credit Corporation loan or support because of poor quality due to insurable causes, and would not meet these requirements if properly handled, shall be evaluated at a value per unit determined by the Corporation.

5. *Released crop.* Notwithstanding any other provision of the policy any crop on any insured acreage may be released by the Corporation subject to an appraisal by the Corporation of the yield that would be realized if the crop were harvested, except that any corn may be used for ensilage or fodder without a release by the Corporation if the insured leaves a number of rows considered by the Corporation to be an adequate representative sample for appraising the yield.

6. *Amount of loss.* (a) The amount of loss with respect to any insurance unit shall be determined by (1) multiplying the insurable acreage (exclusive of any acreage to which insurance did not attach) planted to each insured crop by the applicable coverage per acre, and the result by the insured interest, and (2) subtracting from the total thereof the insured interest in the value (based on the predetermined price) of the total production on such acreage of all insured crops. However, the amount of loss so determined shall be reduced if the premium computed for the insurance unit on the basis of the acreage and interest approved by the Corporation on the acreage report is less than the premium computed for the planted acreage on the insurance unit. This reduction shall be made on the basis of the ratio of the premium computed for the acreage and interest as approved by the Corporation on the acreage report to the premium computed for the planted acreage. The total production for each insured crop on the insurance unit shall include all production determined in accordance with the production schedule below. Where any small grains are seeded with an insured growing small grain crop on acreage not released by the Corporation, all production shall be counted as the insured small grain on a weight basis. In the case of a volunteer crop produced with an insured crop, the production of such volunteer crop shall be included in determining the production of the insured crop.

The Corporation reserves the right to determine the amount of production on the basis of an appraisal of any unharvested crop standing in the field.

PRODUCTION SCHEDULE

Crop	Acreage classification	Total production [1]
1. Each insured crop...	Acreage released by the Corporation and planted to a substitute crop.	That portion of the appraised production for such acreage which is in excess of the number of bushels determine by (1) subtracting the total coverage for such acreage from what the total coverage for such acreage would be if it were not planted to a substitute crop, and (2) dividing the result thus obtained by the predetermined price for the crop.
2. Each insured crop...	Acreage not planted to a substitute crop.	The appraised production or the actual production, including an appraisal of corn left in the field after harvest and an appraisal of corn used for ensilage or fodder.
3. Each insured crop...	Acreage put to another use without the consent of the Corporation.	Appraised production for such acreage but not less than the product of (1) such acreage and (2) the bushel equivalent of the coverage per acre on the basis of the predetermined price for the crop.
4. Each insured crop...	Acreage with reduced yield due solely to cause(s) not insured against.	Appraised number of bushels by which production for such acreage has been reduced but not less than the product of (1) such acreage and (2) the applicable bushel equivalent of the coverage per acre on the basis of the predetermined price for the crop, minus the number of bushels harvested.
5. Each insured crop...	Acreage with reduced yield due partially to cause(s) not insured against and partially to cause(s) insured against.	Appraised number of bushels by which production for such acreage has been reduced because of cause(s) not insured against.

[1] Production shall be in bushels for all crops.

(b) If production from two or more insurance units is commingled and the insured fails to establish and maintain separate acreage and production records satisfactory to the Corporation, the Corporation may allocate the commingled production between the units involved in any manner it deems appropriate or void the insurance on the insurance units involved and declare the premium(s) for such units forfeited by the insured. If production from uninsured acreage and insured acerage is commingled and the insured fails to establish and maintain separate acreage and production records satisfactory to the Corporation, all such production which is commingled shall be considered to have been produced on the insured acreage or the Corporation may void the insurance on the insurance unit(s) involved and declare the premium(s) for such unit(s) forfeited by the insured.

7. *Date table.*

Discount date: June 30.
Maturity date: July 31.
Interest date: October 31.
Cancellation date: February 28.

8. *Definitions.* Notwithstanding the provisions of Section 13 of the policy, in any case where a share tenant rents land for a share of the crop and rents other land owned by the same person for cash, for a fixed commodity payment, or for other consideration, all such land which is planted to insurable crops shall constitute an insurance unit except in cases where a combination unit is in effect for the crop year.

Approved: Beginning with the 1953 crop year.

[SEAL] FEDERAL CROP INSURANCE CORPORATION.

§ 420.66 *Louisiana.*

§ 420.66-2 *St. Landry Parish.*

RIDER NO. 1 TO THE MULTIPLE CROP INSURANCE POLICY

(Applicable in St. Landry Parish, La., Beginning With the 1953 Crop Year)

1. *Insurable crops.* For the purpose of the multiple crop insurance program the insurable crops are:

(a) Cotton, restricted to American upland cotton and not including cotton planted primarily for experimental purposes.

(b) Rice planted for harvest.

(c) Sugarcane, including acreage harvested for seed, and excluding (i) acreage of less than one acre on an insurance unit and (ii) acreage on which three successive crops have been harvested from one planting.

2. *Coverage per acre.* (a) The coverage per acre for each insured crop, except cotton, shall be reduced 50 percent for any acreage released by the Corporation and planted to a substitute crop.

(b) The coverage per acre for cotton shall be reduced as follows: (1) 60 percent for any acreage which is released by the Corporation because of damage occurring prior to laying by the crop, and (2) 25 percent for any acreage on which the crop is laid by and not harvested.

3. *Insurance period.* Insurance shall attach at the time of planting to any insured acreage of any insured crop. Insurance shall cease with respect to any portion of the cotton crop upon picking, the rice crop upon threshing, the sugarcane crop upon cutting, or with respect to any portion of any crop upon removal from the field, whichever is earlier. However, in no event shall insurance remain in effect (a) with respect to any crop later than the earlier of (i) the end of the normal harvest period for such crop or (ii) December 10 (January 31 following the normal time of harvest for sugarcane) unless such time is extended in writing by the Corporation, and (b) with respect to any insurance unit later than the date of submission of a claim for indemnity.

4. *Predetermined price for valuing production.* In determining any loss under the contract, production of each insurable crop shall be evaluated at the predetermined price established by the Corporation for that crop and shown on the county actuarial table. The predetermined prices for the 1953 crop year are on file in the county office and for any subsequent crop year shall be on file in the county office at least 15 days prior to the cancellation date. However, any production of rice which will not meet the latest available requirements for a Commodity Credit Corporation loan or support because of poor quality due to insurable causes, and would not meet these requirements if properly handled, shall be evaluated at a value per unit determined by the Corporation.

5. *Released crop.* Notwithstanding any other provision of the policy any crop on any insured acreage may be released by the Corporation subject to an appraisal by the Corporation of the yield that would be realized if the crop were harvested.

6. *Amount of loss.* (a) The amount of loss with respect to any insurance unit shall be determined by (1) multiplying the insurable acreage (exclusive of any acreage to which insurance did not attach) planted to each insured crop by the applicable coverage per acre, and the result by the insured interest, and (2) subtracting from the total thereof the insured interest in the value (based on the predetermined price) of the total production on such acreage of all insured crops. However, the amount of loss so determined shall be reduced if the premium computed for the insurance unit on the basis of the acreage and interest approved by the Corporation on the acreage report is less than the premium computed for the planted acreage on the insurance unit. This reduction shall be made on the basis of the ratio of the premium computed for the acreage and interest as approved by the Corporation on the acreage report to the premium computed for the planted acreage. The total production for each insured crop on the insurance unit shall include all production determined in accordance with the production schedule below.

The Corporation reserves the right to determine the amount of production on the basis of an appraisal of any unharvested crop standing in the field.

PRODUCTION SCHEDULE

Crop	Acreage classification	Total production [1]
1. Each insured crop except cotton.	Acreage released by the Corporation and planted to a substitute crop.	That portion of the appraised production for such acreage which is in excess of the number of pounds or tons determined by (1) subtracting the total coverage for such acreage from what the total coverage for such acreage would be if it were not planted to a substitute crop, and (2) dividing the result thus obtained by the predetermined price for the crop.
2. Each insured crop except cotton.	Acreage not planted to a substitute crop.	The appraised production or the actual production.
3. Cotton	Acreage released by the Corporation because of damage occurring prior to laying by the crop.	That portion of the appraised production for such acreage which is in excess of the number of pounds determined by (1) subtracting the total coverage for such acreage from what the total coverage for such acreage would be if it were harvested and (2) dividing the result thus obtained by the predetermined price.
4. Cotton	Acreage on which the crop is laid by and not harvested.	That portion of the appraised production for such acreage which is in excess of the number of pounds determined by (1) subtracting the total coverage for such acreage from what the total coverage for such acreage would be if it were harvested and (2) dividing the result thus obtained by the predetermined price.
5. Cotton	Acreage harvested	Production, including an appraisal of production left in the field after harvest.
6. Each insured crop	Acreage put to another use without the consent of the Corporation.	Appraised production for such acreage but not less than the product of (1) such acreage and (2) the pound or ton equivalent of the coverage per acre on the basis of the predetermined price for the crop.
7. Each insured crop	Acreage with reduced yield due solely to cause(s) not insured against.	Appraised number of pounds or tons by which production for such acreage has been reduced but not less than the product of (1) such acreage and (2) the applicable pound or ton equivalent of the coverage per acre on the basis of the predetermined price for the crop, minus the number of bushels, pounds, or tons harvested.
8. Each insured crop	Acreage with reduced yield due partially to cause(s) not insured against and partially to cause(s) insured against.	Appraised number of pounds or tons by which production for such acreage has been reduced because of cause(s) not insured against.

[1] Production shall be in pounds for cotton and rice, and tons (rounded to tenths), for sugarcane. If any part of the sugarcane production from the insurance unit is processed for sugar, the total number of tons of sugarcane shall be adjusted to standard sugarcane (as determined in accordance with regulations issued by the U. S. Department of Agriculture for the crop year involved.)

Notwithstanding the other provisions of this paragraph (a) regarding the determination of the total production of cotton, in any case where the quality of any cotton production is reduced solely by insured causes to the extent that the value per pound, as determined by the Corporation, is less than 75 percent of the predetermined price, the number of pounds of such poor quality cotton shall be adjusted downward to the number of pounds obtained by dividing the total value of such cotton, as determined by the Corporation, by 75 percent of the predetermined price.

(b) If production from two or more insurance units is commingled and the insured fails to establish and maintain separate acreage and production records satisfactory to the Corporation, the Corporation may allocate the commingled production between the units involved in any manner it deems appropriate or void the insurance on the insurance units involved and declare the premium(s) for such units forfeited by the insured. If production from uninsured acreage and insured acreage is commingled and the insured fails to establish and maintain separate acreage and production records satisfactory to the Corporation, all such production which is commingled shall be considered to have been produced on the insured acreage or the Corporation may void the insurance on the insurance unit(s) involved and declare the premium(s) for such unit(s) forfeited by the insured.

7. *Date table.*

Discount date: June 30.
Maturity date: July 31.
Interest date: October 31.
Cancellation date: February 28.

8. *Definitions.* (a) "County" means Parish in Louisiana.

(b) "Flood" as a cause of loss insured against shall not include damage caused by the use or overflow of the Atchafalaya River Spillway.

(c) For all purposes under the contract sugarcane for harvest within the crop year shall be considered to have been planted as follows: (1) the first crop from seed, on the date the planting operation is actually accomplished, and (2) second and third year crops on November 1 preceding the calendar year in which the crop is normally harvested.

(d) In addition to the causes of loss not insured against as stated in Section 8 of the policy, the contract also will not cover loss of the rice crop due to a shortage of irrigation water where the acreage planted to rice is in excess of the acreage which could be irrigated properly with the irrigation facilities available and with a supply of irrigation water which reasonably could be expected.

(e) In addition to the provisions of Section 13 of the policy, any share of an insured crop paid or to be paid for irrigation water shall be considered for the purpose of determining insurance units only as a part of the share of the insured.

(f) "Harvest" with respect to any acreage of cotton means the removal (by manual or mechanical means) of an amount of cotton from the stalk which is equal in value (based on the predetermined price) to 10 percent or more of the coverage for such acreage.

9. *Reduction of premium based on good experience.* The insured's annual premium for any year may be reduced 25 percent if he has had seven consecutive years of insured crop(s) under a Federal Crop Insurance contract without a loss for which an indemnity was paid. Credit for consecutive years of good experience under any other existing Federal Crop Insurance contract will not be transferred to the multiple crop contract if the insured is eligible to receive a premium discount based on consecutive years of good experience or based on an accumulated balance of premiums over indemnities under such existing contract. Nothing in this paragraph shall create in the insured any right to a reduced premium.

Approved: Beginning with the 1953 crop year.

[SEAL] FEDERAL CROP INSURANCE CORPORATION.

§ 420.71 *Minnesota.*

§ 420.71-11 *Faribault County.*

RIDER NO. 1 TO THE MULTIPLE CROP INSURANCE POLICY

(Applicable in Faribault County, Minn., Beginning With the 1953 Crop Year)

1. *Insurable crops.* For the purpose of the multiple crop insurance program the insurable crops are:

(a) Barley planted for harvest as grain.

(b) Corn normally regarded as field corn. The contract will not provide insurance for true type silage corn, corn planted thick for silage or fodder purposes, sweet corn, popcorn, broom corn, corn planted for the development of hybrid seed corn, or any type of corn other than that normally regarded as field corn.

(c) Flax planted for harvest as seed.

(d) Oats planted for harvest as grain.

(e) Soybeans planted for harvest as beans.

(f) Mixtures of insurable small grains and mixtures of flax and insurable small grains planted for harvest as grain or seed.

2. *Coverage per acre.* The coverage per acre for each insured crop shall be reduced 50 percent for any acreage released by the Corporation and planted to a substitute crop.

3. *Determining coverage(s) and premium(s) for mixtures.* (a) If a mixture of insurable crops is planted the coverage of the predominant crop shall apply.

(b) For the purpose of determining the premium, any acreage of a mixture of insurable crops shall be considered as acreage of the predominant crop.

4. *Insurance period.* Insurance shall attach at the time of planting to any insured acreage of any insured crop. Insurance shall cease with respect to any portion of the corn crop upon harvesting (picking the corn from the stalk either by hand or machine or cutting the corn for fodder or ensilage), all other insured crops upon threshing, or with respect to any portion of any crop upon removal from the field, whichever is earlier. However, in no event shall insurance remain in effect (a) with respect to any crop later than the earlier of (i) the end of the normal harvest period for such crop or (ii) December 10, unless such time is extended in writing by the Corporation, and (b) with respect to any insurance unit later than the date of submission of a claim for indemnity.

5. *Protection against loss of quality.* In determining any loss under the contract, production of each insurable crop shall be evaluated at the predetermined price established by the Corporation for that crop and shown on the county actuarial table. However, any production of barley, corn, flax, oats or soybeans, which will not meet the latest available requirements for a Commodity Credit Corporation loan or support because of poor quality due to insurable causes, and would not meet these requirements if properly handled, shall be evaluated at a value per unit determined by the Corporation.

6. *Released crop.* Notwithstanding any other provision of the policy any crop on any insured acreage may be released by the Corporation subject to an appraisal by the Corporation of the yield that would be realized if the crop were harvested, except that any corn may be used for ensilage or fodder without a release by the Corporation if the insured leaves a number of rows considered by the Corporation to be an adequate representative sample for appraising the yield.

7. *Amount of loss.* (a) The amount of loss with respect to any insurance unit shall be determined by (1) multiplying the insurable acreage (exclusive of any acreage to which insurance did not attach) planted to each insured crop by the applicable coverage per acre and the result by the insured interest, and (2) subtracting from the total thereof the insured interest in the value (based on the predetermined price) of the total production on such acreage of all insured crops. However, the amount of loss so determined shall be reduced if the premium computed for the insurance unit on the basis of the acreage and interest approved by the Corporation on the acreage report is less than the premium computed for the planted acreage on the insurance unit. This reduction shall be made on the basis of the ratio of the premium computed for the acreage and interest as approved by the Corporation on the acreage report to the premium computed for the planted acreage. The total production for each insured crop on the insurance unit shall include all production determined in accordance with the production schedule below. In determining production on acreage where a mixture of flax and an insurable small grain is insured, the production of each commodity shall be determined and handled separately. In determining production on acreage where a mixture of insurable small grains (excluding flax) is insured, all production shall be counted as the predominant small grain on a weight basis. Where any small grains are seeded with an insured growing small grain crop on acreage not released by the Corporation, all production shall be counted as the insured small grain on a weight basis. In the case of a volunteer crop produced with an insured crop, the production of such volunteer crop shall be included in determining the production of the insured crop.

The Corporation reserves the right to determine the amount of production on the basis of an appraisal of any unharvested crop standing in the field.

PRODUCTION SCHEDULE

Crop	Acreage classification	Total production [1]
1. Each insured crop...	Acreage released by the Corporation and planted to a substitute crop.	That portion of the appraised production for such acreage which is in excess of the number of bushels determined by (1) subtracting the total coverage for such acreage from what the total coverage for such acreage would be if it were not planted to a substitute crop, and (2) dividing the result thus obtained by the predetermined price for the crop.
2. Each insured crop...	Acreage not planted to a substitute crop.	The appraised production or the actual production, including an appraisal of corn left in the field after harvest and an appraisal of corn used for ensilage or fodder.
3. Each insured crop...	Acreage put to another use without the consent of the Corporation.	Appraised production for such acreage but not less than the product of (1) such acreage and (2) the bushel equivalent of the coverage per acre on the basis of the predetermined price for the crop.
4. Each insured crop...	Acreage with reduced yield due solely to cause(s) not insured against.	Appraised number of bushels by which production for such acreage has been reduced but not less than the product of (1) such acreage and (2) the applicable bushel equivalent of the coverage per acre on the basis of the predetermined price for the crop, minus the number of bushels harvested.
5. Each insured crop...	Acreage with reduced yield due partially to cause(s) not insured against and partially to cause(s) insured against.	Appraised number of bushels by which production for such acreage has been reduced because of cause(s) not insured against.

[1] Production shall be in bushels for all crops.

(b) If production from two or more insurance units is commingled and the insured fails to establish and maintain separate acreage and production records satisfactory to the Corporation, the Corporation may allocate the commingled production between the units involved in any manner it deems appropriate or void the insurance on the insurance units involved and declare the premium(s) for such units forfeited by the insured. If production from uninsured acreage and insured acreage is commingled and the insured fails to establish and maintain separate acreage and production records satisfactory to the Corporation, all such production which is commingled shall be considered to have been produced on the insured acreage or the Corporation may void the insurance on the insurance unit(s) involved and declare the premium(s) for such unit(s) forfeited by the insured.

8. *Date table.*

Discount date: June 30.
Maturity date: July 31.
Interest date: October 31.
Cancellation date: February 28.

Approved: Beginning with the 1953 crop year.

[SEAL] FEDERAL CROP INSURANCE CORPORATION.

§ 420.80 *New York.*

§ 420.80-2 *Steuben County.*

RIDER NO. 1 TO THE MULTIPLE CROP INSURANCE POLICY

(Applicable in Steuben County, N. Y., Beginning With the 1953 Crop Year)

1. *Insurable crops.* For the purpose of the multiple crop insurance program the insurable crops are:

(a) Corn planted for grain or silage but not including sweet corn, popcorn, broom corn, or corn planted for the development of hybrid seed corn.

(b) Dry edible beans (pea, medium white, red kidney, and white marrow).

(c) Oats (spring only) planted for harvest as grain.

(d) Potatoes (excluding acreage of less than one acre on an insurance unit) commonly known as Irish potatoes.

(e) Winter wheat planted for harvest as grain. (Insurance on wheat to attach the first crop year of the contract only if the application is filed on or before December 15 preceding the calendar year in which the crop for that crop year is normally harvested.)

2. *Coverage per acre.* The coverage per acre for each insured crop shall be reduced 50 percent for any acreage released by the Corporation and planted to a substitute crop.

3. *Insurance period.* Insurance shall attach at the time of planting to any insured acreage of any insured crop. Insurance shall cease with respect to any portion of the corn crop upon harvesting (picking the corn from the stalk either by hand or machine or cutting the corn for silage), the potato crop upon digging, all other insured crops upon threshing, or with respect to any portion of any crop upon removal from the field, whichever is earlier. However, in no event shall insurance remain in effect (a) with respect to any crop later than the earlier of (i) the end of the normal harvest period for such crop or (ii) December 10, unless such time is extended in writing by the Corporation, and (b) with respect to any insurance unit later than the date of submission of a claim for indemnity.

4. *Protection against loss of quality.* In determining any loss under the contract, production of each insurable crop shall be evaluated at the predetermined price established by the Corporation for that crop and shown on the county actuarial table. However, any production of corn (as set forth below), oats, potatoes, or wheat which will not meet the latest available requirements for a Commodity Credit Corporation loan or support because of poor quality due to insurable causes, and would not meet these requirements if properly handled, shall be evaluated at a value per unit determined by the Corporation. In order for corn to be so evaluated for poor quality it must be a variety of corn adapted to the production of corn for grain and must be harvested as grain. In order to provide quality protection on dry edible beans, production of beans shall be determined on the basis of sound whole beans.

5. *Released crop.* Notwithstanding any other provision of the policy any crop on any insured acreage may be released by the Corporation subject to an appraisal by the Corporation of the yield that would be realized if the crop were harvested.

6. *Amount of loss.* (a) The amount of loss with respect to any insurance unit shall be determined by (1) multiplying the insurable acreage (exclusive of any acreage to which insurance did not attach) planted to each insured crop by the applicable coverage per acre, and the result by the insured interest, and (2) subtracting from the total thereof the insured interest in the value (based on the predetermined price) of the total production on such acreage of all insured crops. However, the amount of loss so determined shall be reduced if the premium computed for the insurance unit on the basis of the acreage and interest approved by the Corporation on the acreage report is less than the premium computed for the planted acreage on the insurance unit. This reduction shall be made on the basis of the ratio of the premium computed for the acreage and interest as approved by the Corporation on the acreage report to the premium computed for the planted acreage. The total production for each insured crop on the insurance unit shall include all production determined in accordance with the production schedule below. Production of corn shall be counted as grain, except that production for any corn harvested for silage and the appraised production for any true type silage corn and corn planted thick for silage but not harvested as silage shall be counted as corn silage. Where any small grains are seeded with an insured growing small grain crop on acreage not released by the Corporation, all production shall be counted as the insured small grain on a weight basis. In the case of a volunteer crop produced with an insured crop, the production of such volunteer crop shall be included in determining the production of the insured crop.

The Corporation reserves the right to determine the amount of production on the basis of an appraisal of any unharvested crop standing in the field.

PRODUCTION SCHEDULE

Crop	Acreage classification	Total production[1]
1. Each insured crop...	Acreage released by the Corporation and planted to a substitute crop.	That portion of the appraised production for such acreage which is in excess of the number of bushels, pounds, or tons determined by (1) subtracting the total coverage for such acreage from what the total coverage for such acreage would be if it were not planted to a substitute crop, and (2) dividing the result thus obtained by the predetermined price for the crop.
2. Each insured crop...	Acreage not planted to a substitute crop.	The appraised production or the actual production, including an appraisal of corn left in the field after harvest.
3. Each insured crop...	Acreage put to another use without the consent of the Corporation.	Appraised production for such acreage but not less than the product of (1) such acreage and (2) the bushel, pound, or ton equivalent of the coverage per acre on the basis of the predetermined price for the crop.
4. Each insured crop...	Acreage with reduced yield due solely to cause(s) not insured against.	Appraised number of bushels, pounds, or tons by which production for such acreage has been reduced but not less than the product of (1) such acreage and (2) the applicable bushel, pound, or ton equivalent of the coverage per acre on the basis of the predetermined price for the crop, minus the number of bushels, pounds, or tons harvested.
5. Each insured crop...	Acreage with reduced yield due partially to cause(s) not insured against and partially to cause(s) insured against.	Appraised number of bushels, pounds, or tons by which production for such acreage has been reduced because of cause(s) not insured against.

[1] Production and allowances shall be in bushels for oats and wheat, pounds for beans and potatoes, and in bushels for corn grain or in tons (rounded to tenths) for corn silage.

(b) If production from two or more insurance units is commingled and the insured fails to establish and maintain separate acreage and production records satisfactory to the Corporation, the Corporation may allocate the commingled production between the units involved in any manner it deems appropriate or void the insurance on the insurance units involved and declare the premium(s) for such units forfeited by the insured. If production from uninsured acreage and insured acreage is commingled and the insured fails to establish and maintain separate acreage and production records satisfactory to the Corporation, all such production which is commingled shall be considered to have been produced on the insured acreage or the Corporation may void the insurance on the insurance unit(s) involved and declare the premium(s) for such unit(s) forfeited by the insured.

7. *Date table.*

Discount date: June 30.
Maturity date: July 31.
Interest date: October 31.
Cancellation date: September 30.

Approved: Beginning with the 1953 crop year.

[SEAL] FEDERAL CROP INSURANCE CORPORATION.

§ 420.82 *North Dakota.*

§ 420.82-1 *Barnes County.*

RIDER NO. 1 TO THE MULTIPLE CROP INSURANCE POLICY

(Applicable in Barnes County, N. Dak., Beginning With the 1953 Crop Year)

1. *Insurable crops.* For the purpose of the multiple crop insurance program the insurable crops are:

(a) Barley planted for harvest as grain.

(b) Corn normally regarded as field corn. The contract will not provide insurance for true type silage corn, corn planted thick for silage or fodder purposes, sweet corn, popcorn, broom corn, corn planted for the development of hybrid seed corn, or any type of corn other than that normally regarded as field corn.

(c) Flax planted for harvest as seed.

(d) Oats planted for harvest as grain.

(e) Rye (winter only) planted for harvest as grain.

(f) Spring wheat planted for harvest as grain.

2. *Coverage per acre.* The coverage per acre for each insured crop shall be reduced 50 percent for any acreage released by the Corporation and planted to a substitute crop.

3. *Insurance period.* Insurance shall attach at the time of planting to any insured acreage of any insured crop. Insurance shall cease with respect to any portion of the corn crop upon harvesting (picking the corn from the stalk either by hand or machine or cutting the corn for fodder or ensilage), all other insured crops upon threshing, or with respect to any portion of any crop upon removal from the field, whichever is earlier. However, in no event shall insurance remain in effect (a) with respect to any crop later than the earlier of (i) the end of the normal harvest period for such crop or (ii) October 31, unless such time is extended in writing by the Corporation, and (b) with respect to any insurance unit later than the date of submission of a claim for indemnity.

4. *Predetermined price for valuing production.* In determining any loss under the contract, production of each insurable crop shall be evaluated at the predetermined price established by the Corporation for that crop and shown on the county actuarial

table. The predetermined prices for the 1953 crop year are on file in the county office and for any subsequent crop year shall be on file in the county office at least 15 days prior to the cancellation date. However, any production of barley, corn, flax, oats, rye, or wheat which will not meet the latest available requirements for a Commodity Credit Corporation loan or support because of poor quality due to insurable causes, and would not meet these requirements if properly handled, shall be evaluated at a value per bushel determined by the Corporation.

5. *Released crop*. Notwithstanding any other provision of the policy any crop on any insured acreage may be released by the Corporation subject to an appraisal by the Corporation of the yield that would be realized if the crop were harvested, except that any corn may be used for ensilage or fodder without a release by the Corporation if the insured leaves a number of rows considered by the Corporation to be an adequate representative sample for appraising the yield.

6. *Amount of loss*. (a) The amount of loss with respect to any insurance unit shall be determined by (1) multiplying the insurable acreage (exclusive of any acreage to which insurance did not attach) planted to each insured crop by the applicable coverage per acre, and the result by the insured interest, and (2) subtracting from the total thereof the insured interest in the value (based on the predetermined price) of the total production on such acreage of all insured crops. However, the amount of loss so determined shall be reduced if the premium computed for the insurance unit on the basis of the acreage and interest approved by the Corporation on the acreage report is less than the premium computed for the planted acreage on the insurance unit. This reduction shall be made on the basis of the ratio of the premium computed for the acreage and interest as approved by the Corporation on the acreage report to the premium computed for the planted acreage. The total production for each insured crop on the insurance until shall include all production determined in accordance with the production schedule below. However, with respect to any acreage of corn which is not or will not be harvested as corn for grain, the production shall be the appraised production of corn for grain, or the appraised or actual production of ensilage, whichever has the higher total value (on the basis of the price per bushel for corn as provided under section 4 above, or the value per ton for ensilage as determined by the Corporation): *Provided however* that, if the appraised or actual production of corn which was or could have been used for ensilage is one ton or more per acre, the value of such production shall not be less than $3.00 per acre.

Where any small grains are seeded with an insured growing small grain crop on acreage not released by the Corporation, all production shall be counted as insured small grain on a weight basis. In the case of a volunteer crop produced with an insured crop, the production of such volunteer crop shall be included in determining the production of the insured crop. The Corporation reserves the right to determine the amount of production on the basis of an appraisal of any unharvested crop standing in the field.

PRODUCTION SCHEDULE

Crop	Acreage classification	Total production [1]
1. Each insured crop	Acreage released by the Corporation and planted to a substitute crop.	That portion of the appraised production for such acreage which is in excess of the number of bushels determined by (1) subtracting the total coverage for such acreage from what the total coverage for such acreage would be if it were not planted to a substitute crop, and (2) dividing the result thus obtained by the predetermined price for the crop.
2. Each insured crop	Acreage not planted to a substitute crop.	The appraised production or the actual production including an appraisal of corn left in the field after harvest.
3. Each insured crop	Acreage put to another use without the consent of the Corporation.	Appraised production for such acreage but not less than the product of (1) such acreage and (2) the bushel equivalent of the coverage per acre on the basis of the predetermined price for the crop.
4. Each insured crop	Acreage with reduced yield due solely to cause(s) not insured against.	Appraised number of bushels by which production for such acreage has been reduced but not less than the product of (1) such acreage and (2) the applicable bushel equivalent of the coverage per acre, on the basis of the predetermined price for the crop, minus the number of bushels harvested.
5. Each insured crop	Acreage with reduced yield due partially to cause(s) not insured against and partially to cause(s) insured against.	Appraised number of bushels by which production for such acreage has been reduced because of cause(s) not insured against.

[1] Production shall be in bushels for all crops.

(b) If production from two or more insurance units is commingled and the insured fails to establish and maintain separate acreage and production records satisfactory to the Corporation, the Corporation may allocate the commingled production between the units involved in any manner it deems appropriate or void the insurance on the insurance units involved and declare the premium(s) for such units forfeited by the insured. If production for uninsured acreage and insured acreage is commingled and the insured fails to establish and maintain separate acreage and production records satisfactory to the Corporation, all such production which is commingled shall be considered to have been produced on the insured acreage or the Corporation may void the insurance on the insurance unit(s) involved and declare the premium(s) for such unit(s) forfeited by the insured.

7. *Date table*.

Discount date: June 30.
Maturity date: July 31.
Interest date: October 31.
Cancellation date: February 28.

8. *Reduction of premium based on good experience*. The insured's annual premium for any year may be reduced 25 percent if he has had seven consecutive years of insured crop(s) under a Federal Crop Insurance contract without a loss for which an indemnity was paid. Credit for consecutive years of good experience under any other existing Federal Crop Insurance contract will not be transferred to the multiple crop contract if the insured is eligible to receive a premium discount based on consecutive years of good experience or based on an accumulated balance of premiums over indemnities under such existing contract. Nothing in this paragraph shall create in the insured any right to a reduced premium.

Approved: Beginning with the 1953 crop year.

[SEAL] FEDERAL CROP INSURANCE CORPORATION.

§ 420.82-2 *Ransom County*.

RIDER NO. 1 TO THE MULTIPLE CROP INSURANCE POLICY

(Applicable in Ransom County, N. Dak., Beginning With the 1953 Crop Year)

1. *Insurable crops*. For the purpose of the multiple crop insurance program the insurable crops are:

(a) Barley planted for harvest as grain.

(b) Corn normally regarded as field corn. The contract will not provide insurance for true type silage corn, corn planted thick for silage or fodder purposes, sweet corn, popcorn, broom corn, corn planted for the development of hybrid seed corn, or any type of corn other than that normally regarded as field corn.

(c) Flax planted for harvest as seed.

(d) Oats planted for harvest as grain.

(e) Rye (winter only) planted for harvest as grain.

(f) Spring wheat planted for harvest as grain.

2. *Coverage per acre*. The coverage per acre for each insured crop shall be reduced 50 percent for any acreage released by the Corporation and planted to a substitute crop.

3. *Insurance period*. Insurance shall attach at the time of planting to any insured acreage of any insured crop. Insurance shall cease with respect to any portion of the corn crop upon harvesting (picking the corn from the stalk either by hand or machine or cutting the corn for fodder or ensilage), all other insured crops upon threshing, or with respect to any portion of any crop upon removal from the field, whichever is earlier. However, in no event shall insurance remain in effect (a) with respect to any crop later than the earlier of (i) the end of the normal harvest period for such crop or (ii) October 31, unless such time is extended in writing by the Corporation, and (b) with respect to any insurance unit later than the date of submission of a claim for indemnity.

4. *Predetermined price for valuing production*. In determining any loss under the contract, production of each insurable crop shall be evaluated at the predetermined price established by the Corporation for that crop and shown on the county actuarial table. The predetermined prices for the 1953 crop year are on file in the county office and for any subsequent crop year shall be on file in the county office at least 15 days prior to the cancellation date. However, any production of barley, corn, flax, oats, rye, or wheat which will not meet the latest available requirements for a Commodity Credit Corporation loan or support because of poor quality due to insurable causes, and would not meet these requirements if properly handled, shall be evaluated at a value per bushel determined by the Corporation.

5. *Released crop*. Notwithstanding any other provision of the policy any crop on any insured acreage may be released by the Corporation subject to an appraisal by the Corporation of the yield that would be realized if the crop were harvested, except that any corn may be used for ensilage or fodder without a release by the Corporation if the insured leaves a number of rows considered by the Corporation to be an adequate representative sample for appraising the yield.

6. *Amount of loss*. (a) The amount of loss with respect to any insurance unit shall be determined by (1) multiplying the insurable acreage (exclusive of any acreage to which insurance did not attach) planted to each insured crop by the applicable coverage per acre, and the result by the insured interest, and (2) subtracting from the total thereof the insured interest in the value (based on the predetermined price) of the total production on such acreage of all insured crops. However, the amount of loss so determined shall be reduced if the pre-

mium computed for the insurance unit on the basis of the acreage and interest approved by the Corporation on the acreage report is less than the premium computed for the planted acreage on the insurance unit. This reduction shall be made on the basis of the ratio of the premium computed for the acreage and interest as approved by the Corporation on the acreage report to the premium computed for the planted acreage. The total production for each insured crop on the insurance unit shall incluude all production determined in accordance with the production schedule below. However, with respect to any acreage of corn which is not or will not be harvested as corn for grain, the production shall be the appraised production of corn for grain, or the appraised or actual production of ensilage, whichever has the higher total value (on the basis of the price per bushel for corn as provided under section 4 above, or the value per ton for ensilage as determined by the Corporation): Provided however that, if the appraised or actual production of corn which was or could have been used for ensilage is one ton or more per acre, the value of such production shall not be less than $3.00 per acre.

Where any small grains are seeded with an insured growing small grain crop on acreage not released by the Corporation, all production shall be counted as insured small grain on a weight basis. In the case of a volunteer crop produced with an insured crop, the production of such volunteer crop shall be included in determining the production of the insured crop. The Corporation reserves the right to determine the amount of production on the basis of an appraisal of any unharvested crop standing in the field.

PRODUCTION SCHEDULE

Crop	Acreage classification	Total production [1]
1. Each insured crop...	Acreage released by the Corporation and planted to a substitute crop.	That portion of the appraised production for such acreage which is in excess of the number of bushels determined by (1) subtracting the total coverage for such acreage from what the total coverage for such acreage would be if it were not planted to a substitute crop, and (2) dividing the result thus obtained by the predetermined price for the crop.
2. Each insured crop...	Acreage not planted to a substitute crop.	The appraised production or the actual production including an appraisal of corn left in the field after harvest.
3 Each insured crop...	Acreage put to another use without the consent of the Corporation.	Appraised production for such acreage but not less than the product of (1) such acreage and (2) the bushel equivalent of the coverage per acre on the basis of the predetermined price for the crop.
4. Each insured crop...	Acreage with reduced yield due solely to cause(s) not insured against.	Appraised number of bushels by which production for such acreage has been reduced but not less than the product of (1) such acreage and (2) the applicable bushel equivalent of the coverage per acre, on the basis of the predetermined price for the crop, minus the number of bushels harvested.
5. Each insured crop....	Acreage with reduced yield due partially to cause(s) not insured against and partially to cause(s) insured against.	Appraised number of bushels by which production for such acreage has been reduced because of cause(s) not insured against.

[1] Production shall be in bushels for all crops.

(b) If production from two or more insurance units is commingled and the insured fails to establish and maintain separate acreage and production records satisfactory to the Corporation, the Corporation may allocate the commingled production between the units involved in any manner it deems appropriate or void the insurance on the insurance units involved and declare the premium(s) for such units forfeited by the insured. If production for uninsured acreage and insured acreage is commingled and the insured fails to establish and maintain separate acreage and production records satisfactory to the Corporation, all such production which is commingled shall be considered to have been produced on the insured acreage or the Corporation may void the insurance on the insurance unit(s) involved and declare the premium(s) for such unit(s) forfeited by the insured.

7. *Date table.*

Discount date: June 30.
Maturity date: July 31.
Interest date: October 31.
Cancellation date: February 28.

8. *Reduction of premium based on good experience.* The insured's annual premium for any year may be reduced 25 percent if he has had seven consecutive years of insured crop(s) under a Federal Crop Insurance contract without a loss for which an indemnity was paid. Credit for consecutive years of good experience under any other existing Federal Crop Insurance contract will not be transferred to the multiple crop contract if the insured is eligible to receive a premium discount based on consecutive years of good experience or based on an accumulated balance of premiums over indemnities under such existing contract. Nothing in this paragraph shall create in the insured any right to a reduced premium.

Approved: Beginning with the 1953 crop year.

[SEAL] FEDERAL CROP INSURANCE CORPORATION.

§ 420.82-3 *Sargent County.*

RIDER NO. 1 TO THE MULTIPLE CROP INSURANCE POLICY

(Applicable in Sargent County, N. Dak., Beginning With the 1953 Crop Year)

1. *Insurable crops.* For the purpose of the multiple crop insurance program the insurable crops are:

(a) Barley planted for harvest as grain.

(b) Corn normally regarded as field corn. The contract will not provide insurance for true type silage corn, corn planted thick for silage or fodder purposes, sweet corn, popcorn, broom corn, corn planted for the development of hybrid seed corn, or any type of corn other than that normally regarded as field corn.

(c) Flax planted for harvest as seed.

(d) Oats planted for harvest as grain.

(e) Rye (winter only) planted for harvest as grain.

(f) Spring wheat planted for harvest as grain.

2. *Coverage per acre.* The coverage per acre for each insured crop shall be reduced 50 percent for any acreage released by the Corporation and planted to a substitute crop.

3. *Insurance period.* Insurance shall attach at the time of planting to any insured acreage of any insured crop. Insurance shall cease with respect to any portion of the corn crop upon harvesting (picking the corn from the stalk either by hand or machine or cutting the corn for fodder or ensilage), all other insured crops upon threshing, or with respect to any portion of any crop upon removal from the field, whichever is earlier. However, in no event shall insurance remain in effect (a) with respect to any crop later than the earlier of (i) the end of the normal harvest period for such corp or (ii) October 31, unless such time is extended in writing by the Corporation, and (b) with respect to any insurance unit later than the date of submission of a claim for indemnity.

4. *Predetermined price for valuing production.* In determining any loss under the contract, production of each insurable crop shall be evaluated at the predetermined price established by the Corporation for that crop and shown on the country actuarial table. The predetermined prices for the 1953 crop year are on file in the county office and for any subsequent crop year shall be on file in the county office at least 15 days prior to the cancellation date. However, any production of barley, corn, flax, oats, rye, or wheat which will not meet the latest available requirements for a Commodity Credit Corporation loan or support because of poor quality due to insurable causes, and would not meet these requirements if properly handled, shall be evaluated at a value per bushel determined by the Corporation.

5. *Released crop.* Notwithstanding any other provision of the policy any crop on any insured acreage may be released by the Corporation subject to an appraisal by the Corporation of the yield that would be realized if the crop were harvested, except that any corn may be used for ensilage or fodder without a release by the Corporation if the insured leaves a number of rows considered by the Corporation to be an adequate representative sample for appraising the yield.

6. *Amount of loss.* (a) The amount of loss with respect to any insurance unit shall be determined by (1) multiplying the insurable acreage (exclusive of any acreage to which insurance did not attach) planted to each insured crop by the applicable coverage per acre, and the result by the insured interest, and (2) subtracting from the total thereof the insured interest in the value (based on the predetermined price) of the total production on such acreage of all insured crops. However, the amount of loss so determined shall be reduced if the premium computed for the insurance unit on the basis of the acreage and interest approved by the Corporation on the acreage report is less than the premium computed for the planted acreage on the insurance unit. This reduction shall be made on the basis of the ratio of the premium computed for the acreage and interest as approved by the Corporation on the acreage report to the premium computed for the planted acreage. The total production for each insured crop on the insurance unit shall include all production determined in accordance with the production schedule below. However, with respect to any acreage of corn which is not or will not be harvested as corn for grain, the production shall be the appraised production of corn for grain, or the appraised or actual production of ensilage, whichever has the higher total value (on the basis of the price per bushel for corn as provided under section 4 above, or the value per ton for ensilage as determined by the Corporation): Provided however that, if the appraised or actual production of corn which was or could have been used for ensilage is one ton or more per acre, the value of such production shall not be less than $3.00 per acre.

Where any small grains are seeded with an insured growing small grain crop on acreage not released by the Corporation, all production shall be counted as insured small grain on a weight basis. In the case of a volunteer crop produced with an insured crop, the production of such volunteer crop shall be included in determining the production of the insured crop. The Corporation reserves the right to determine the amount of production on the basis of an appraisal of any unharvested crop standing in the field.

PRODUCTION SCHEDULE

Crop	Acreage classification	Total production [1]
1. Each insured crop...	Acreage released by the Corporation and planted to a substitute crop.	That portion of the appraised production for such acreage which is in excess of the number of bushels determined by (1) subtracting the total coverage for such acreage from what the total coverage for such acreage would be if it were not planted to a substitute crop, and (2) dividing the result thus obtained by the predetermined price for the crop.
2. Each insured crop...	Acreage not planted to a substitute crop.	The appraised production or the actual production including an appraisal of corn left in the field after harvest.
3. Each insured crop...	Acreage put to another use without the consent of the Corporation.	Appraised production for such acreage but not less than the product of (1) such acreage and (2) the bushel equivalent of the coverage per acre on the basis o. the predetermined price for the crop.
4. Each insured crop...	Acreage with reduced yield due solely to cause(s) not insured against.	Appraised number of bushels by which production for such acreage has been reduced but not less than the product of (1) such acreage and (2) the applicable bushel equivalent of the coverage per acre, on the basis of the predetermined price for the crop, minus the number of bushels harvested.
5. Each insured crop...	Acreage with reduced yield due partially to cause(s) not insured against and partially to cause(s) insured against.	Appraised number of bushels by which production for such acreage has been reduced because of cause(s) not insured against.

[1] Production shall be in bushels for all crops.

(b) If production from two or more insurance units is commingled and the insured fails to establish and maintain separate acreage and production records satisfactory to the Corporation, the Corporation may allocate the commingled production between the units involved in any manner it deems appropriate or void the insurance on the insurance units involved and declare the premium(s) for such units forfeited by the insured. If production for uninsured acreage and insured acreage is commingled and the insured fails to establish and maintain separate acreage and production records satisfactory to the Corporation, all such production which is commingled shall be considered to have been produced on the insured acreage or the Corporation may void the insurance on the insurance unit(s) involved and declare the premium(s) for such unit(s) forfeited by the insured.

7. *Date table.*

Discount date: June 30.
Maturity date: July 31.
Interest date: October 31.
Cancellation date: February 28.

8. *Reduction of premium based on good experience.* The insured's annual premium for any year may be reduced 25 percent if he has had seven consecutive years of insured crop(s) under a Federal Crop Insurance contract without a loss for which an indemnity was paid. Credit for consecutive years of good experience under any other existing Federal Crop Insurance contract will not be transferred to the multiple crop contract if the insured is eligible to receive a premium discount based on consecutive years of good experience or based on an accumulated balance of premiums over indemnities under such existing contract. Nothing in this paragraph shall create in the insured any right to a reduced premium.

Approved: Beginning with the 1953 crop year.

[SEAL] FEDERAL CROP INSURANCE CORPORATION.

§ 420.82-4 *Dickey County.*

RIDER NO. 1 TO THE MULTIPLE CROP INSURANCE POLICY

(Applicable in Dickey County, N. Dak., Beginning With the 1953 Crop Year)

1. *Insurable crops.* For the purpose of the multiple crop insurance program the insurable crops are:

(a) Barley planted for harvested as grain.

(b) Corn normally regarded as field corn. The contract will not provide insurance for true type silage corn, corn planted thick for silage or fodder purposes, sweet corn, popcorn, broom corn, corn planted for the development of hybrid seed corn, or any type of corn other than that normally regarded as field corn.

(c) Flax planted for harvest as seed.

(d) Oats planted for harvest as grain.

(e) Rye (winter only) planted for harvest as grain.

(f) Spring wheat planted for harvest as grain.

2. *Coverage per acre.* The coverage per acre for each insured crop shall be reduced 50 percent for any acreage released by the Corporation and planted to a substitute crop.

3. *Insurance period.* Insurance shall attach at the time of planting to any insured acreage of any insured crop. Insurance shall cease with respect to any portion of the corn crop upon harvesting (picking the corn from the stalk either by hand or machine or cutting the corn for fodder or ensilage), all other insured crops upon threshing, or with respect to any portion of any crop upon removal from the field, whichever is earlier. However, in no event shall insurance remain in effect (a) with respect to any crop later than the earlier of (i) the end of the normal harvest period for such crop or (ii) October 31, unless such time is extended in writing by the Corporation, and (b) with respect to any insurance unit later than the date of submission of a claim for indemnity.

4. *Predetermined price for valuing production.* In determining any loss under the contract, production of each insurable crop shall be evaluated at the predetermined price established by the Corporation for that crop and shown on the county actuarial table. The predetermined prices for the 1953 crop year are on file in the county office and for any subsequent crop year shall be on file in the county office at least 15 days prior to the cancellation date. However, any production of barley, corn, flax, oats, rye, or wheat which will not meet the latest available requirements for a Commodity Credit Corporation loan or support because of poor quality due to insurable causes, and would not meet these requirements if properly handled, shall be evaluated at a value per bushel determined by the Corporation.

5. *Released crop.* Notwithstanding any other provision of the policy any crop on any insured acreage may be released by the Corporation subject to an appraisal by the Corporation of the yield that would be realized if the crop were harvested, except that any corn may be used for ensilage or fodder without a release by the Corporation if the insured leaves a number of rows considered by the Corporation to be an adequate representative sample for appraising the yield.

6. *Amount of loss.* (a) The amount of loss with respect to any insurance unit shall be determined by (1) multiplying the insurable acreage (exclusive of any acreage to which insurance did not attach) planted to each insured crop by the applicable coverage per acre, and the result by the insured interest, and (2) subtracting from the total thereof the insured interest in the value (based on the predetermined price) of the total production on such acreage of all insured crops. However, the amount of loss so determined shall be reduced if the premium computed for the insurance unit on the basis of the acreage and interest approved by the Corporation on the acreage report is less than the premium computed for the planted acreage on the insurance unit. This reduction shall be made on the basis of the ratio of the premium computed for the acreage and interest as approved by the Corporation on the acreage report to the premium computed for the planted acreage. The total production for each insured crop on the insurance unit shall include all production determined in accordance with the production schedule below. However, with respect to any acreage of corn which is not or will not be harvested as corn for grain, the production shall be the appraised production of corn for grain, or the appraised or actual production of ensilage, whichever has the higher total value (on the basis of the price per bushel for corn as provided under section 4 above, or the value per ton for ensilage as determined by the Corporation): *Provided however* that, if the appraised or actual production of corn which was or could have been used for ensilage is one ton or more per acre, the value of such production shall not be less than $3.00 per acre.

Where any small grains are seeded with an insured growing small grain crop on acreage not released by the Corporation, all production shall be counted as insured small grain on a weight basis. In the case of a volunteer crop produced with an insured crop, the production of such volunteer crop shall be included in determining the production of the insured crop. The Corporation reserves the right to determine the amount of production on the basis of an appraisal of any unharvested crop standing in the field.

PRODUCTION SCHEDULE

Crop	Acreage classification	Total production [1]
1. Each insured crop...	Acreage released by the Corporation and planted to a substitute crop.	That portion of the appraised production for such acreage which is in excess of the number of bushels determined by (1) subtracting the total coverage for such acreage from what the total coverage for such acreage would be if it were not planted to a substitute crop, and (2) dividing the result thus obtained by the predetermined price for the crop.
2. Each insured crop...	Acreage not planted to a substitute crop.	The appraised production or the actual production including an appraisal of corn left in the field after harvest.
3. Each insured crop...	Acreage put to another use without the consent of the Corporation.	Appraised production for such acreage but not less than the product of (1) such acreage and (2) the bushel equivalent of the coverage per acre on the basis of the predetermined price for the crop.
4. Each insured crop...	Acreage with reduced yield due solely to cause(s) not insured against.	Appraised number of bushels by which production for such acreage has been reduced but not less than the product of (1) such acreage and (2) the applicable bushel equivalent of the coverage per acre, on the basis of the predetermined price for the crop, minus the number of bushels harvested.

[1] Production shall be in bushels for all crops.

PRODUCTION SCHEDULE—Continued

Crop	Acreage classification	Total production [1]
5. Each insured crop...	Acreage with reduced yield due partially to cause(s) not insured against and partially to cause(s) insured against.	Appraised number of bushels by which production for such acreage has been reduced because of cause(s) not insured against.

[1] Production shall be in bushels for all crops.

(b) If production from two or more insurance units is commingled and the insured fails to establish and maintain separate acreage and production records satisfactory to the Corporation, the Corporation may allocate the commingled production between the units involved in any manner it deems appropriate or void the insurance on the insurance units involved and declare the premium(s) for such units forfeited by the insured. If production for uninsured acreage and insured acreage is commingled and the insured fails to establish and maintain separate acreage and production records satisfactory to the Corporation, all such production which is commingled shall be considered to have been produced on the insured acreage or the Corporation may void the insurance on the insurance unit(s) involved and declare the premium(s) for such unit(s) forfeited by the insured.

7. *Date table.*

Discount date: June 30.
Maturity date: July 31.
Interest date: October 31.
Cancellation date: February 28.

8. *Reduction of premium based on good experience.* The insured's annual premium for any year may be reduced 25 percent if he has had seven consecutive years of insured crop(s) under a Federal Crop Insurance contract without a loss for which an indemnity was paid. Credit for consecutive years of good experience under any other existing Federal Crop Insurance contract will not be transferred to the multiple crop contract if the insured is eligible to receive a premium discount based on consecutive years of good experience or based on an accumulated balance of premiums over indemnities under such existing contract. Nothing in this paragraph shall create in the insured any right to a reduced premium.

Approved: Beginning with the 1953 crop year.

[SEAL] FEDERAL CROP INSURANCE CORPORATION.

§ 420.82-6 *La Moure County.*

RIDER NO. 1 TO THE MULTIPLE CROP INSURANCE POLICY

(Applicable in La Moure County, N. Dak., Beginning With the 1953 Crop Year

1. *Insurable crops.* For the purpose of the multiple crop insurance program the insurable crops are:

(a) Barley planted for harvest as grain.
(b) Corn normally regarded as field corn. The contract will not provide insurance for true type silage corn, corn planted thick for silage or fodder purposes, sweet corn, popcorn, broom corn, corn planted for the development of hybrid seed corn, or any type of corn other than that normally regarded as field corn.
(c) Flax planted for harvest as seed.
(d) Oats planted for harvest as grain.
(e) Rye (winter only) planted for harvest as grain.
(f) Spring wheat planted for harvest as grain.

2. *Coverage per acre.* The coverage per acre for each insured crop shall be reduced 50 percent for any acreage released by the Corporation and planted to a substitute crop.

3. *Insurance period.* Insurance shall attach at the time of planting to any insured acreage of any insured crop. Insurance shall cease with respect to any portion of the corn crop upon harvesting (picking the corn from the stalk either by hand or machine or cutting the corn for fodder or ensilage), all other insured crops upon threshing, or with respect to any portion of any crop upon removal from the field, whichever is earlier. However, in no event shall insurance remain in effect (a) with respect to any crop later than the earlier of (i) the end of the normal harvest period for such crop or (ii) October 31, unless such time is extended in writing by the Corporation, and (b) with respect to any insurance unit later than the date of submission of a claim for indemnity.

4. *Protection against loss of quality.* In determining any loss under the contract, production of each insurable crop shall be evaluated at the predetermined price established by the Corporation for that crop and shown on the county actuarial table. However, any production of barley, corn, flax, oats, rye, or wheat which will not meet the latest available requirements for a Commodity Credit Corporation loan or support because of poor quality due to insurable causes, and would not meet these requirements if properly handled, shall be evaluated at a value per bushel determined by the Corporation.

5. *Released crop.* Notwithstanding any other provision of the policy any crop on any insured acreage may be released by the Corporation subject to an appraisal by the Corporation of the yield that would be realized if the crop were harvested, except that any corn may be used for ensilage or fodder without a release by the Corporation if the insured leaves a number of rows considered by the Corporation to be an adequate representative sample for appraising the yield.

6. *Amount of loss.* (a) The amount of loss with respect to any insurance unit shall be determined by (1) multiplying the insurable acreage (exclusive of any acreage to which insurance did not attach) planted to each insured crop by the applicable coverage per acre, and the result by the insured interest, and (2) subtracting from the total thereof the insured interest in the value (based on the predetermined price) of the total production on such acreage of all insured crops. However, the amount of loss so determined shall be reduced if the premium computed for the insurance unit on the basis of the acreage and interest approved by the Corporation on the acreage report is less than the premium computed for the planted acreage on the insurance unit. This reduction shall be made on the basis of the ratio of the premium computed for the acreage and interest as approved by the Corporation on the acreage report to the premium computed for the planted acreage. The total production for each insured crop on the insurance unit shall include all production determined in accordance with the production schedule below. However, with respect to any acreage of corn which is not or will not be harvested as corn for grain, the production shall be the appraised production of corn for grain, or the appraised or actual production of ensilage, whichever has the higher total value (on the basis of the price per bushel for corn as provided under section 4 above, or the value per ton for ensilage as determined by the Corporation): Provided however that, if the appraised or actual production of corn which was or could have been used for ensilage is one ton or more per acre, the value of such production shall not be less than $3.00 per acre. Where any small grains are seeded with an insured growing small grain crop on acreage not released by the Corporation, all production shall be counted as the insured small grain on a weight basis. In the case of a volunteer crop produced with an insured crop, the production of such volunteer crop shall be included in determining the production of the insured crop.

The Corporation reserves the right to determine the amount of production on the basis of an appraisal of any unharvested crop standing in the field.

PRODUCTION SCHEDULE

Crop	Acreage classification	Total production [1]
1. Each insured crop...	Acreage released by the Corporation and planted to a substitute crop.	That portion of the appraised production for such acreage which is in excess of the number of bushels determined by (1) subtracting the total coverage for such acreage from what the total coverage for such acreage would be if it were not planted to a substitute crop, and (2) dividing the result thus obtained by the predetermined price for the crop.
2. Each insured crop...	Acreage not planted to a substitute crop.	The appraised production or the actual production, including an appraisal of corn left in the field after harvest.
3. Each insured crop...	Acreage put to another use without the consent of the Corporation.	Appraised production for such acreage but not less than he product of (1) such acreage and (2) the bushel equivalant of the coverage per acre on the basis of the predetermined price for the crop.
4. Each insured crop...	Acreage with reduced yield due solely to cause(s) not insured against.	Appraised number of bushels by which production for such acreage has been reduced but not less than the product of (1) such acreage and (2) the applicable bushel equivalent of the coverage per acre on the basis of the predetermined price for the crop, minus the number of bushels harvested.
5. Each insured crop...	Acreage with reduced yield due partially to cause(s) not insured against and partially to cause(s) insured against.	Appraised number of bushels by which production fur such acreage has been reduced because of cause(s) not insured against.

[1] Production shall be in bushels for all crops.

(b) If production from two or more insurance units is commingled and the insured fails to establish and maintain separate acreage and production records satisfactory to the Corporation, the Corporation may allocate the commingled production between the units involved in any manner it deems appropriate or void the insurance on the insurance units involved and declare the premium(s) for such units forfeited by the insured. If production from uninsured acreage and insured acreage is commingled and the insured fails to establish and maintain separate acreage and production records satisfactory to the Corporation, all such production which is commingled shall be considered to have been produced on the insured acreage or the Corporation may void the insurance on the insurance unit(s) involved and declare the premium(s) for such unit(s) forfeited by the insured.

7. *Date table.*
Discount date: June 30.
Maturity date: July 31.
Interest date: October 31.
Cancellation date: February 28.

Approved: Beginning with the 1953 crop year.

[SEAL] FEDERAL CROP INSURANCE CORPORATION.

§ 420.82-7 *Steele County.*

RIDER NO. 1 TO THE MULTIPLE CROP INSURANCE POLICY

(Applicable in Steele County, N. Dak., Beginning With the 1953 Crop Year)

1. *Insurable crops.* For the purpose of the multiple crop insurance program the insurable crops are:

(a) Barley planted for harvest as grain.
(b) Flax planted for harvest as seed.
(c) Oats planted for harvest as grain.
(d) Rye (winter only) planted for harvest as grain.
(e) Spring wheat planted for harvest as grain.

2. *Coverage per acre.* The coverage per acre for each insured crop shall be reduced 50 percent for any acreage released by the Corporation and planted to a substitute crop.

3. *Insurance period.* Insurance shall attach at the time of planting to any insured acreage of any insured crop. Insurance shall cease with respect to any portion of all insured crops upon threshing, or with respect to any portion of any crop upon removal from the field, whichever is earlier. However, in no event shall insurance remain in effect (a) with respect to any crop later than the earlier of (1) the end of the normal harvest period for such crop or (ii) October 31, unless such time is extended in writing by the Corporation, and (b) with respect to any insurance unit later than the date of submission of a claim for indemnity.

4. *Protection against loss of quality.* In determining any loss under the contract, production of each insurable crop shall be evaluated at the predetermined price established by the Corporation for that crop and shown on the county actuarial table. However, any production of barley, flax, oats, rye, or wheat which will not meet the latest available requirements for a Commodity Credit Corporation loan or support because of poor quality due to insurable causes, and would not meet these requirements if properly handled, shall be evaluated at a value per bushel determined by the Corporation.

5. *Released crop.* Notwithstanding any other provision of the policy any crop on any insured acreage may be released by the Corporation subject to an appraisal by the Corporation of the yield that would be realized if the crop were harvested.

6. *Amount of loss.* (a) The amount of loss with respect to any insurance unit shall be determined by (1) multiplying the insurable acreage (exclusive of any acreage to which insurance did not attach) planted to each insured crop by the applicable coverage per acre, and the result by the insured interest, and (2) subtracting from the total thereof the insured interest in the value (based on the predetermined price) of the total production on such acreage of all insured crops. However, the amount of loss so determined shall be reduced if the premium computed for the insurance unit on the basis of the acreage and interest approved by the Corporation on the acreage report is less than the premium computed for the planted acreage on the insurance unit. This reduction shall be made on the basis of the ratio of the premium computed for the acreage and interest as approved by the Corporation on the acreage report to the premium computed for the planted acreage. The total production for each insured crop on the insurance unit shall include all production determined in accordance with the production schedule below. Where any small grains are seeded with an insured growing small grain crop on acreage not released by the Corporation, all production shall be counted as the insured small grain on a weight basis. In the case of a volunteer crop produced with an insured crop, the production of such volunteer crop shall be included in determining the production of the insured crop.

The Corporation reserves the right to determine the amount of production on the basis of an appraisal of any unharvested crop standing in the field.

PRODUCTION SCHEDULE

Crop	Acreage classification	Total production[1]
1. Each insured crop	Acreage released by the Corporation and planted to a substitute crop.	That portion of the appraised production for such acreage which is in excess of the number of bushels determined by (1) subtracting the total coverage for such acreage from what the total coverage for such acreage would be if it were not planted to a substitute crop, and (2) dividing the result thus obtained by the predetermined price for the crop.
2. Each insured crop	Acreage not planted to a substitute crop.	The appraised production or the actual production.
3. Each insured crop	Acreage put to another use without the consent of the Corporation.	Appraised production for such acreage but not less than the product of (1) such acreage and (2) the bushel equivalent of the coverage per acre on the basis of the predetermined price for the crop.
4. Each insured crop	Acreage with reduced yield due solely to cause(s) not insured against.	Appraised number of bushels by which production for such acreage has been reduced but not less than the product of (1) such acreage and (2) the applicable bushel equivalent of the coverage per acre on the basis of the predetermined price for the crop, minus the number of bushels harvested.
5. Each insured crop	Acreage with reduced yield due partially to cause(s) not insured against and partially to cause(s) insured against.	Appraised number of bushels by which production for such acreage has been reduced because of cause(s) not insured against.

[1] Production shall be in bushels for all crops.

(b) If production from two or more insurance units is commingled and the insured fails to establish and maintain separate acreage and production records satisfactory to the Corporation, the Corporation may allocate the commingled production between the units involved in any manner it deems appropriate or void the insurance on the insurance units involved and declare the premium(s) for such units forfeited by the insured. If production from uninsured acreage and insured acreage is commingled and the insured fails to establish and maintain separate acreage and production records satisfactory to the Corporation, all such production which is commingled shall be considered to have been produced on the insured acreage or the Corporation may void the insurance on the insurance unit(s) involved and declare the premium(s) for such unit(s) forfeited by the insured.

7. *Date table.*
Discount date: June 30.
Maturity date: July 31.
Interest date: October 31.
Cancellation date: February 28.

Approved: Beginning with the 1953 crop year.

[SEAL] FEDERAL CROP INSURANCE CORPORATION.

§ 420.82-8 *Richland County.*

RIDER NO. 1 TO THE MULTIPLE CROP INSURANCE POLICY

(Applicable in Richland County, N. Dak., Beginning With the 1953 Crop Year)

1. *Insurable crops.* For the purpose of the multiple crop insurance program the insurable crops are:

(a) Barley planted for harvest as grain.
(b) Corn normally regarded as field corn. The contract will not provide insurance for true type silage corn, corn planted thick for silage or fodder purposes, sweet corn, popcorn, broom corn, corn planted for the development of hybrid seed corn, or any type of corn other than that normally regarded as field corn.
(c) Flax planted for harvest as seed.
(d) Oats planted for harvest as grain.
(e) Rye (winter only) planted for harvest as grain.
(f) Soybeans planted for harvest as beans.
(g) Spring wheat planted for harvest as grain.

2. *Coverage per acre.* The coverage per acre for each insured crop shall be reduced 50 percent for any acreage released by the Corporation and planted to a substitute crop.

3. *Insurance period.* Insurance shall attach at the time of planting to any insured acreage of any insured crop. Insurance shall cease with respect to any portion of the corn crop upon harvesting (picking the corn from the stalk either by hand or machine or cutting the corn for fodder or ensilage), all other insured crops upon threshing, or with respect to any portion of any crop upon removal from the field, whichever is earlier. However, in no event shall insurance remain in effect (a) with respect to any crop later than the earlier of (1) the end of the normal harvest period for such crop or (ii) October 31, unless such time is extended in writing by the Corporation, and (b) with respect to any insurance unit later than the date of submission of a claim for indemnity.

4. *Protection against loss of quality.* In determining any loss under the contract, production of each insurable crop shall be evaluated at the predetermined price established by the Corporation for that crop and shown on the county actuarial table. However, any production of barley, corn, flax, oats, rye, soybeans, or wheat which will not meet the latest available requirements for a Commodity Credit Corporation loan or support because of poor quality due to insurable causes, and would not meet these requirements if properly handled, shall be evaluated at a value per bushel determined by the Corporation.

5. *Released crop.* Notwithstanding any other provision of the policy any crop on any insured acreage may be released by the Corporation subject to an appraisal by the Corporation of the yield that would be realized if the crop were harvested, except that any corn may be used for ensilage or fodder without a release by the Corporation if the insured leaves a number of rows considered by the Corporation to be an adequate representative sample for appraising the yield.

6. *Amount of loss.* (a) The amount of loss with respect to any insurance unit shall be determined by (1) multiplying the insurable acreage (exclusive of any acreage to which insurance did not attach) planted to each insured crop by the applicable coverage per acre, and the result by the insured interest, and (2) subtracting from the total thereof the insured interest in the value (based on the predetermined price) of the

total production on such acreage of all insured crops. However, the amount of loss so determined shall be reduced if the premium computed for the insurance unit on the basis of the acreage and interest approved by the Corporation on the acreage report is less than the premium computed for the planted acreage on the insurance unit. This reduction shall be made on the basis of the ratio of the premium computed for the acreage and interest as approved by the Corporation on the acreage report to the premium computed for the planted acreage. The total production for each insured crop on the insurance unit shall include all production determined in accordance with the production schedule below. However, with respect to any acreage of corn which is not or will not be harvested as corn for grain, the production shall be the appraised production of corn for grain or the appraised or actual production of ensilage, whichever has the higher total value (on the basis of the price per bushel for corn as provided under section 4 above, or the value per ton for ensilage as determined by the Corporation): Provided however that, if the appraised or actual production of corn which was or could have been used for ensilage is one ton or more per acre, the value of such production shall not be less than $3.00 per acre. Where any small grains are seeded with an insured growing small grain crop on acreage not released by the Corporation, all production shall be counted as the insured small grain on a weight basis. In the case of a volunteer crop produced with an insured crop, the production of such volunteer crop shall be included in determining the production of the insured crop.

The Corporation reserves the right to determine the amount of production on the basis of an appraisal of any unharvested crop standing in the field.

PRODUCTION SCHEDULE

Crop	Acreage classification	Total production [1]
1. Each insured crop	Acreage released by the Corporation and planted to a substitute crop.	That portion of the appraised production for such acreage which is in excess of the number of bushels determined by (1) subtracting the total coverage for such acreage from what the total coverage for such acreage would be if it were not planted to a substitute crop, and (2) dividing the result thus obtained by the predetermined price for the crop.
2. Each insured crop	Acreage not planted to a substitute crop.	The appraised production or the actual production, including an appraisal of corn left in the field after harvest.
3. Each insured crop	Acreage put to another use without the consent of the Corporation.	Appraised production for such acreage but not less than the product of (1) such acreage and (2) the bushel equivalent of the coverage per acre on the basis of the predetermined price for the crop.
4. Each insured crop	Acreage with reduced yield due solely to cause(s) not insured against.	Appraised number of bushels by which production for such acreage has been reduced but not less than the product of (1) such acreage and (2) the applicable bushel equivalent of the coverage per acre on the basis of the predetermined price for the crop, minus the number of bushels harvested.
5. Each insured crop	Acreage with reduced yield due partially to cause(s) not insured against partially to cause(s) insured against.	Appraised number of bushels by which production for such acreage has been reduced because of cause(s) not insured against.

[1] Production shall be in bushels for all crops.

(b) If production from two or more insurance units is commingled and the insured fails to establish and maintain separate acreage and production records satisfactory to the Corporation, the Corporation may allocate the commingled production between the units involved in any manner it deems appropriate or void the insurance on the insurance units involved and declare the premium(s) for such units forfeited by the insured. If production from uninsured acreage and insured acreage is commingled and the insured fails to establish and maintain separate acreage and production records satisfactory to the Corporation, all such production which is commingled shall be considered to have been produced on the insured acreage or the Corporation may void the insurance on the insurance unit(s) involved and declare the premium(s) for such unit(s) forfeited by the insured.

7. *Date table.*

Discount date: June 30.
Maturity date: July 31.
Interest date: October 31.
Cancellation date: February 28.

Approved: Beginning with the 1953 crop year.

[SEAL] FEDERAL CROP INSURANCE CORPORATION.

§ 420.82-9 *Grand Forks County.*

RIDER NO. 1 TO THE MULTIPLE CROP INSURANCE POLICY

(Applicable in Grand Forks, N. Dak. Beginning With the 1953 Crop Year)

1. *Insurable crops.* For the purpose of the multiple crop insurance program the insurable crops are:

(a) Barley planted for harvest as grain.
(b) Flax planted for harvest as seed.
(c) Oats planted for harvest as grain.
(d) Rye (winter only) planted for harvest as grain.
(e) Spring wheat planted for harvest as grain.

2. *Coverage per acre.* The coverage per acre for each insured crop shall be reduced 50 percent for any acreage released by the Corporation and planted to a substitute crop.

3. *Insurance period.* Insurance shall attach at the time of planting to any insured acreage of any insured crop. Insurance shall cease with respect to any portion of all insured crops upon threshing, or with respect to any portion of any crop upon removal from the field, whichever is earlier. However, in no event shall insurance remain in effect (a) with respect to any crop later than the earlier of (i) the end of the normal harvest period for such crop or (ii) October 31, unless such time is extended in writing by the Corporation, and (b) with respect to any insurance unit later than the date of submission of a claim for indemnity.

4. *Protection against loss of quality.* In determining any loss under the contract, production of each insurable crop shall be evaluated at the predetermined price established by the Corporation for that crop and shown on the county actuarial table. However, any production of barley, flax, oats, rye, or wheat which will not meet the latest available requirements for a Commodity Credit Corporation loan or support because of poor quality due to insurable causes, and would not meet these requirements if properly handled, shall be evaluated at a value per bushel determined by the Corporation.

5. *Released crop.* Notwithstanding any other provision of the policy any crop on any insured acreage may be released by the Corporation subject to an appraisal by the Corporation of the yield that would be realized if the crop were harvested.

6. *Amount of loss.* (a) The amount of loss with respect to any insurance unit shall be determined by (1) multiplying the insurable acreage (exclusive of any acreage to which insurance did not attach) planted to each insured crop by the applicable coverage per acre, and the result by the insured interest, and (2) subtracting from the total thereof the insured interest in the value (based on the predetermined price) of the total production on such acreage of all insured crops. However, the amount of loss so determined shall be reduced if the premium computed for the insurance unit on the basis of the acreage and interest approved by the Corporation on the acreage report is less than the premium computed for the planted acreage on the insurance unit. This reduction shall be made on the basis of the ratio of the premium computed for the acreage and interest as approved by the Corporation on the acreage report to the premium computed for the planted acreage. The total production for each insured crop on the insurance unit shall include all production determined in accordance with the production schedule below. Where any small grains are seeded with an insured growing small grain crop on acreage not released by the Corporation, all production shall be counted as the insured small grain on a weight basis. In the case of a volunteer crop produced with an insured crop, the production of such volunteer crop shall be included in determining the production of the insured crop.

The Corporation reserves the right to determine the amount of production on the basis of an appraisal of any unharvested crop standing in the field.

PRODUCTION SCHEDULE

Crop	Acreage classification	Total production
1. Each insured crop	Acreage released by the Corporation and planted to a substitute crop.	That portion of the appraised production for such acreage which is in excess of the number of bushels determined by (1) subtracting the total coverage for such acreage from what the total coverage for such acreage would be if it were not planted to a substitute crop, and (2) dividing the result thus obtained by the predetermined price for the crop.
2. Each insured crop	Acreage not planted to a substitute crop.	The appraised production or the actual production
3. Each insured crop	Acreage put to another use without the consent of the Corporation.	Appraised production for such acreage but not less than the product of (1) such acreage and (2) the bushel equivalent of the coverage per acre on the basis of the predetermined price for the crop.

[1] Production shall be in bushels for all crops.

PRODUCTION SCHEDULE—Continued

Crop	Acreage classification	Total production [1]
4. Each insured crop...	Acreage with reduced yield due solely to cause(s) not insured against.	Appraised number of bushels by which production for such acreage has been reduced but not less than the product of (1) such acreage and (2) the applicable bushel equivalent of the coverage per acre on the basis of the predetermined price for the crop, minus the number of bushels harvested.
5. Each insured crop...	Acreage with reduced yield due partially to cause(s) not insured against and partially to cause(s) insured against.	Appraised number of bushels by which production for such acreage has been reduced because of cause(s) not insured against.

[1] Production shall be in bushels for all crops.

(b) If production from two or more insurance units is commingled and the insured fails to establish and maintain separate acreage and production records satisfactory to the Corporation, the Corporation may allocate the commingled production between the units involved in any manner it deems appropriate or void the insurance on the insurance units involved and declare the premium(s) for such units forfeited by the insured. If production from uninsured acreage and insured acreage is commingled and the insured fails to establish and maintain separate acreage and production records satisfactory to the Corporation, all such production which is commingled shall be considered to have been produced on the insured acreage or the Corporation may void the insurance on the insurance unit(s) involved and declare the premium(s) for such unit(s) forfeited by the insured.

7. *Date table.*

Discount date: June 30.
Maturity date: July 31.
Interest date: October 31.
Cancellation date: February 28.

Approved: Beginning with the 1953 crop year.

[SEAL] FEDERAL CROP INSURANCE CORPORATION.

§ 420.85 *Oregon.*

§ 420.85-4 *Deschutes County.*

RIDER NO. 1 TO THE MULTIPLE CROP INSURANCE POLICY

(Applicable in Deschutes County, Oreg., Beginning With the 1953 Crop Year)

1. *Insurable crops.* For the purpose of the multiple crop insurance program the insurable crops are:

(a) Alfalfa hay.
(b) Barley planted for harvest as grain.
(c) Oats planted for harvest as grain.
(d) Potatoes (excluding acreage of less than one acre on an insurance unit) commonly known as Irish potatoes.
(e) Alsike clover planted for harvest as seed. (Insurance on alsike clover to attach only for the first crop year after such acreage is planted.)
(f) Wheat planted for harvest as grain.

2. *Coverage per acre.* The coverage per acre for each insured crop shall be reduced 50 percent for any acreage released by the Corporation and planted to a substitute crop.

3. *Insurance period.* Insurance shall attach at the time of planting to any insured acreage of any insured crop except alfalfa and alsike clover in which case insurance shall attach on December 16 (preceding harvest) provided there is a stand on that date sufficient that farmers in the area generally would leave the crop for harvest the following harvest season. Insurance shall cease with respect to any portion of the alfalfa crop upon baling or stacking, the potato crop upon digging, all other insured crops upon threshing, or with respect to any portion of any crop upon removal from the field, whichever is earlier. However, in no event shall insurance remain in effect (a) with respect to any crop later than the earlier of (i) the end of the normal harvest period for such crop or (ii) December 10, unless such time is extended in writing by the Corporation, and (b) with respect to any insurance unit later than the date of submission of a claim for indemnity.

4. *Protection against loss of quality.* In determining any loss under the contract, production of each insurable crop shall be evaluated at the predetermined price established by the Corporation for that crop and shown on the county actuarial table. However, any production of barley, oats, potatoes or wheat which will not meet the latest available requirements for a Commodity Credit Corporation loan or support because of poor quality due to insurable causes, and would not meet these requirements if properly handled, shall be evaluated at a value per unit determined by the Corporation.

5. *Released crop.* Notwithstanding any other provision of the policy any crop on any insured acreage may be released by the Corporation subject to an appraisal by the Corporation of the yield that would be realized if the crop were harvested.

6. *Amount of loss.* (a) The amount of loss with respect to any insurance unit shall be determined by (1) multiplying the insurable acreage (exclusive of any acreage to which insurance did not attach) planted to each insured crop by the applicable coverage per acre, and the result by the insured interest, and (2) subtracting from the total thereof the insured interest in the value (based on the predetermined price) of the total production on such acreage of all insured crops. However, the amount of loss so determined shall be reduced if the premium computed for the insurance unit on the basis of the acreage and interest approved by the Corporation on the acreage report is less than the premium computed for the planted acreage on the insurance unit. This reduction shall be made on the basis of the ratio of the premium computed for the acreage and interest as approved by the Corporation on the acreage report to the premium computed for the planted acreage. The total production for each insured crop on the insurance unit shall include all production determined in accordance with the production schedule below. Where any small grains are seeded with an insured growing small grain crop on acreage not released by the Corporation, all production shall be counted as the insured small grain on a weight basis. In the case of a volunteer crop produced with an insured crop, the production of such volunteer crop shall be included in determining the production of the insured crop.

The Corporation reserves the right to determine the amount of production on the basis of an appraisal of any unharvested crop standing in the field.

PRODUCTION SCHEDULE

Crop	Acreage classification	Total production [1]
1. Each insured crop...	Acreage released by the Corporation and planted to a substitute crop.	That portion of the appraised production for such acreage which is in excess of the number of bushels, pounds or tons determined by (1) subtracting the total coverage for such acreage from what the total coverage for such acreage would be if it were not planted to a substitute crop, and (2) dividing the result thus obtained by the predetermined price for the crop.
2. Each insured crop...	Acreage not planted to a substitute crop.	The appraised production or the actual production.
3. Each insured crop...	Acreage put to another use without the consent of the Corporation.	Appraised production for such acreage but not less than the product of (1) such acreage and (2) the bushel, pound or ton equivalent of the coverage per acre on the basis of the predetermined price for the crop.
4. Each insured crop...	Acreage with reduced yield due solely to cause(s) not insured against.	Appraised number of bushels, pounds or tons by which production for such acreage has been reduced but not less than the product of (1) such acreage and (2) the applicable bushel, pound or ton equivalent of the coverage per acre on the basis of the predetermined price for the crop, minus the number of bushels, pounds or tons harvested.
5. Each insured crop...	Acreage with reduced yield due partially to cause(s) not insured against and partially to cause(s) insured against.	Appraised number of bushels, pounds or tons by which production for such acreage has been reduced because of cause(s) not insured against.

[1] Production and allowances shall be in bushels for barley, oats and wheat, in pounds for potatoes and alsike clover seed, and in tons (rounded to tenths) for alfalfa.

(b) If production from two or more insurance units is commingled and the insured fails to establish and maintain separate acreage and production records satisfactory to the Corporation, the Corporation may allocate the commingled production between the units involved in any manner it deems appropriate or void the insurance on the insurance units involved and declare the premium(s) for such units forfeited by the insured. If production from uninsured acreage and insured acreage is commingled and the insured fails to establish and maintain separate acreage and production records satisfactory to the Corporation, all such production which is commingled shall be considered to have been produced on the insured acreage or the Corporation may void the insurance on the insurance unit(s) involved and declare the premium(s) for such unit(s) forfeited by the insured.

7. *Irrigated acreage.* (a) In addition to the provisions of section 4 of the policy the following provisions shall apply: (1) The acreage of insured crops which shall be insured in any year shall not exceed that acreage which can be irrigated adequately with the facilities available and with a supply of irrigation water which reasonably could be expected, taking into consideration the amount of water required to irrigate the acreage of all irrigated crops on the farm. (2) Insurance shall not attach with respect to acreage planted to insurable crops (i) the first year after being leveled or (ii) the first year such acreage is irrigated.

(b) In addition to the causes of loss insured against as shown on the first page of the policy, the contract shall cover loss due to failure of the water supply from natural causes that could not be foreseen and prevented by the insured.

(c) In addition to the causes of loss not insured against as shown in section 8 of the policy, the contract shall not cover loss caused by (1) failure properly to apply ir-

rigation water to any insurable crop in accordance with good farming practices, as determined by the Corporation and (2) shortage of irrigation water on any farm where the Corporation determines that the total acreage of all irrigated crops on the farm is in excess of that which could be irrigated properly with the facilities available and with the supply of irrigation water which reasonably could be expected.

8. *Date table.*

Discount date: June 30.
Maturity date: July 31.
Interest date: October 31.
Cancellation date: September 30.

9. *Definitions.* Notwithstanding the provisions of section 24 (d) "crop year" with respect to alfalfa and alsike clover means each 12-month period beginning with the first day of the insurance period and shall be designated by reference to the calendar year in which the crop is normally harvested. For all purposes under the contract alfalfa and alsike clover for harvest within the crop year shall be considered to have been planted as of the beginning of the insurance period for that crop year.

Approved: Beginning with the 1953 crop year.

[SEAL] FEDERAL CROP INSURANCE CORPORATION.

§ 420.85-5 *Polk County.*

RIDER NO. 1 TO THE MULTIPLE CROP INSURANCE POLICY

(Applicable in Polk County, Oreg., Beginning With the 1953 Crop Year)

1. *Insurable crops.* For the purpose of the multiple crop insurance program the insurable crops are:

(a) Alfalfa hay.
(b) Barley planted for harvest as grain.
(c) Clover hay including any mixture containing a predominance of clover.
(d) Common, Willamette and hairy vetch planted in the fall for harvest as seed.
(e) Vetch hay and mixtures of oats or wheat with vetch and/or Austrian winter peas, planted for hay.
(f) Oats planted for harvest as grain.
(g) Wheat planted for harvest as grain.

* * * * *

2. *Coverage per acre.* The coverage per acre for each insured crop shall be reduced 50 percent for any acreage released by the Corporation and planted to a substitute crop.

3. *Insurance period.* Insurance shall attach at the time of planting to any insured acreage of any insured crop except alfalfa and clover hay in which cases insurance shall attach on November 1 (preceding harvest) provided there is a stand at that time sufficient that farmers in the area generally would leave the applicable crop for harvest the following harvest season. Insurance shall cease with respect to any portion of the hay crops upon baling or stacking, and all other insured crops upon threshing, or with respect to any portion of any crop upon removal from the field, whichever is earlier. However, in no event shall insurance remain in effect (a) with respect to any crop later than the earlier of (i) the end of the normal harvest period for such crop or (ii) December 10, unless such time is extended in writing by the Corporation, and (b) with respect to any insurance unit later than the date of submission of a claim for indemnity.

4. *Protection against loss of quality.* In determining any loss under the contract, production of each insurable crop shall be evaluated at the predetermined price established by the Corporation for that crop and shown on the county actuarial table. However, any production of barley, oats, vetch or wheat which will not meet the latest available requirements for a Commodity Credit Corporation loan or support because of poor quality due to insurable causes, and would not meet these requirements if properly handled, shall be evaluated at a value per unit determined by the Corporation.

5. *Released crop.* Notwithstanding any other provision of the policy any crop on any insured acreage may be released by the Corporation subject to an appraisal by the Corporation of the yield that would be realized if the crop were harvested.

6. *Amount of loss.* (a) The amount of loss with respect to any insurance unit shall be determined by (1) multiplying the insurable acreage (exclusive of any acreage to which insurance did not attach) planted to each insured crop by the applicable coverage per acre and the result by the insured interest, and (2) subtracting from the total thereof the insured interest in the value (based on the predetermined price) of the total production on such acreage of all insured crops. However, the amount of loss so determined shall be reduced if the premium computed for the insurance unit on the basis of the acreage and interest approved by the Corporation on the acreage report is less than the premium computed for the planted acreage on the insurance unit. This reduction shall be made on the basis of the ratio of the premium computed for the acreage and interest as approved by the Corporation on the acreage report to the premium computed for the planted acreage. The total production for each insured crop on the insurance unit shall include all production determined in accordance with the production schedule below. Where vetch for seed is planted with an insured small grain crop, the production of each commodity shall be determined and counted separately. Where any small grain is planted with an insured growing small grain crop on acreage not released by the Corporation, all production shall be counted as the insured small grain on a weight basis. In the case of a volunteer crop produced with an insured crop, the production of such volunteer crop shall be included in determining the production of the insured crop.

The Corporation reserves the right to determine the amount of production on the basis of an appraisal of any unharvested crop standing in the field.

PRODUCTION SCHEDULE

Crop	Acreage classification	Total production [1]
1. Each insured crop...	Acreage released by the Corporation and planted to a substitute crop.	That portion of the appraised production for such acreage which is in excess of the number of bushels, pounds or tons determined by (1) subtracting the total coverage for such acreage from what the total coverage for such acreage would be if it were planted to a substitute crop, and (2) dividing the result thus obtained by the predetermined price for the crop.
2. Each insured crop...	Acreage not planted to a substitute crop.	The appraised production or the actual production.
3. Each insured crop...	Acreage put to another use without the consent of the Corporation.	Appraised production for such acreage but not less than the product of (1) such acreage and (2) the bushel, pound or ton equivalent of the coverage per acre on the basis of the predetermined price for the crop.
4. Each insured crop...	Acreage with reduced yield due solely to cause(s) not insured against.	Appraised number of bushels, pounds or tons by which production for such acreage has been reduced but not less than the product of (1) such acreage and (2) the applicable bushel, pound or ton equivalent of the coverage per acre on the basis of the predetermined price for the crop, minus the number of bushels, pounds or tons harvested.
5. Each insured crop...	Acreage with reduced yield due partially to cause(s) not insured against and partially to cause(s) insured against.	Appraised number of bushels, pounds or tons by which production for such acreage has been reduced because of cause(s) not insured against.

[1] Production shall be in bushels for barley, oats and wheat, in pounds for vetch, and tons (rounded to tenths) for hay.

(b) If production from two or more insurance units is commingled and the insured fails to establish and maintain separate acreage and production records satisfactory to the Corporation, the Corporation may allocate the commingled production between the units involved in any manner it deems appropriate or void the insurance on the insurance units involved and declare the premium(s) for such units forfeited by the insured. If production from uninsured acreage and insured acreage is commingled and the insured fails to establish and maintain separate acreage and production records satisfactory to the Corporation, all such production which is commingled shall be considered to have been produced on the insured acreage or the Corporation may void the insurance on the insurance unit(s) involved and declare the premium(s) for such unit(s) forfeited by the insured.

7. *Date table.*

Discount date: June 30.
Maturity date: July 31.
Interest date: October 31.
Cancellation date: September 30.

8. *Definitions.* Notwithstanding the provisions of section 24 (d) "crop year" with respect to alfalfa hay and clover hay means the period beginning with the first day of the insurance period and ending upon harvest and shall be designated by reference to the calendar year in which the crop is normally harvested. For all purposes under the contract, alfalfa hay and clover hay for harvest within the crop year shall be considered to have been planted as of the beginning of the insurance period for that crop year.

Approved: Beginning with the 1953 crop year.

[SEAL] FEDERAL CROP INSURANCE CORPORATION.

§ 420.89 *South Dakota.*

§ 420.89-9 *Hanson County.*

RIDER NO. 1 TO THE MULTIPLE CROP INSURANCE POLICY

(Applicable in Hanson County, S. Dak., Beginning With the 1953 Crop Year)

1. *Insurable crops.* For the purpose of the multiple crop insurance program the insurable crops are:

(a) Barley planted for harvest as grain.
(b) Corn normally regarded as field corn. The contract will not provide insurance for true type silage corn, corn planted thick for silage or fodder purposes, sweet corn, popcorn, broom corn, corn planted for the development of hybrid seed corn, or any type of corn other than that normally regarded as field corn.
(c) Flax planted for harvest as seed.
(d) Oats planted for harvest as grain.
(e) Rye (winter only) planted for harvest as grain.

(f) Soybeans planted for harvest as beans.

(g) Spring wheat planted for harvest as grain.

2. *Coverage per acre.* The coverage per acre for each insured crop shall be reduced 50 percent for any acreage released by the Corporation and planted to a substitute crop.

3. *Insurance period.* Insurance shall attach at the time of planting to any insured acreage of any insured crop. Insurance shall cease with respect to any portion of the corn crop upon harvesting (picking the corn from the stalk either by hand or machine or cutting the corn for fodder or ensilage), all other insured crops upon threshing, or with respect to any portion of any crop upon removal from the field, whichever is earlier. However, in no event shall insurance remain in effect (a) with respect to any crop later than the earlier of (i) the end of the normal harvest period for such crop or (ii) December 10, unless such time is extended in writing by the Corporation, and (b) with respect to any insurance unit later than the date of submission of a claim for indemnity.

4. *Protection against loss of quality.* In determining any loss under the contract, production of each insurable crop shall be evaluated at the predetermined price established by the Corporation for that crop and shown on the county actuarial table. However, any production of barley, corn, flax, oats, rye, soybeans or wheat which will not meet the latest available requirements for a Commodity Credit Corporation loan or support because of poor quality due to insurable causes, and would not meet these requirements if properly handled, shall be evaluated at a value per bushel determined by the Corporation.

5. *Released crop.* Notwithstanding any other provision of the policy any crop on any insured acreage may be released by the Corporation subject to an appraisal by the Corporation of the yield that would be realized if the crop were harvested, except that any corn may be used for ensilage or fodder without a release by the Corporation if the insured leaves a number of rows considered by the Corporation to be an adequate representative sample for appraising the yield.

6. *Amount of loss.* (a) The amount of loss with respect to any insurance unit shall be determined by (1) multiplying the insurable acreage (exclusive of any acreage to which insurance did not attach) planted to each insured crop by the applicable coverage per acre, and the result by the insured interest and (2) subtracting from the total thereof the insured interest in the value (based on the predetermined price) of the total production on such acreage of all insured crops. However, the amount of loss so determined shall be reduced if the premium computed for the insurance unit on the basis of the acreage and interest approved by the Corporation on the acreage report, is less than the premium computed for the planted acreage on the insurance unit. This reduction shall be made on the basis of the ratio of the premium computed for the acreage and interest as approved by the Corporation on the acreage report to the premium computed for the planted acreage. The total production for each insured crop on the insurance unit shall include all production determined in accordance with the production schedule below. Where any small grains are seeded with an insured growing small grain crop on acreage not released by the Corporation, all production shall be counted as the insured small grain on a weight basis. In the case of a volunteer crop produced with an insured crop, the production of such volunteer crop shall be included in determining the production of the insured crop.

The Corporation reserves the right to determine the amount of production on the basis of an appraisal of any unharvested crop standing in the field.

PRODUCTION SCHEDULE

Crop	Acreage classification	Total production [1]
1. Each insured crop	Acreage released by the Corporation and planted to a substitute crop.	That portion of the appraised production for such acreage which is in excess of the number of bushels determined by (1) subtracting the total coverage for such acreage from what the total coverage for such acreage would be if it were not planted to a substitute crop, and (2) dividing the result thus obtained by the predetermined price for the crop.
2. Each insured crop	Acreage not planted to a substitute crop.	The appraised production or the actual production, including an appraisal of corn left in the field after harvest and an appraisal of corn used for ensilage or fodder.
3. Each insured crop	Acreage put to another use without the consent of the Corporation.	Appraised production for such acreage but not less than the product of (1) such acreage and (2) the bushel equivalent of the coverage per acre on the basis of the predetermined price for the crop.
4. Each insured crop	Acreage with reduced yield due solely to cause(s) not insured against.	Appraised number of bushels by which production for such acreage has been reduced but not less than the product of (1) such acreage and (2) the applicable bushel equivalent of the coverage per acre on the basis of the predetermined price for the crop, minus the number of bushels harvested.
5. Each insured crop	Acreage with reduced yield due partially to cause(s) not insured against and partially to cause(s) insured against.	Appraised number of bushels by which production for such acreage has been reduced because of cause(s) not insured against.

[1] Production shall be in bushels for all crops.

(b) If production from two or more insurance units is commingled and the insured fails to establish and maintain separate acreage and production records satisfactory to the Corporation, the Corporation may allocate the commingled production between the units involved in any manner it deems appropriate or void the insurance on the insurance units involved and declare the premium(s) for such units forfeited by the insured. If production from uninsured acreage and insured acreage is commingled and the insured fails to establish and maintain separate acreage and production records satisfactory to the Corporation, all such production which is commingled shall be considered to have been produced on the insured acreage or the Corporation may void the insurance on the insurance unit(s) involved and declare the premium(s) for such unit(s) forfeited by the insured.

7. *Date table.*

Discount date: June 30.
Maturity date: July 31.
Interest date: October 31.
Cancellation date: February 28.

Approved: Beginning with the 1953 crop year.

[SEAL] FEDERAL CROP INSURANCE CORPORATION.

§ 420.89-10 *Kingsbury County.*

RIDER NO. 1 TO THE MULTIPLE CROP INSURANCE POLICY

(Applicable in Kingsbury County, S. Dak., Beginning With the 1953 Crop Year)

1. *Insurable crops.* For the purpose of the multiple crop insurance program the insurable crops are:

(a) Barley planted for harvest as grain.

(b) Corn normally regarded as field corn. The contract will not provide insurance for true type silage corn, corn planted thick for silage or fodder purposes, sweet corn, popcorn, broom corn, corn planted for the development of hybrid seed corn, or any type of corn other than that normally regarded as field corn.

(c) Flax planted for harvest as seed.

(d) Oats planted for harvest as grain.

(e) Rye (winter only) planted for harvest as grain.

(f) Soybeans planted for harvest as beans.

(g) Spring wheat planted for harvest as grain.

2. *Coverage per acre.* The coverage per acre for each insured crop shall be reduced 50 percent for any acreage released by the Corporation and planted to a substitute crop.

3. *Insurance period.* Insurance shall attach at the time of planting to any insured acreage of any insured crop. Insurance shall cease with respect to any portion of the corn crop upon harvesting (picking the corn from the stalk either by hand or machine or cutting the corn for fodder or ensilage), all other insured crops upon threshing, or with respect to any portion of any crop upon removal from the field, whichever is earlier. However, in no event shall insurance remain in effect (a) with respect to any crop later than the earlier of (i) the end of the normal harvest period for such crop or (ii) December 10, unless such time is extended in writing by the Corporation, and (b) with respect to any insurance unit later than the date of submission of a claim for indemnity.

4. *Protection against loss of quality.* In determining any loss under the contract, production of each insurable crop shall be evaluated at the predetermined price established by the Corporation for that crop and shown on the county actuarial table. However, any production of barley, corn, flax, oats, rye, soybeans or wheat which will not meet the latest available requirements for a Commodity Credit Corporation loan or support because of poor quality due to insurable causes, and would not meet these requirements if properly handled, shall be evaluated at a value per bushel determined by the Corporation.

5. *Released crop.* Notwithstanding any other provision of the policy any crop on any insured acreage may be released by the Corporation subject to an appraisal by the Corporation of the yield that would be realized if the crop were harvested, except that any corn may be used for ensilage or fodder without a release by the Corporation if the insured leaves a number of rows considered by the Corporation to be an adequate representative sample for appraising the yield.

6. *Amount of loss.* (a) The amount of loss with respect to any insurance unit shall be determined by (1) multiplying the insurable acreage (exclusive of any acreage to which insurance did not attach) planted to each insured crop by the applicable coverage per acre, and the result by the insured interest and (2) subtracting from the total thereof the insured interest in the value (based on the predetermined price) of the total production on such acreage of all insured crops. However, the amount of loss so determined shall be reduced if the premium computed for the insurance unit on the basis of the acreage and interest approved by the Corporation on the acreage report, is less than the premium computed for the planted acreage on the insurance unit. This reduction shall be made on the basis of the ratio of the premium computed for the acreage and interest as approved by the Corporation on the acreage report to the

premium computed for the planted acreage. The total production for each insured crop on the insurance unit shall include all production determined in accordance with the production schedule below. Where any small grains are seeded with an insured growing small grain crop on acreage not released by the Corporation, all production shall be counted as the insured small grain on a weight basis. In the case of a volunteer crop produced with an insured crop, the production of such volunteer crop shall be included in determining the production of the insured crop.

The Corporation reserves the right to determine the amount of production on the basis of an appraisal of any unharvested crop standing in the field.

PRODUCTION SCHEDULE

Crop	Acreage classification	Total production [1]
1. Each insured crop	Acreage released by the Corporation and planted to a substitute crop.	That portion of the appraised production for such acreage which is in excess of the number of bushels determined by (1) subtracting the total coverage for such acreage from what the total coverage for such acreage would be if it were not planted to a substitute crop, and (2) dividing the result thus obtained by the predetermined price for the crop.
2. Each insured crop	Acreage not planted to a substitute crop.	The appraised production or the actual production, including an appraisal of corn left in the field after harvest and an appraisal of corn used for ensilage or fodder.
3. Each insured crop	Acreage put to another use without the consent of the Corporation.	Appraised production for such acreage but not less than the product of (1) such acreage and (2) the bushel equivalent of the coverage per acre on the basis of the predetermined price for the crop.
4. Each insured crop	Acreage with reduced yield due solely to cause(s) not insured against.	Appraised number of bushels by which production for such acreage has been reduced but not less than the product of (1) such acreage and (2) the applicable bushel equivalent of the coverage per acre on the basis of the predetermined price for the crop, minus the number of bushels harvested.
5. Each insured crop	Acreage with reduced yield due partially to cause(s) not insured against and partially to cause(s) insured against.	Appraised number of bushels by which production for such acreage has been reduced because of cause(s) not insured against.

[1] Production shall be in bushels for all crops.

(b) If production from two or more insurance units is commingled and the insured fails to establish and maintain separate acreage and production records satisfactory to the Corporation, the Corporation may allocate the commingled production between the units involved in any manner it deems appropriate or void the insurance on the insurance units involved and declare the premium(s) for such units forfeited by the insured. If production from uninsured acreage and insured acreage is commingled and the insured fails to establish and maintain separate acreage and production records satisfactory to the Corporation, all such production which is commingled shall be considered to have been produced on the insured acreage or the Corporation may void the insurance on the insurance unit(s) involved and declare the premium(s) for such unit(s) forfeited by the insured.

7. *Date table.*

Discount date: June 30.
Maturity date: July 31.
Interest date: October 31.
Cancellation date: February 28.

Approved: Beginning with the 1953 crop year.

[SEAL] FEDERAL CROP INSURANCE CORPORATION.

§ 420.90 *Tennessee.*

§ 420.90–1 *Henry County.*

RIDER NO. 1 TO THE MULTIPLE CROP INSURANCE POLICY

(Applicable in Henry County, Tenn., Beginning With the 1953 Crop Year)

1. *Insurable crops.* For the purpose of the multiple crop insurance program the insurable crops are:

(a) Corn normally regarded as field corn, including corn with which soybeans are interplanted. The contract will not provide insurance for true type silage corn, corn planted thick for silage or fodder purposes, sweet corn, popcorn, broom corn, corn planted for the development of hybrid seed corn, or any type of corn other than that normally regarded as field corn.

(b) Cotton, restricted to American upland cotton and not including cotton planted primarily for experimental purposes.

(c) Sweet potatoes (excluding acreage of less than one acre on an insurance unit).

(d) Tobacco, types 23 and 35.

2. *Coverage per acre.* (a) The coverage per acre for each insured crop, except cotton, shall be reduced 50 percent for any acreage released by the Corporation and planted to a substitute crop.

(b) The coverage per acre for cotton shall be reduced as follows: (1) 60 percent for any acreage which is released by the Corporation because of damage occurring prior to laying by the crop, and (2) 25 percent for any acreage on which the crop is laid by and not harvested.

3. *Insurance period.* Insurance shall attach at the time of planting to any insured acreage of any insured crop. Insurance shall cease with respect to (a) any portion of the tobacco crop upon weighing-in at the tobacco warehouse, transfer of interest in the tobacco after harvest, removal of the tobacco from the insurance unit (except for curing, packing or immediate delivery to the tobacco warehouse), or weighing of the tobacco for casing, (b) any portion of the corn crop upon harvesting (picking the corn from the stalk either by hand or machine or cutting the corn for fodder or ensilage), the cotton crop upon picking, the sweet potato crop upon digging, or with respect to any portion of any crop (except tobacco) upon removal from the field, whichever is earlier. However, in no event shall insurance remain in effect (a) with respect to tobacco later than March 31 following harvest, unless such time is extended in writing by the Corporation, (b) with respect to any other crop later than the earlier of (i) the end of the normal harvest period for such crop or (ii) December 31, unless such time is extended in writing by the Corporation, and (c) with respect to any insurance unit later than the date of submission of a claim for indemnity.

4. *Predetermined price for valuing production.* In determining any loss under the contract, production of each insurable crop shall be evaluated at the predetermined price established by the Corporation for that crop and shown on the county actuarial table. The predetermined prices for the 1953 crop year are on file in the county office and for any subsequent crop year shall be on file in the county office at least 15 days prior to the cancellation date. However, any production of corn which will not meet the latest available requirements for a Commodity Credit Corporation loan or support because of poor quality due to insurable causes, and would not meet these requirements if properly handled, shall be evaluated at a value per bushel determined by the Corporation.

5. *Released crop.* Notwithstanding any other provision of the policy any crop on any insured acreage may be released by the Corporation subject to an appraisal by the Corporation of the yield that would be realized if the crop were harvested, except that any corn may be used for ensilage or fodder without a release by the Corporation if the insured leaves a number of rows considered by the Corporation to be an adequate representative sample for appraising the yield.

6. *Amount of loss.* (a) The amount of loss with respect to any insurance unit shall be determined by (1) multiplying the insurable acreage (exclusive of any acreage to which insurance did not attach) planted to each insured crop by the applicable coverage per acre, and the result by the insured interest, and (2) subtracting from the total thereof the insured interest in the value (based on the predetermined price) of the total production on such acreage of all insured crops. However, the amount of loss so determined shall be reduced if the premium computed for the insurance unit on the basis of the acreage and interest approved by the Corporation on the acreage report is less than the premium computed for the planted acreage on the insurance unit. This reduction shall be made on the basis of the ratio of the premium computed for the acreage and interest as approved by the Corporation on the acreage report to the premium computed for the planted acreage. The total production for each insured crop on the insurance unit shall include all production determined in accordance with the production schedule below.

The Corporation reserves the right to determine the amount of production on the basis of an appraisal of any unharvested crop standing in the field.

PRODUCTION SCHEDULE

Crop	Acreage classification	Total production [1]
1. Each insured crop except cotton.	Acreage released by the Corporation and planted to a substitute crop.	That portion of the appraised production for such acreage which is in excess of the number of bushels or pounds determined by (1) subtracting the total coverage for such acreage from what the total coverage for such acreage would be if it were not planted to a substitute crop, and (2) dividing the result thus obtained by the predetermined price for the crop.
2. Each insured crop except cotton.	Acreage not planted to a substitute crop.	The appraised production or the actual production, including an appraisal of corn left in the field after harvest and an appraisal of corn used for ensilage or fodder.
3. Cotton	Acreage released by the Corporation because of damage occurring prior to laying by the crop.	That portion of the appraised production for such acreage which is in excess of the number of pounds determined by (1) subtracting the total coverage for such acreage from what the total coverage for such acreage would be if it were harvested and (2) dividing the result thus obtained by the predetermined price.

[1] Production shall be in bushels for corn and sweetpotatoes, and pounds for cotton and tobacco.

PRODUCTION SCHEDULE—Continued

Crop	Acreage classification	Total production [1]
4. Cotton	Acreage on which the crop is laid by and not harvested.	That portion of the appraised production for such acreage which is in excess of the number of pounds determined by (1) subtracting the total coverage for such acreage from what the total coverage for such acreage would be if it were harvested and (2) dividing the result thus obtained by the predetermined price.
5. Cotton	Acreage harvested	Production, including an appraisal of production left in the field after harvest.
6. Each insured crop	Acreage put to another use without the consent of the Corporation.	Appraised production for such acreage but not less than the product of (1) such acreage and (2) the bushel or pound equivalent of the coverage per acre on the basis of the predetermined price for the crop.
7. Each insured crop	Acreage with reduced yield due solely to cause(s) not insured against.	Appraised number of bushels or pounds by which production for such acreage has been reduced but not less than the product of (1) such acreage and (2) the applicable bushel or pound equivalent of the coverage per acre on the basis of the predetermined price for the crop, minus the number of bushels or pounds harvested.
8. Each insured crop	Acreage with reduced yield due partially to cause(s) not insured against and partially to cause(s) insured against.	Appraised number of bushels or pounds by which production for such acreage has been reduced because of cause(s) not insured against.

[1] Production shall be in bushels for corn and sweetpotatoes, and pounds for cotton and tobacco.

Notwithstanding the other provisions of this paragraph (a) regarding the determination of the total production of cotton, in any case where the quality of any cotton production is reduced solely by insured causes to the extent that the value per pound, as determined by the Corporation, is less than 75 percent of the predetermined price, the number of pounds of such poor quality cotton shall be adjusted downward to the number of pounds obtained by dividing the total value of such cotton, as determined by the Corporation, by 75 percent of the predetermined price.

(b) If production from two or more insurance units is commingled and the insured fails to establish and maintain separate acreage and production records satisfactory to the Corporation, the Corporation may allocate the commingled production between the units involved in any manner it deems appropriate or void the insurance on the insurance units involved and declare the premium(s) for such units forfeited by the insured. If production from uninsured acreage and insured acreage is commingled and the insured fails to establish and maintain separate acreage and production records satisfactory to the Corporation, all such production which is commingled shall be considered to have been produced on the insured acreage or the Corporation may void the insurance on the insurance unit(s) involved and declare the primium(s) for such unit(s) forfeited by the insured.

7. *Date table.*

Discount date: June 30.
Maturity date: July 31.
Interest date: October 31.
Cancellation date: February 28.

8. *Definitions.* "Harvest" with respect to any acreage of cotton means the removal (by manual or mechanical means) of an amount of cotton from the stalk which is equal in value (based on the predetermined price) to 10 percent or more of the coverage for such acreage.

9. *Reduction of premium based on good experience.* The insured's annual premium for any year may be reduced 25 percent if he has had seven consecutive years of insured crop(s) under a Federal Crop Insurance contract without a loss for which an indemnity was paid. Credit for consecutive years of good experience under any other existing Federal Crop Insurance contract will not be transferred to the multiple crop contract if the insured is eligible to receive a premium discount based on consecutive years of good experience or based on an accumulated balance of premiums over indemnities under such existing contract. Nothing in this paragraph shall create in the insured any right to a reduced premium.

Approved: Beginning with the 1953 crop year.

[SEAL] FEDERAL CROP INSURANCE CORPORATION.

§ 420.90-2 *Lincoln County.*

RIDER NO. 1 TO THE MULTIPLE CROP INSURANCE POLICY

(Applicable in Lincoln County, Tenn., Beginning With the 1953 Crop Year)

1. *Insurable crops.* For the purpose of the multiple crop insurance program the insurable crops are:

(a) Alfalfa hay.

(b) Lespedeza (annual only) for hay, including volunteer annual lespedeza.

(c) Corn normally regarded as field corn, including corn with which soybeans are interplanted. The contract will not provide insurance for true type silage corn, corn planted thick for silage or fodder purposes, sweet corn, popcorn, broom corn, corn planted for the development of hybrid seed corn, or any type of corn other than that normally regarded as field corn.

(d) Cotton, restricted to American upland cotton and not including cotton planted primarily for experimental purposes.

(e) Tobacco, type 31.

2. *Coverage per acre.* (a) The coverage per acre for each insured crop, except cotton, shall be reduced 50 percent for any acreage réleased by the Corporation and planted to a substitute crop.

(b) The coverage per acre for cotton shall be reduced as follows: (1) 60 percent for any acreage which is released by the Corporation because of damage occurring prior to laying by the crop, and (2) 25 percent for any acreage on which the crop is laid by and not harvested.

3. *Insurance period.* Insurance shall attach at the time of planting to any insured acreage of any insured crop except alfalfa in which case insurance shall attach on November 1 (preceding harvest), and volunteer annual lespedeza in which case insurance shall attach on May 1 (preceding harvest), provided in either case there is a stand on the applicable date sufficient that farmers in the area generally would leave the crop for harvest the following harvest season. Insurance shall cease with respect to (a) any portion of the tobacco crop upon weighing-in at the tobacco warehouse, transfer of interest in the tobacco after harvest, removal of the tobacco from the insurance unit (except for curing, packing or immediate delivery to the tobacco warehouse), or weighing of the tobacco for casing, (b) any portion of the corn crop upon harvesting (picking the corn from the stalk either by hand or machine or cutting the corn for fodder or ensilage), the cotton crop upon picking, the hay crop upon baling or stacking, or with respect to any portion of any crop (except tobacco) upon removal from the field, whichever is earlier. However, in no event shall insurance remain in effect (a) with respect to tobacco later than February 28 following harvest unless such time is extended in writing by the Corporation, (b) with respect to any other crop later than the earlier of (i) the end of the normal harvest period for such crop or (ii) December 10, unless such time is extended in writing by the Corporation, and (c) with respect to any insurance unit later than the date of submission of a claim for indemnity.

4. *Predetermined price for valuing production.* In determining any loss under the contract, production of each insurable crop shall be evaluated at the predetermined price established by the Corporation for that crop and shown on the county actuarial table. The predetermined prices for the 1953 crop year are on file in the county office and for any subsequent crop year shall be on file in the county office at least 15 days prior to the cancellation date. However, any production of corn which will not meet the latest available requirements for a Commodity Credit Corporation loan or support because of poor quality due to insurable causes, and would not meet these requirements if properly handled, shall be evaluated at a value per unit determined by the Corporation.

5. *Released crop.* Notwithstanding any other provision of the policy any crop on any insured acreage may be released by the Corporation subject to an appraisal by the Corporation of the yield that would be realized if the crop were harvested, except that any corn may be used for ensilage or fodder without a release by the Corporation if the insured leaves a number of rows considered by the Corporation to be an adequate representative sample for appraising the yield.

6. *Amount of loss.* (a) The amount of loss with respect to any insurance unit shall be determined by (1) multiplying the insurable acreage (exclusive of any acreage to which insurance did not attach) planted to each insured crop by the applicable coverage per acre, and the result by the insured interest, and (2) subtracting from the total thereof the insured interest in the value (based on the predetermined price) of the total production on such acreage of all insured crops. However, the amount of loss so determined shall be reduced if the premium computed for the insurance unit on the basis of the acreage and interest approved by the Corporation on the acreage report is less than the premium computed for the planted acreage on the insurance unit. This reduction shall be made on the basis of the ratio of the premium computed for the acreage and interest as approved by the Corporation on the acreage report to the premium computed for the planted acreage. The total production for each insured crop on the insurance unit shall include all production determined in accordance with the production schedule below.

The Corporation reserves the right to determine the amount of production on the basis of an appraisal of any unharvested crop standing in the field.

PRODUCTION SCHEDULE

Crop	Acreage classification	Total production [1]
1. Each insured crop except cotton.	Acreage released by the Corporation and planted to a substitute crop.	That portion of the appraised production for such acreage which is in excess of the number of bushels, pounds, or tons determined by (1) subtracting the total coverage for such acreage from what the total coverage for such acreage would be if it were not planted to a substitute crop, and (2) dividing the result thus obtained by the predetermined price for the crop.
2. Each insured crop except cotton.	Acreage not planted to a substitute crop.	The appraised production or the actual production, including an appraisal of corn left in the field after harvest and an appraisal of corn used for ensilage or fodder.
3. Cotton	Acreage released by the Corporation because of damage occurring prior to laying by the crop.	That portion of the appraised production for such acreage which is in excess of the number of pounds determined by (1) subtracting the total coverage for such acreage from what the total coverage for such acreage would be if it were harvested and (2) dividing the result thus obtained by the predetermined price.
4. Cotton	Acreage on which the crop is laid by and not harvested.	That portion of the appraised production for such acreage which is in excess of the number of pounds determined by (1) subtracting the total coverage for such acreage from what the total coverage for such acreage would be if it were harvested and (2) dividing the result thus obtained by the predetermined price.
5. Cotton	Acreage harvested	Production, including an appraisal of production left in the field after harvest.
6. Each insured crop	Acreage put to another use without the consent of the Corporation.	Appraised production for such acreage but not less than the product of (1) such acreage and (2) the bushel, pound, or ton equivalent of the coverage per acre on the basis of the predetermined price for the crop.
7. Each insured crop	Acreage with reduced yield due solely to cause(s) not insured against.	Appraised number of bushels, pounds, or tons by which production for such acreage has been reduced but not less than the product of (1) such acreage and (2) the applicable bushel, pound, or ton equivalent of the coverage per acre, on the basis of the predetermined price for the crop, minus the number of bushels, pounds, or tons harvested.
8. Each insured crop	Acreage with reduced yield due partially to cause(s) not insured against and partially to cause(s) insured against.	Appraised number of bushels, pounds, or tons by which production for such acreage has been reduced because of cause(s) not insured against.

[1] Production shall be in bushels for corn, pounds for cotton and tobacco, and in tons (rounded to tenths) for hay.

Notwithstanding the other provisions of this paragraph (a) regarding the determination of the total production of cotton, in any case where the quality of any cotton production is reduced solely by insured causes to the extent that the value per pound, as determined by the Corporation, is less than 75 percent of the predetermined price, the number of pounds of such poor quality cotton shall be adjusted downward to the number of pounds obtained by dividing the total value of such cotton, as determined by the Corporation, by 75 percent of the predetermined price.

(b) If production from two or more insurance units is commingled and the insured fails to establish and maintain separate acreage and production records satisfactory to the Corporation, the Corporation may allocate the commingled production between the units involved in any manner it deems appropriate or void the insurance on the insurance units involved and declare the premium(s) for such units forfeited by the insured. If production from uninsured acreage and insured acreage is commingled and the insured fails to establish and maintain separate acreage and production records satisfactory to the Corporation, all such production which is commingled shall be considered to have been produced on the insured acreage or the Corporation may void the insurance on the insurance unit(s) involved and declare the premium(s) for such unit(s) forfeited by the insured.

7. *Date table.*

Discount date: June 30.
Maturity date: July 31.
Interest date: October 31.
Cancellation date: February 28.

8. *Definitions.* (a) For all purposes under the contract alfalfa and volunteer lespedeza hay for harvest within the crop year shall be considered to have been planted as of the beginning of the insurance period for that crop year.

(b) "Harvest" with respect to any acreage of cotton means the removal (by manual or mechanical means) of an amount of cotton from the stalk which is equal in value (based on the predetermined price) to 10 percent or more of the coverage for such acreage.

9. *Reduction of premium based on good experience.* The insured's annual premium for any year may be reduced 25 percent if he has had seven consecutive years of insured crop(s) under a Federal Crop Insurance contract without a loss for which an indemnity was paid. Credit for consecutive years of good experience under any other existing Federal Crop Insurance contract will not be transferred to the multiple crop contract if the insured is eligible to receive a premium discount based on consecutive years of good experience or based on an accumulated balance of premiums over indemnities under such existing contract. Nothing in this paragraph shall create in the insured any right to a reduced premium.

Approved: Beginning with the 1953 crop year.

[SEAL] FEDERAL CROP INSURANCE CORPORATION.

§ 420.90-4 *Dyer County.*

RIDER NO. 1 TO THE MULTIPLE CROP INSURANCE POLICY

(Applicable in Dyer County, Tenn., Beginning With the 1953 Crop Year)

1. *Insurable crops.* For the purpose of the multiple crop insurance program the insurable crops are:

(a) Corn normally regarded as field corn, including corn with which soybeans are interplanted. The contract will not provide insurance for true type silage corn, corn planted thick for silage or fodder purposes, sweet corn, popcorn, broom corn, corn planted for the development of hybrid seed corn, or any type of corn other than that normally regarded as field corn.

(b) Cotton, restricted to American upland cotton and not including cotton planted primarily for experimental purposes.

(c) Soybeans planted for harvest as beans excluding soybeans interplanted in the same row with corn.

2. *Coverage per acre.* (a) The coverage per acre for each insured crop, except cotton, shall be reduced 50 percent for any acreage released by the Corporation and planted to a substitute crop.

(b) The coverage per acre for cotton shall be reduced as follows: (1) 60 percent for any acreage which is released by the Corporation because of damage occurring prior to laying by the crop, and (2) 25 percent for any acreage on which the crop is laid by and not harvested.

3. *Insurance period.* Insurance shall attach at the time of planting to any insured acreage of any insured crop. Insurance shall cease with respect to any portion of the corn crop upon harvesting (picking the corn from the stalk either by hand or machine or cutting the corn for fodder or ensilage), the cotton crop upon picking, all other insured crops upon threshing, or with respect to any portion of any insured crop upon removal from the field, whichever is earlier. However in no event shall insurance remain in effect (a) with respect to any crop later than the earlier of (i) the end of the normal harvest period for such crop or (ii) December 31, unless such time is extended in writing by the Corporation, and (b) with respect to any insurance unit later than the date of submission of a claim for indemnity.

4. *Protection against loss of quality.* In determining any loss under the contract, production of each insurable crop shall be evaluated at the predetermined price established by the Corporation for that crop and shown on the county actuarial table. However, any production of corn or soybeans which will not meet the latest available requirements for a Commodity Credit Corporation loan or support because of poor quality due to insurable causes, and would not meet these requirements if properly handled, shall be evaluated at a value per unit determined by the Corporation.

5. *Released crop.* Notwithstanding any other provision of the policy any crop on any insured acreage may be released by the Corporation subject to an appraisal by the Corporation of the yield that would be realized if the crop were harvested, except that any corn may be used for ensilage or fodder without a release by the Corporation if the insured leaves a number of rows considered by the Corporation to be an adequate representative sample for appraising the yield.

6. *Amount of loss.* (a) The amount of loss with respect to any insurance unit shall be determined by (1) multiplying the insurable acreage (exclusive of any acreage to which insurance did not attach) planted to each insured crop by the applicable coverage per acre, and the result by the insured interest, and (2) subtracting from the total thereof the insured interest in the value (based on the predetermined price) of the total production on such acreage of all insured crops. However, the amount of loss so determined shall be reduced if the premium computed for the insurance unit on the basis of the acreage and interest approved by the Corporation on the acreage report is less than the premium computed for the planted acreage on the insurance unit. This reduction shall be made on the basis of the ratio of the premium computed for the acreage and interest as approved by the Corporation on the acreage report to the premium computed for the planted acreage. The total production for each insured crop on the insurance unit shall include all production determined in accordance with the production schedule below. Any production of soybeans interplanted in the same row with corn shall not be counted as production.

The Corporation reserves the right to determine the amount of production on the basis of an appraisal of any unharvested crop standing in the field.

PRODUCTION SCHEDULE

Crop	Acreage classification	Total production [1]
1. Each insured crop except cotton.	Acreagere leased by the Corporation and planted to a substitute crop.	That portion of the appraised production for such acreage which is in excess of the number of bushels determined by (1) subtracting the total coverage for such acreage from what the total coverage for such acreage would be if it were not planted to a substitute crop, and (2) dividing the result thus obtained by the predetermined price for the crop.
2. Each insured crop except cotton.	Acreage not planted to a substitute crop.	The appraised production or the actual production, including an appraisal of corn left in the field after harvest and an appraisal of corn used for ensilage or fodder.
3. Cotton	Acreage released by the Corporation because of damage occurring prior to laying by the crop.	That portion of the appraised production for such acreage which is in excess of the number of pounds determined by (1) subtracting the total coverage for such acreage from what the total coverage for such acreage would be if it were harvested and (2) dividing the result thus obtained by the predetermined price.
4. Cotton	Acreage on which the crop is laid by and not harvested.	That portion of the appraised production for such acreage which is in excess of the number of pounds determined by (1) subtracting the total coverage for such acreage from what the total coverage for such acreage would be if it were harvested and (2) dividing the result thus obtained by the predetermined price.
5. Cotton	Acreage harvested	Production, including an appraisal of production left in the field after harvest.
6. Each insured crop	Acreage put to another use with the consent of the Corporation.	Appraised production for such acreage but not less than the product of (1) such acreage and (2) the bushel or pound equivalent of the coverage per acre on the basis of the predetermined price for the crop.
7. Each insured crop	Acreage with reduced yield due solely to cause(s) not insured against.	Appraised number of bushels or pounds by which production for such acreage has been reduced but not less than the product of (1) such acreage and (2) the applicable bushel or pound equivalent of the coverage per acre, on the basis of the predetermined price for the crop, minus the number of bushels or pounds harvested.
8. Each insured crop	Acreage with reduced yield due partially to cause(s) not insured against and partially to cause(s) insured against.	Appraised number of bushels or pounds by which production for such acreage has been reduced because of cause(s) not insured against.

[1] Production shall be in bushels for corn and soybeans and in pounds for cotton.

Notwithstanding the other provisions of this paragraph (a) regarding the determination of the total production of cotton, in any case where the quality of any cotton production is reduced solely by insured causes to the extent that the value per pound, as determined by the Corporation, is less than 75 percent of the predetermined price, the number of pounds of such poor quality cotton shall be adjusted downward to the number of pounds obtained by dividing the total value of such cotton, as determined by the Corporation, by 75 percent of the predetermined price.

(b) If production from two or more insurance units is commingled and the insured fails to establish and maintain separate acreage and production records satisfactory to the Corporation, the Corporation may allocate the commingled production between the units involved in any manner it deems appropriate or void the insurance on the insurance units involved and declare the premium(s) for such units forfeited by the insured. If production for uninsured acreage and insured acreage is commingled and the insured fails to establish and maintain separate acreage and production records satisfactory to the Corporation, all such production which is commingled shall be considered to have been produced on the insured acreage or the Corporation may void the insurance on the insurance unit(s) involved and declare the premium(s) for such unit(s) forfeited by the insured.

7. *Date table.*

Discount date: June 30.
Maturity date: July 31.
Interest date: October 31.
Cancellation date: February 28.

8. *Definitions.* "Harvest" with respect to any acreage of cotton means the removal (by manual or mechanical means) of an amount of cotton from the stalk which is equal in value (based on the predetermined price) to 10 percent or more of the coverage for such acreage.

Approved: Beginning with the 1953 crop year.

[SEAL] FEDERAL CROP INSURANCE CORPORATION.

§ 420.90-5 *Obion County.*

RIDER NO. 1 TO THE MULTIPLE CROP INSURANCE POLICY

(Applicable in Obion County, Tenn., Beginning With the 1953 Crop Year)

1. *Insurable crops.* For the purpose of the multiple crop insurance program the insurable crops are:

(a) Corn normally regarded as field corn, including corn with which soybeans are interplanted. The contract will not provide insurance for true type silage corn, corn planted thick for silage or fodder purposes, sweet corn, popcorn, broom corn, corn planted for the development of hybrid seed corn, or any type of corn other than that normally regarded as field corn.

(b) Cotton, restricted to American upland cotton and not including cotton planted primarily for experimental purposes.

(c) Oats (Fall only) planted for harvest as grain.

(d) Soybeans planted for harvest as beans, excluding soybeans interplanted in the same row with corn.

(e) Strawberries, excluding acreage of less than two-tenths acre on an insurance unit.

(f) Tobacco, types 23 and 35.

(g) Wheat planted for harvest as grain.

2. *Coverage per acre.* (a) The coverage per acre for each insured crop, except cotton, shall be reduced 50 percent for any acreage released by the Corporation and planted to a substitute crop.

(b) The coverage per acre for cotton shall be reduced as follows: (1) 60 percent for any acreage which is released by the Corporation because of damage occurring prior to laying by the crop, and (2) 25 percent for any acreage on which the crop is laid by and not harvested.

3. *Insurance period.* Insurance shall attach at the time of planting to any insured acreage of any insured crop except strawberries on which insurance shall attach on March 1 of each year provided the strawberries were planted by June 1 of the prior year and there is a sufficient stand of plants on March 1 to expect a normal crop to be produced. Insurance shall cease with respect to (a) any portion of the tobacco crop upon weighing-in at the tobacco warehouse, transfer of interest in the tobacco after harvest, removal of the tobacco from the insurance unit (except for curing, packing or immediate delivery to the tobacco warehouse), or weighing of the tobacco for casing, (b) any portion of the corn crop upon harvesting (picking the corn from the stalk either by hand or machine or cutting the corn for fodder or ensilage), the cotton and strawberry crops upon picking, all other insured crops upon threshing, or with respect to any portion of any crop (except tobacco) upon removal from the field, whichever is earlier. However, in no event shall insurance remain in effect (a) with respect to tobacco later than March 31 following harvest unless such time is extended in writing by the Corporation, (b) with respect to any other crop later than the earlier of (i) the end of the normal harvest period for such crop or (ii) December 31, unless such time is extended in writing by the Corporation, and (c) with respect to any insurance unit later than the date of submission of a claim for indemnity.

4. *Protection against loss of quality.* In determining any loss under the contract, production of each insurable crop shall be evaluated at the predetermined price established by the Corporation for that crop and shown on the county actuarial table. However, any production of corn, oats, soybeans or wheat which will not meet the latest available requirements for a Commodity Credit Corporation loan or support because of poor quality due to insurable causes, and would not meet these requirements if properly handled, shall be evaluated at a value per unit determined by the Corporation.

5. *Released crop.* Notwithstanding any other provision of the policy any crop on any insured acreage may be released by the Corporation subject to an appraisal by the Corporation of the yield that would be realized if the crop were harvested, except that any corn may be used for ensilage or fodder without a release by the Corporation if the insured leaves a number of rows considered by the Corporation to be an adequate representative sample for appraising the yield.

6. *Amount of loss.* (a) The amount of loss with respect to any insurance unit shall be determined by (1) multiplying the insurable acreage (exclusive of any acreage to which insurance did not attach) planted to each insured crop by the applicable coverage per acre, and the result by the insured interest, and (2) subtracting from the total thereof the insured interest in the value (based on the predetermined price) of the total production on such acreage of all insured crops. However, the amount of loss so determined shall be reduced if the premium computed for the insurance unit on the basis of the acreage and interest approved by the Corporation on the acreage report is less than the premium computed for the planted acreage on the insurance unit. This reduction shall be made on the basis of the ratio of the premium computed for the acreage and interest as approved by the Corporation on the acreage report to the premium computed for the planted acreage. The total production for each insured crop on the insurance unit shall include all production determined in accordance with the production schedule below. Where any small grains are seeded with an insured growing small grain crop on acreage not released by the Corporation, all production shall be counted as the insured small grain on a weight basis. In the case of a volunteer crop produced with an insured crop, the production of such volunteer crop shall be included in determining the production of the insured crop. Any production of soybeans interplanted in the same row with corn shall not be counted as production.

The Corporation reserves the right to determine the amount of production on the basis of an appraisal of any unharvested crop standing in the field.

PRODUCTION SCHEDULE

Crop	Acreage classification	Total production[1]
1. Each insured crop except cotton.	Acreage released by the Corporation and planted to a substitute crop.	That portion of the appraised production for such acreage which is in excess of the number of bushels, crates or pounds determined by (1) subtracting the total coverage for such acreage from what the total coverage for such acreage would be if it were not planted to a substitute crop, and (2) dividing the result thus obtained by the predetermined price for the crop.
2. Each insured crop except cotton.	Acreage not planted to a substitute crop.	The appraised production or the actual production, including an appraisal of corn left in the field after harvest and an appraisal of corn used for ensilage or fodder.
3. Cotton	Acreage released by the Corporation because of damage occurring prior to laying by the crop.	That portion of the appraised production for such acreage which is in excess of the number of pounds determined by (1) subtracting the total coverage for such acreage from what the total coverage for such acreage would be if it were harvested and (2) dividing the result thus obtained by the predetermined price.
4. Cotton	Acreage on which the crop is laid by and not harvested.	That portion of the appraised production for such acreage which is in excess of the number of pounds determined by (1) subtracting the total coverage for such acreage from what the total coverage for such acreage would be if it were harvested and (2) dividing the result thus obtained by the predetermined price.
5. Cotton	Acreage harvested	Production, including an appraisal of production left in the field after harvest.
6. Each insured crop	Acreage put to another use without the consent of the Corporation.	Appraised production for such acreage but not less than the product of (1) such acreage and (2) the bushel, crate or pound equivalent of the coverage per acre on the basis of the predetermined price for the crop.
7. Each insured crop	Acreage with reduced yield due solely to cause(s) not insured against.	Appraised number of bushels, crates or pounds by which production for such acreage has been reduced but not less than the product of (1) such acreage and (2) the applicable bushel, crate or pound equivalent of the coverage per acre on the basis of the predetermined price for the crop, minus the number of bushels, crates or pounds harvested.
8. Each insured crop	Acreage with reduced yield due partially to cause(s) not insured against and partially to cause(s) insured against.	Appraised number of bushels, crates or pounds by which production for such acreage has been reduced because of cause(s) not insured against.

[1] Production shall be in bushels for corn, oats, soybeans and wheat, in crates (24 quarts) for strawberries and in pounds for cotton, and tobacco.

Notwithstanding the other provisions of this paragraph (a) regarding the determination of the total production of cotton, in any case where the quality of any cotton production is reduced solely by insured causes to the extent that the value per pound, as determined by the Corporation, is less than 75 percent of the predetermined price, the number of pounds of such poor quality cotton shall be adjusted downward to the number of pounds obtained by dividing the total value of such cotton, as determined by the Corporation, by 75 percent of the predetermined price.

(b) If production from two or more insurance units is commingled and the insured fails to establish and maintain separate acreage and production records satisfactory to the Corporation, the Corporation may allocate the commingled production between the units involved in any manner it deems appropriate or void the insurance on the insurance units involved and declare the premium(s) for such units forfeited by the insured. If production from uninsured acreage and insured acreage is commingled and the insured fails to establish and maintain separate acreage and production records satisfactory to the Corporation, all such production which is commingled shall be considered to have been produced on the insured acreage or the Corporation may void the insurance on the insurance unit(s) involved and declare the premium(s) for such unit(s) forfeited by the insured.

7. *Date table.*

Discount date: June 30.
Maturity date: July 31.
Interest date: October 31.
Cancellation date: January 31.

8. *Definitions.* (a) For all purposes under the contract strawberries for harvest within the crop year shall be considered to have been planted as of the beginning of the insurance period for that crop year.

(b) "Harvest" with respect to any acreage of cotton means the removal (by manual or mechanical means) of an amount of cotton from the stalk which is equal in value (based on the predetermined price) to 10 percent or more of the coverage for such acreage.

Approved: Beginning with the 1953 crop year.

[SEAL] FEDERAL CROP INSURANCE CORPORATION.

§ 420.90-6 *Weakley County.*

RIDER NO. 1 TO THE MULTIPLE CROP INSURANCE POLICY

(Applicable in Weakley County, Tenn., Beginning With the 1953 Crop Year)

1. *Insurable crops.* For the purpose of the multiple crop insurance program the insurable crops are:

(a) Corn normally regarded as field corn, including corn with which soybeans are interplanted. The contract will not provide insurance for true type silage corn, corn planted thick for silage or fodder purposes, sweet corn, popcorn, broom corn, corn planted for the development of hybrid seed corn, or any type of corn other than that normally regarded as field corn.

(b) Cotton, restricted to American upland cotton and not including cotton planted primarily for experimental purposes.

(c) Lespedeza (annual and sericea) for hay, including volunteer annual lespedeza.

(d) Soybeans planted for harvest as beans, excluding soybeans interplanted in the same row with corn.
interplanted in the same row with corn.

(e) Strawberries, excluding acreage of less than two-tenths acre on an insurance unit.

(f) Sweet potatoes, excluding acreage of less than one acre on an insurance unit.

(g) Tobacco, types 23 and 35.

2. *Coverage per acre.* (a) The coverage per acre for each insured crop except cotton, shall be reduced 50 percent for any acreage released by the Corporation and planted to a substitute crop.

(b) The coverage per acre for cotton shall be reduced as follows: (1) 60 percent for any acreage which is released by the Corporation because of damage occurring prior to laying by the crop, and (2) 25 percent for any acreage on which the crop is laid by and not harvested.

3. *Insurance period.* Insurance shall attach at the time of planting to any insured acreage of any insured crop, except (a) sericea and volunteer annual lespedeza on which insurance shall attach on May 1 provided there is a stand at that time sufficient that farmers in the area generally would leave it for harvest the following harvest season and further provided in the case of sericea lespedeza that the crop was planted not later than May 1 of the previous crop year, and (b) strawberries on which insurance shall attach on March 1 of each year provided the strawberries were planted by June 1 of the prior year and there is a sufficient stand of plants on March 1 to expect a normal crop to be produced. Insurance shall cease with respect to (a) any portion of the tobacco crop upon weighing-in at the tobacco warehouse, transfer of interest in the tobacco after harvest, removal of the tobacco from the insurance unit (except for curing, packing or immediate delivery to the tobacco warehouse), or weighing of the tobacco for casing, (b) any portion of the corn crop upon harvesting (picking the corn from the stalk either by hand or machine or cutting the corn for fodder or ensilage), the cotton crop upon picking, the hay crop upon baling or stacking, the sweet potato crop upon digging, the strawberry crop upon picking, the soybean crop upon threshing, or with respect to any portion of any crop (except tobacco) upon removal from the field, whichever is earlier. However, in no event shall insurance remain in effect (a) with respect to tobacco later than March 31 following harvest unless such time is extended in writing by the Corporation, (b) with respect to any other crop later than the earlier of (i) the end of the normal harvest period for such crop or (ii) December 31, unless such time is extended in writing by the Corporation, and (c) with respect to any insurance unit later than the date of submission of a claim for indemnity.

4. *Protection against loss of quality.* In determining any loss under the contract, production of each insurable crop shall be evaluated at the predetermined price established by the Corporation for that crop and shown on the county actuarial table. However, any production of corn, or soybeans which will not meet the latest available requirements for a Commodity Credit Corporation loan or support because of poor quality due to insurable causes, and would not meet these requirements if properly handled, shall be evaluated at a value per unit determined by the Corporation.

5. *Released crop.* Notwithstanding any other provision of the policy any crop on any insured acreage may be released by the Corporation subject to an appraisal by the Corporation of the yield that would be realized if the crop were harvested, except that any corn may be used for ensilage or fodder without a release by the Corporation if the insured leaves a number of rows considered by the Corporation to be an adequate representative sample for appraising the yield.

6. *Amount of loss.* (a) The amount of loss with respect to any insurance unit shall be determined by (1) multiplying the insurable acreage (exclusive of any acreage to which insurance did not attach) planted to each insured crop by the applicable coverage per acre, and the result by the insured interest, and (2) subtracting from the total thereof the insured interest in the value (based on the predetermined price) of the total production on such acreage of all insured crops. However, the amount of loss so determined shall be reduced if the premium computed for the insurance unit on the basis of the acreage and interest approved by the Corporation on the acreage report is less than the premium computed for the planted acreage on the insurance unit. This reduction shall be made on the basis of the ratio of the premium computed for the acreage and interest as approved by the Corporation on the

acreage report to the premium computed for the planted acreage. The total production for each insured crop on the insurance unit shall include all production determined in accordance with the production schedule below. Any production of soybeans interplanted in the same row with corn shall not be counted as production.

The Corporation reserves the right to determine the amount of production on the basis of an appraisal of any unharvested crop standing in the field.

PRODUCTION SCHEDULE

Crop	Acreage classification	Total production [1]
1. Each insured crop except cotton.	Acreage released by the Corporation and planted to a substitute crop.	That portion of the appraised production for such acreage which is in excess of the number of bushels, crates, pounds or tons determined by (1) subtracting the total coverage for such acreage from what the total coverage for such acreage would be if it were not planted to a substitute crop, and (2) dividing the result thus obtained by the predetermined price for the crop.
2. Each insured crop except cotton.	Acreage not planted to a substitute crop.	The appraised production or the actual production, including an appraisal of corn left in the field after harvest and an appraisal of corn used for ensilage or fodder.
3. Cotton	Acreage released by the Corporation because of damage occurring prior to laying by the crop.	That portion of the appraised production for such acreage which is in excess of the number of pounds determined by (1) subtracting the total coverage for such acreage from what the total coverage for such acreage would be if it were harvested and (2) dividing the result thus obtained by the predetermined price.
4. Cotton	Acreage on which the crop is laid by and not harvested.	That portion of the appraised production for such acreage which is in excess of the number of pounds determined by (1) subtracting the total coverage for such acreage from what the total coverage for such acreage would be if it were harvested and (2) dividing the result thus obtained by the predetermined price.
5. Cotton	Acreage harvested	Production, including an appraisal of production left in the field after harvest.
6. Each insured crop	Acreage put to another use without the consent of the Corporation.	Appraised production for such acreage but not less than the product of (1) such acreage and (2) the bushel, crate, pound, or ton equivalent of the coverage per acre on the basis of the predetermined price for the crop.
7. Each insured crop	Acreage with reduced yield due solely to cause(s) not insured against.	Appraised number of bushels, crates, pounds or tons by which production for such acreage has been reduced but not less than the product of (1) such acreage and (2) the applicable bushel, crate, pound or ton equivalent of the coverage per acre on the basis of the predetermined price for the crop, minus the number of bushels, crates, pounds or tons harvested.
8. Each insured crop	Acreage with reduced yield due partially to cause(s) not insured against and partially to cause(s) insured against.	Appraised number of bushels, crates, pounds or tons by which production for such acreage has been reduced because of cause(s) not insured against.

[1] Production shall be in bushels for corn, soybeans, and sweetpotatoes; in crates (24 quart) for strawberries; in pounds for cotton and tobacco; and in tons (rounded to tenths) for hay.

Notwithstanding the other provisions of this paragraph (a) regarding the determination of the total production of cotton, in any case where the quality of any cotton production is reduced solely by insured causes to the extent that the value per pound, as determined by the Corporation, is less than 75 percent of the predetermined price, the number of pounds of such poor quality cotton shall be adjusted downward to the number of pounds obtained by dividing the total value of such cotton, as determined by the Corporation, by 75 percent of the predetermined price.

(b) If production from two or more insurance units is commingled and the insured fails to establish and maintain separate acreage and production records satisfactory to the Corporation, the Corporation may allocate the commingled production between the units involved in any manner it deems appropriate or void the insurance on the insurance units involved and declare the premium(s) for such units forfeited by the insured. If production from uninsured acreage and insured acreage is commingled and the insured fails to establish and maintain separate acreage and production records satisfactory to the Corporation, all such production which is commingled shall be considered to have been produced on the insured acreage or the Corporation may void the insurance on the insurance unit(s) involved and declare the premium(s) for such unit(s) forfeited by the insured.

7. *Date table.*

Discount date: June 30.
Maturity date: July 31.
Interest date: October 31.
Cancellation date: January 31.

8. *Definitions.* For all purposes under the contract sericea and volunteer lespedeza and strawberries for harvest within the crop year shall be considered to have been planted as of the beginning of the insurance period for that crop year.

"Harvest" with respect to any acreage of cotton means the removal (by manual or mechanical means) of an amount of cotton from the stalk which is equal in value (based on the predetermined price) to 10 percent or more of the coverage for such acreage.

Approved: Beginning with the 1953 crop year.

[SEAL] FEDERAL CROP INSURANCE CORPORATION.

§ 420.90-7 *Warren County.*

RIDER NO. 1 TO THE MULTIPLE CROP INSURANCE POLICY

(Applicable in Warren County, Tenn., Beginning With the 1953 Crop Year)

1. *Insurable crops.* For the purpose of the multiple crop insurance program the insurable crops are:

(a) Corn normally regarded as field corn, including corn with which soybeans are interplanted. The contract will not provide insurance for true type silage corn, corn planted thick for silage or fodder purposes, sweet corn, popcorn, broom corn, corn planted for the development of hybrid seed corn, or any type of corn other than that normally regarded as field corn.

(b) Cotton, restricted to American upland cotton and not including cotton planted primarily for experimental purposes.

(c) Oats (fall only) planted for harvest as grain. (Insurance on oats to attach the first crop year of the contract only if the application is filed on or before September 30 preceding the calendar year in which the crop for that crop year is normally harvested.)

(d) Soybeans planted for harvest as beans, excluding soybeans interplanted in the same row with corn.

(e) Tobacco, type 31.

(f) Wheat planted for harvest as grain. (Insurance on wheat to attach the first crop year of the contract only if the application is filed on or before September 30 preceding the calendar year in which the crop for that crop year is normally harvested.)

2. *Coverage per acre.* (a) The coverage per acre for each insured crop, except cotton, shall be reduced 50 percent for any acreage released by the Corporation and planted to a substitute crop.

(b) The coverage per acre for cotton shall be reduced as follows: (1) 60 percent for any acreage which is released by the Corporation because of damage occurring prior to laying by the crop, and (2) 25 percent for any acreage on which the crop is laid by and not harvested.

3. *Insurance period.* Insurance shall attach at the time of planting to any insured acreage of any insured crop. Insurance shall cease with respect to (a) any portion of the tobacco crop upon weighing-in at the tobacco warehouse, transfer of interest in the tobacco after harvest, removal of the tobacco from the insurance unit (except for curing, packing or immediate delivery to the tobacco warehouse), or weighing of the tobacco for casing, (b) any portion of the corn crop upon harvesting (picking the corn from the stalk either by hand or machine or cutting the corn for fodder or ensilage), the cotton crop upon picking, all other insured crops upon threshing, or with respect to any portion of any crop (except tobacco) upon removal from the field, whichever is earlier. However, in no event shall insurance remain in effect (a) with respect to tobacco later than February 28 following harvest unless such time is extended in writing by the Corporation, (b) with respect to any other crop later than the earlier of (i) the end of the normal harvest period for such crop or (ii) December 31, unless such time is extended in writing by the Corporation, and (c) with respect to any insurance unit later than the date of submission of a claim for indemnity.

4. *Protection against loss of quality.* In determining any loss under the contract, production of each insurable crop shall be evaluated at the predetermined price established by the Corporation for that crop and shown on the county actuarial table. However, any production of corn, oats, soybeans or wheat which will not meet the latest available requirements for a Commodity Credit Corporation loan or support because of poor quality due to insurable causes, and would not meet these requirements if properly handled, shall be evaluated at a value per unit determined by the Corporation.

5. *Released crop.* Notwithstanding any other provision of the policy any crop on any insured acreage may be released by the Corporation subject to an appraisal by the Corporation of the yield that would be realized if the crop were harvested, except that any corn may be used for ensilage or fodder without a release by the Corporation if the insured leaves a number of rows considered by the Corporation to be an adequate representative sample for appraising the yield.

6. *Amount of loss.* (a) The amount of loss with respect to any insurance unit shall be determined by (1) multiplying the insurable acreage (exclusive of any acreage to which insurance did not attach) planted to each insured crop by the applicable coverage per acre, and the result by the insured interest, and (2) subtracting from the total thereof the insured interest in the value (based on the predetermined price) of the total production on such acreage of all insured crops. However, the amount of loss so determined shall be reduced if the premium computed for the insurance unit on the basis of the acreage and interest approved by the Corporation on the acreage report is less than the premium computed for the planted acreage on the insurance unit. This reduction shall be made on the basis of the ratio of the premium computed

for the acreage and interest as approved by the Corporation on the acreage report to the premium computed for the planted acreage. The total production for each insured crop on the insurance unit shall include all production determined in accordance with the production schedule below. Where any small grains are seeded with an insured growing small grain crop on acreage not released by the Corporation, all production shall be counted as the insured small grain on a weight basis. In the case of a volunteer crop produced with an insured crop, the production of such volunteer crop shall be included in determining the production of the insured crop. Any production of soybeans interplanted in the same row with corn shall not be counted as production.

The Corporation reserves the right to determine the amount of production on the basis of an appraisal of any unharvested crop standing in the field.

PRODUCTION SCHEDULE

Crop	Acreage classification	Total production[1]
1. Each insured crop except cotton.	Acreage released by the Corporation and planted to a substitute crop.	That portion of the appraised production for such acreage which is in excess of the number of bushels or pounds determined by (1) subtracting the total coverage for such acreage from what the total coverage for such acreage would be if it were not planted to a substitute crop, and (2) dividing the result thus obtained by the predetermined price for the crop.
2. Each insured crop except cotton.	Acreage not planted to a substitute crop.	The appraised production or the actual production, including an appraisal of corn left in the field after harvest and an appraisal of corn used for ensilage or fodder.
3. Cotton	Acreage released by the Corporation because of damage occurring prior to laying by the crop.	That portion of the appraised production for such acreage which is in excess of the number of pounds determined by (1) subtracting the total coverage for such acreage from what the total coverage for such acreage would be if it were harvested and (2) dividing the result thus obtained by the predetermined price.
4. Cotton	Acreage on which the crop is laid by and not harvested.	That portion of the appraised production for such acreage which is in excess of the number of pounds determined by (1) subtracting the total coverage for such acreage from what the total coverage for such acreage would be if it were harvested and (2) dividing the result thus obtained by the predetermined price.
5. Cotton	Acreage harvested	Production, including an appraisal of production left in the field after harvest.
6. Each insured crop	Acreage put to another use without the consent of the Corporation.	Appraised production for such acreage but not less than the product of (1) such acreage and (2) the bushel or pound equivalent of the coverage per acre on the basis of the predetermined price for the crop.
7. Each insured crop	Acreage with reduced yield due solely to cause(s) not insured against.	Appraised number of bushels or pounds by which production for such acreage has been reduced but not less than the product of (1) such acreage and (2) the applicable busehl or pound equivalent of the coverage per acre, on the basis of the predetermined price for the crop, minus the number of bushels or pounds harvested.
8. Each insured crop	Acreage with reduced yield due partially to cause(s) not insured against and partially to cause(s) insured against.	Appraised number of bushels or pounds by which production for such acreage has been reduced because of cause(s) not insured against.

[1] Production shall be in bushels for corn, oats, soybeans and wheat, and in pounds for cotton and tobacco.

Notwithstanding the other provisions of this paragraph (a) regarding the determination of the total production of cotton, in any case where the quality of any cotton production is reduced solely by insured causes to the extent that the value per pound, as determined by the Corporation, is less than 75 percent of the predetermined price, the number of pounds of such poor quality cotton shall be adjusted downward to the number of pounds obtained by dividing the total value of such cotton, as determined by the Corporation, by 75 percent of the predetermined price.

(b) If production from two or more insurance units is commingled and the insured fails to establish and maintain separate acreage and production records satisfactory to the Corporation, the Corporation may allocate the commingled production between the units involved in any manner it deems appropriate or void the insurance on the insurance units involved and declare the premium(s) for such units forfeited by the insured. If production from uninsured acreage and insured acreage is commingled and the insured fails to establish and maintain separate acreage and production records satisfactory to the Corporation, all such production which is commingled shall be considered to have been produced on the insured acreage or the Corporation may void the insurance on the insurance unit(s) involved and declare the premium(s) for such unit(s) forfeited by the insured.

7. *Date table.*

Discount date: June 30.
Maturity date: July 31.
Interest date: October 31.
Cancellation date: August 31.

8. *Definitions.* "Harvest" with respect to any acreage of cotton means the removal (by manual or mechanical means) of an amount of cotton from the stalk which is equal in value (based on the predetermined price) to 10 percent or more of the coverage for such acreage.

Approved: Beginning with the 1953 crop year.

[SEAL] FEDERAL CROP INSURANCE CORPORATION.

§ 420.90-8 *Coffee County.*

RIDER NO. 1 TO THE MULTIPLE CROP INSURANCE POLICY

(Applicable in Coffee County, Tenn., Beginning With the 1953 Crop Year)

1. *Insurable crops.* For the purpose of the multiple crop insurance program the insurable crops are:

(a) Corn normally regarded as field corn, including corn with which soybeans are interplanted. The contract will not provide insurance for true type silage corn, corn planted thick for silage or fodder purposes, sweet corn, popcorn, broom corn, corn planted for the development of hybrid seed corn, or any type of corn other than that normally regarded as field corn.

(b) Cotton, restricted to American upland cotton and not including cotton planted primarily for experimental purposes.

(c) Potatoes (excluding acreage of less than one acre on an insurance unit) commonly known as Irish potatoes.

(d) Soybeans planted for harvest as beans, excluding soybeans interplanted in the same row with corn.

(e) Tobacco, type 31.

2. *Coverage per acre.* (a) The coverage per acre for each insured crop, except cotton, shall be reduced 50 percent for any acreage released by the Corporation and planted to a substitute crop.

(b) The coverage per acre for cotton shall be reduced as follows: (1) 60 percent for any acreage which is released by the Corporation because of damage occurring prior to laying by the crop, and (2) 25 percent for any acreage on which the crop is laid by and not harvested.

3. *Insurance period.* Insurance shall attach at the time of planting to any insured acreage of any insured crop. Insurance shall cease with respect to (a) any portion of the tobacco crop upon weighing-in at the tobacco warehouse, transfer of interest in the tobacco after harvest, removal of the tobacco from the insurance unit (except for curing, packing or immediate delivery to the tobacco warehouse), or weighing of the tobacco for casing, (b) any portion of the corn crop upon harvesting (picking the corn from the stalk either by hand or machine or cutting the corn for fodder or ensilage), the cotton crop upon picking, the soybean crop upon threshing, or with respect to any portion of any crop (except tobacco) upon removal from the field, whichever is earlier. However, in no event shall insurance remain in effect (a) with respect to tobacco later than February 28 following harvest unless such time is extended in writing by the Corporation, (b) with respect to any other crop later than the earlier of (i) the end of the normal harvest period for such crop or (ii) December 31, unless such time is extended in writing by the Corporation, and (c) with respect to any insurance unit later than the date of submission of a claim for indemnity.

4. *Production against loss of quality.* In determining any loss under the contract, production of each insurable crop shall be evaluated at the predetermined price established by the Corporation for that crop and shown on the county actuarial table. However, any production of corn, potatoes or soybeans which will not meet the latest available requirements for a Commodity Credit Corporation loan or support because of poor quality due to insurable causes, and would not meet these requirements if properly handled, shall be evaluated at a value per unit determined by the Corporation.

5. *Released crop.* Notwithstanding any other provision of the policy any crop on any insured acreage may be released by the Corporation subject to an appraisal by the Corporation of the yield that would be realized if the crop were harvested, except that any corn may be used for ensilage or fodder without a release by the Corporation if the insured leaves a number of rows considered by the Corporation to be an adequate representative sample for appraising the yield.

6. *Amount of loss.* (a) The amount of loss with respect to any insurance unit shall be determined by (1) multiplying the insurable acreage (exclusive of any acreage to which insurance did not attach) planted to each insured crop by the applicable coverage per acre, and the result by the insured interest, and (2) subtracting from the total thereof the insured interest in the value (based on the predetermined price) of the total production on such acreage of all insured crops. However, the amount of loss so determined shall be reduced if the premium computed for the insurance unit on the basis of the acreage and interest approved by the Corporation on the acreage report is less than the premium computed for the planted acreage on the insurance unit. This reduction shall be made on the basis of the ratio of the premium computed for the acreage and interest as approved by the Corporation on the acreage report to the premium computed for the planted acreage.

The total production for each insured crop on the insurance unit shall include all production determined in accordance with the production schedule below. In the case of a volunteer crop produced with an insured crop, the production of such volunteer crop shall be included in determining the production of the insured crop. Any production of soybeans interplanted in the same row with corn shall not be counted as production. The Corporation reserves the right to determine the amount of production on the basis of an appraisal of any unharvested crop standing in the field.

PRODUCTION SCHEDULE

Crop	Acreage classification	Total production [1]
1. Each insured crop except cotton.	Acreage released by the Corporation and planted to a substitute crop.	That portion of the appraised production for such acreage which is in excess of the number of bushels or pounds determined by (1) subtracting the total coverage for such acreage from what the total coverage for such acreage would be if it were not planted to a substitute crop, and (2) dividing the result thus obtained by the predetermined price for the crop.
2. Each insured crop except cotton.	Acreage not planted to a substitute crop.	The appraised production or the actual production, including an appraisal of corn left in the field after harvest and an appraisal of corn used for ensilage or fodder.
3. Cotton	Acreage released by the Corporation because of damage occurring prior to laying by the crop.	That portion of the appraised production for such acreage which is in excess of the number of pounds determined by (1) subtracting the total coverage for such acreage from what the total coverage for such acreage would be if it were harvested and (2) dividing the result thus obtained by the predetermined price.
4. Cotton	Acreage on which the crop is laid by and not harvested.	That portion of the appraised production for such acreage which is in excess of the number of pounds determined by (1) subtracting the total coverage for such acreage from what the total coverage for such acreage would be if it were harvested and (2) dividing the result thus obtained by the predetermined price.
5. Cotton	Acreage harvested	Production, including an appraisal of production left in the field after harvest.
6. Each insured crop	Acreage put to another use without the consent of the Corporation.	Appraised production for such acreage but not less than the product of (1) such acreage and (2) the bushel or pound equivalent of the coverage per acre on the basis of the predetermined price for the crop.
7. Each insured crop	Acreage with reduced yield due solely to cause(s) not insured against.	Appraised number of bushels, or pounds by which production for such acreage has been reduced but not less than the product of (1) such acreage and (2) the applicable bushel, or pound equivalent of the coverage per acre, on the basis of the predetermined price for the crop, minus the number of bushels or pounds harvested.
8. Each insured crop	Acreage with reduced yield due partially to cause(s) not insured against and partially to cause(s) insured against.	Appraised number of bushels, or pounds by which production for such acreage has been reduced because of cause(s) not insured against.

[1] Production shall be in bushels for corn, and soybeans, and in pounds for cotton, potatoes and tobacco.

Notwithstanding the other provisions of this paragraph (a) regarding the determination of the total production of cotton, in any case where the quality of any cotton production is reduced solely by insured causes to the extent that the value per pound, as determined by the Corporation, is less than 75 percent of the predetermined price, the number of pounds of such poor quality cotton shall be adjusted downward to the number of pounds obtained by dividing the total value of such cotton, as determined by the Corporation, by 75 percent of the predetermined price.

(b) If production from two or more insurance units is commingled and the insured fails to establish and maintain separate acreage and production records satisfactory to the Corporation, the Corporation may allocate the commingled production between the units involved in any manner it deems appropriate or void the insurance on the insurance units involved and declare the premium(s) for such units forfeited by the insured. If production from uninsured acreage and insured acreage is commingled and the insured fails to establish and maintain separate acreage and production records satisfactory to the Corporation, all such production which is commingled shall be considered to have been produced on the insured acreage or the Corporation may void the insurance on the insurance unit(s) involved and declare the premium(s) for such unit(s) forfeited by the insured.

7. *Date table.*

Discount date: June 30.
Maturity date: July 31.
Interest date: October 31.
Cancellation date: February 28.

8. *Definitions.* "Harvest" with respect to any acreage of cotton means the removal (by manual or mechanical means) of an amount of cotton from the stalk which is equal in valve (based on the predetermined price) to 10 percent or more of the coverage for such acreage.

Approved: Beginning with the 1953 crop year.

[SEAL] FEDERAL CROP INSURANCE CORPORATION.

§ 420.98 *Wyoming.*

§ 420.98–3 *Fremont County.*

RIDER NO. 1 TO THE MULTIPLE CROP INSURANCE POLICY

(Applicable in Fremont County, Wyo., Beginning With the 1953 Crop Year)

1. *Insurable crops.* For the purpose of the multiple crop insurance program the insurable crops are :

(a) Corn planted for silage.
(b) Barley (spring only) planted for harvest as grain.
(c) Dry edible beans (pinto and great northern).
(d) Oats (spring only) planted for harvest as grain.
(e) Wheat (spring only) planted for harvest as grain.

2. *Coverage per acre.* The coverage per acre for each insured crop shall be reduced 50 percent for any acreage released by the Corporation and planted to a substitute crop.

3. *Insurance period.* Insurance shall attach at the time of planting to any insured acreage of any insured crop. Insurance shall cease with respect to any portion of the corn crop upon harvesting (cutting the corn for silage), all other insured crops upon threshing, or with respect to any portion of any crop upon removal from the field, whichever is earlier. However, in no event shall insurance remain in effect (a) with respect to any crop later than the earlier of (i) the end of the normal harvest period for such crop or (ii) December 10, unless such time is extended in writing by the Corporation, and (b) with respect to any insurance unit later than the date of submission of a claim for indemnity.

4. *Protection against loss of quality.* In determining any loss under the contract, production of each insurable crop shall be evaluated at the predetermined price established by the Corporation for that crop and shown on the county actuarial table. However, any production of barley, oats, or wheat which will not meet the latest available requirements for a Commodity Credit Corporation loan or support because of poor quality due to insurable causes, and would not meet these requirements if properly handled, shall be evaluated at a value per unit determined by the Corporation. In order to provide quality protection on dry edible beans, production of beans shall be determined on the basis of sound whole beans.

5. *Released crop.* Notwithstanding any other provision of the policy any crop on any insured acreage may be released by the Corporation subject to an appraisal by the Corporation of the yield that would be realized if the crop were harvested.

6. *Amount of loss.* (a) The amount of loss with respect to any insurance unit shall be determined by (1) multiplying the insurable acreage (exclusive of any acreage to which insurance did not attach) planted to each insured crop by the applicable coverage per acre, and the result by the insured interest, and (2) subtracting from the total thereof the insured interest in the value (based on the predetermined price) of the total production on such acreage of all insured crops. However, the amount of loss so determined shall be reduced if the premium computed for the insurance unit on the basis of the acreage and interest approved by the Corporation on the acreage report is less than the premium computed for the planted acreage on the insurance unit. This reduction shall be made on the basis of the ratio of the premium computed for the acreage and interest as approved by the Corporation on the acreage report to the premium computed for the planted acreage. The total production for each insured crop on the insurance unit shall include all production determined in accordance with the production schedule below. Where any small grains are seeded with an insured growing small grain crop on acreage not released by the Corporation, all production shall be counted as the insured small grain on a weight basis. In the case of a volunteer crop produced with an insured crop, the production of such volunteer crop shall be included in determining the production of the insured crop.

The Corporation reserves the right to determine the amount of production on the basis of an appraisal of any unharvested crop standing in the field.

PRODUCTION SCHEDULE

Crop	Acreage classification	Total production [1]
1. Each insured crop	Acreage released by the Corporation and planted to a substitute crop.	That portion of the appraised production for such acreage which is in excess of the number of bushels, pounds or tons determined by (1) subtracting the total coverage for such acreage from what the total coverage for such acreage would be if it were not planted to a substitute crop, and (2) dividing the result thus obtained by the predetermined price for the crop.

[1] Production and allowances shall be in bushels for barley, oats and wheat, pounds for beans, tons (rounded to tenths) for corn silage.

PRODUCTION SCHEDULE—Continued

Crop	Average classification	Total production[1]
2. Each insured crop...	Acreage not planted to a substitute crop.	The appraised production or the actual production.
3. Each insured crop...	Acreage put to another use without the consent of the Corporation.	Appraised production for such acreage but not less than the product of (1) such acreage and (2) the bushel, pound or ton equivalent of the coverage per acre on the basis of the predetermined price for the crop.
4. Each insured crop...	Acreage with reduced yield due solely to cause(s) not insured against.	Appraised number of bushels, pounds, or tons by which production for such acreage has been reduced but not less than the product of (1) such acreage and (2) the applicable bushel, pound, or ton equivalent of the coverage per acre on the basis of the predetermined price for the crop, minus the number of bushels, pounds, or tons harvested.
5. Each insured crop...	Acreage with reduced yield due partially to cause(s) not insured against and partially to cause(s) insured against.	Appraised number of bushels, pounds, or tons by which production for such acreage has been reduced because of cause(s) not insured against.

[1] Production and allowances shall be in bushels for barley, oats and wheat, pounds for beans, tons (rounded to tenths) for corn silage.

(b) If production from two or more insurance units is commingled and the insured fails to establish and maintain separate acreage and production records satisfactory to the Corporation, the Corporation may allocate the commingled production between the units involved in any manner it deems appropriate or void the insurance on the insurance units involved and declare the premium(s) for such units forfeited by the insured. If production from uninsured acreage and insured acreage is commingled and the insured fails to establish and maintain separate acreage and production records satisfactory to the Corporation, all such production which is commingled shall be considered to have been produced on the insured acreage or the Corporation may void the insurance on the insurance unit(s) involved and declare the premium(s) for such unit(s) forfeited by the insured.

7. *Irrigated acreage.* (a) In addition to the provisions of section 4 of the policy, the following provisions shall apply: (1) The acreage of insured crops in any year shall not exceed that acreage which can be irrigated adequately with the facilities available and with a supply of irrigation water which reasonably could be expected, taking into consideration the amount of water required to irrigate the acreage of all irrigated crops on the farm. (2) Insurance shall not attach with respect to acreage planted to insurable crops (i) the first year after being leveled or (ii) the first year such acreage is irrigated.

(b) In addition to the causes of loss insured against as shown on the first page of the policy the contract shall cover loss due to failure of the water supply from natural causes that could not be foreseen and prevented by the insured.

(c) In addition to the causes of loss not insured against as shown in section 8 of the policy, the contract shall not cover loss caused by (1) failure properly to apply irrigation water to any insurable crop in accordance with good farming practices, as determined by the Corporation, and (2) shortage of irrigation water on any farm where the Corporation determines that the total acreage of all irrigated crops on the farm is in excess of that which could be irrigated properly with the facilities available and with the supply of irrigation water which reasonably could be expected.

8. *Date table.*

Discount date: June 30.
Maturity date: July 31.
Interest date: October 31.
Cancellation date: August 31.

Approved: Beginning with the 1953 crop year.

[SEAL] FEDERAL CROP INSURANCE CORPORATION.

[F. R. Doc. 53-10262; Filed, Dec. 18, 1953; 8:45 a. m.]

Chapter VIII—Production and Marketing Administration (Sugar Branch), Department of Agriculture

Subchapter B—Sugar Requirements and Quotas

[Sugar Reg. 812]

PART 812—SUGAR REQUIREMENTS AND QUOTAS; HAWAII AND PUERTO RICO

CALENDAR YEAR 1954

By virtue of the authority vested in the Secretary of Agriculture by the Sugar Act of 1948, as amended (61 Stat. 922, 65 Stat. 318; 7 U. S. C., Sup. 1100) and the Administrative Procedure Act (60 Stat. 237, 5 U. S. C. 1001), these regulations are hereby made, prescribed, and published to be in force and effect for the calendar year 1954 or until amended or superseded by regulations hereafter made during the calendar year 1954.

Basis and purpose. The determinations and the sugar quotas set forth below have been made and established pursuant to section 203 of the Sugar Act of 1948, as amended (hereinafter called the "act"). The act provides for the Secretary of Agriculture to make such determinations and establish such quotas for the calendar year 1954 during December 1953. The determinations of the sugar requirements have been based, insofar as required by section 201 of the act, on official statistics of the Department of Agriculture and statistics published by other agencies of the Federal Government. The purpose of such determinations is to provide the amounts of sugar needed to meet the requirements of consumers in the Territory of Hawaii and in Puerto Rico for the calendar year 1954. The determinations provide the basis for the establishment of sugar quotas for such year for local consumption therein pursuant to section 203 of the act.

Prior to the issuance of these regulations, notice was given (18 F. R. 6720) that the Secretary of Agriculture was preparing, among other things, to determine the requirements and quotas for the calendar year 1954 for local consumption in Hawaii and in Puerto Rico and that any interested person might present any data, views or arguments with respect thereto in writing not later than November 27, 1953. Due consideration has been given to the data, views and arguments submitted, in accordance with the Administrative Procedure Act (60 Stat. 237).

Since the act provides that the Secretary of Agriculture determine sugar requirements and establish quotas for local consumption in Hawaii and in Puerto Rico during December 1953, to be applicable for the calendar year 1954, it is impracticable and not in the public interest to comply with the 30-day effective date requirements of the Administrative Procedure Act. Accordingly, these regulations shall be effective January 1, 1954.

§ 812.11 *Sugar requirements and quotas*—(a) *Sugar requirements.* It is hereby determined, pursuant to section 203 of the act, that the amount of sugar needed to meet the requirements of consumers in the Territory of Hawaii for the calendar year 1954 is 40,000 short tons of sugar, raw value, and that the amount of sugar needed to meet the requirements of consumers in Puerto Rico for the calendar year 1954 is 100,000 short tons, raw value.

(b) *Local consumption quotas.* There are hereby established, pursuant to section 203 of the act, for local consumption in the Territory of Hawaii and in Puerto Rico, for the calendar year 1954 the following quotas:

Area:	Quotas in terms of short tons, raw value
Hawaii	40,000
Puerto Rico	100,000

§ 812.12 *Restrictions on marketing.* For the calendar year 1954, all persons are hereby forbidden, pursuant to section 209 of the act, from marketing in the Territory of Hawaii or in Puerto Rico, for consumption therein, any sugar or liquid sugar after the quota for the area for the calendar year 1954 has been filled.

Statement of bases and considerations: Pursuant to section 203 of the act, it has been determined that those provisions of section 201 of the act which shall apply to the determination of the amounts of sugar needed to meet the requirements of consumers in Hawaii and in Puerto Rico relate to (1) the quantities of sugar distributed for local consumption in Hawaii and in Puerto Rico during the twelve-month period ended October 31, 1953 (2) deficiencies or surpluses in inventories of sugar and (3) changes in consumption because of changes in population and demand conditions.

The quantities of sugar distributed for consumption in Hawaii and Puerto Rico, including that which was lost in refining after charge to the local quotas, during such twelve-month period were approximately 42,000 short tons of sugar, raw value, and 96,000 short tons of sugar, raw value, respectively.

No official estimate of population for either of these areas for 1953 or 1954 is available. The estimate of the population of Hawaii for 1952 is 2 percent larger than for 1951, and for Puerto Rico, 0.3 percent larger.

In Hawaii, distribution of sugar for local consumption in recent years has not followed an increasing trend related

to population increases because of the changes in industrial use. The 42,000 tons marketed during the period ended October 31, 1953 is larger than the quantity marketed in 4 out of the 5 previous comparable periods. Distribution during those five periods averaged 39,000 tons. The relatively high rate of distribution prior to October 31, 1953, together with the 6,000 tons of the 1953 local consumption quota remaining to be marketed after October 31 will probably result in some refined sugar stocks charged to the 1953 quota available for use in 1954. Thus it appears that new quota supplies of 40,000 short tons, raw value, will be adequate for local consumption in Hawaii in 1954.

In Puerto Rico the 96,000 tons distributed in the twelve-month period ended October 31, 1953, is less than the quantity distributed in any of the previous 5 comparable periods. Distribution during those five periods averaged 101,000 tons. The comparatively low rate of distribution during the twelve-month period ended October 31, 1953 indicates that the "invisible" stocks (stocks held by wholesalers, retailers and industrial users) were considerably reduced by October 31. On that date refiners in the island had approximately 18,000 tons of 1953 quota sugar on hand. This quantity, while sufficient to meet consumption requirements for the balance of 1953 and early 1954, is 5,000 tons less than the quantity distributed during November 1952–January 1953. It therefore appears that "invisible" inventories will not be excessive on January 1, 1954 and that a quota of 100,000 short tons, raw value, for local consumption in Puerto Rico in 1954 will provide a supply of sugar that will be consumed at fair prices.

In accordance with the above, the quotas for local consumption in Hawaii and Puerto Rico for 1954 have been established at 40,000 and 100,000 short tons, raw value, respectively.

(Sec. 403, 61 Stat. 932, 7 U. S. C. Sup., 1153. Interpret or apply secs. 201, 203, 209, 210, 61 Stat. 923, 925, 928; 7 U. S. C. Sup., 1111, 1113, 1119, 1120)

Done at Washington, D. C., this 15th day of December 1953. Witness my hand and the seal of the Department of Agriculture.

[SEAL] E. T. BENSON,
Secretary of Agriculture.

[F. R. Doc. 53-10555; Filed, Dec. 18, 1953; 8:49 a. m.]

[Sugar Reg. 811]

PART 811—CONTINENTAL SUGAR REQUIREMENTS AND AREA QUOTAS

REQUIREMENTS AND QUOTAS FOR 1954

Correction

In Federal Register Document 53-10487, published at page 8257 of the issue for Thursday, December 17, 1953, the following changes are made:

1. In § 811.65 (b) (2) the headnote of the list should read: "*Direct-consumption sugar, tons, raw value*".

2. In § 811.66 the headnote of the list should read: "*Liquid sugar, wine gallons, 72 percent total sugar content*".

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

[Navel Orange Reg. 9, Amdt. 1]

PART 914—NAVEL ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

LIMITATION OF HANDLING

Findings. 1. Pursuant to the marketing agreement and Order No. 14 (18 F. R. 5638), regulating the handling of Navel oranges grown in Arizona and designated part of California, effective September 22, 1953, under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and upon the basis of the recommendation and information submitted by the Navel Orange Administrative Committee, established under the said marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such Navel oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

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

Order, as amended. The provisions in paragraph (b) (1) (i) of § 914.309 (Navel Orange Regulation 9, 18 F. R. 8171) are amended to read as follows:

(i) District 1, 500 carloads.

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

Done at Washington, D. C., this 15th day of December 1953.

[SEAL] FLOYD F. HEDLUND,
Acting Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 53-10553; Filed, Dec. 18, 1953; 8:49 a. m.]

[Navel Orange Reg. 10]

PART 914—NAVEL ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

LIMITATION OF HANDLING

§ 914.310 *Navel Orange Regulation 10*—(a) *Findings.* (1) Pursuant to the marketing agreement and Order No. 14 (18 F. R. 5638), regulating the handling of navel oranges grown in Arizona and designated part of California, effective September 22, 1953, under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and upon the basis of the recommendation and information submitted by the Navel Orange Administrative Committee, established under the said marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such navel oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions of this section effective as hereinafter set forth. The Navel Orange Administrative Committee held an open meeting on December 17, 1953, after giving due notice thereof, to consider supply and market conditions for navel oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein was promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such navel oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed on or before the effective date hereof.

(b) *Order.* (1) The quantity of navel oranges grown in Arizona and designated part of California which may be handled during the period beginning at 12:01 a. m., P. s. t., December 20, 1953, and ending at 12:01 a. m., P. s. t., December 27, 1953, is hereby fixed as follows:

(i) District 1: 400 carloads;
(ii) District 2: 52.21 carloads;
(iii) District 3: Unlimited movement;
(iv) District 4: Unlimited movement.

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

(3) As used in this section "handled," "handler," "carloads," "prorate base," "District 1," "District 2," "District 3," and "District 4" shall have the same meaning as when used in said marketing agreement and order.

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

Done at Washington, D. C., this 18th day of December 1953.

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

PRORATE BASE SCHEDULE

[12:01 a. m., P. s. t., Dec. 20, to 12:01 a. m., P. s. t., Dec. 27, 1953]

NAVEL ORANGES

PRORATE DISTRICT NO. 1

Handler	*Prorate base (percent)*
Total	100.0000
A. F. G. Lindsay	1.6888
A. F. G. Porterville	2.2298
Ivanhoe Cooperative Association	.6841
Anderson Packing Co	1.1809
Euclid Avenue Orange Association	.5357
Lindsay Mutual Groves	1.4820
Martin Ranch	1.4232
Orange Cove Orange Growers	2.6464
Woodlake Packing House	1.8273
Dofflemyer & Son, W. Todd	.5049
Earlibest Orange Association	1.7438
Elderwood Citrus Association	.7157
Exeter Citrus Association	3.3574
Exeter Orange Growers Association	1.5560
Exeter Orchards Association	1.3940
Hillside Packing Association	1.3701
Ivanhoe Mutual Orange Association	1.3179
Klink Citrus Association	4.0380
Lemon Cove Citrus Association	.8408
Lindsay Citrus Growers Association	2.3246
Lindsay Cooperative Association	1.3935
Lindsay Fruit Association	2.3186
Lindsay Orange Growers Association	.7985
Naranjo Packing House Co	1.4219
Orange Cove Citrus Association	3.7212
Orange Packing Co	1.0358
Orosi Foothill Citrus Association	1.4024
Paloma Citrus Fruit Association	.7907
Rocky Hill Citrus Association	1.6454
Sanger Citrus Association	3.7099
Sequoia Citrus Association	.8065
Stark Packing Co	2.9634
Visalia Citrus Association	2.6201
Waddell & Son	2.4481
Baird Neece Corp	1.9319
Beattie Association, D. A	.4865
Grand View Heights Citrus Association	3.1490
Magnolia Citrus Association	2.8011
Porterville Citrus Association, The	1.6647
Randolph Marketing Co	1.9252
Richgrove-Jasmine Citrus Association	1.3406
Strathmore Cooperative Citrus Association	1.0294
Strathmore District Orange Association	1.6984
Strathmore Packing House Co	2.1770
Sunflower Citrus Growers	3.1031
Sunland Packing House Co	2.8236
Terra Bella Citrus Association	1.3047
Tule River Citrus Association	.8548
Baker Ranch Packing House	.4464
Batkins, Jr., Fred A	.0582
California Citrus Groves, Inc., Ltd	2.7235
Darby, Fred J	.0241
Dubendorf, John	.1303
Evans Brothers Packing Co	.2237
Far West Produce Distributors	.0624
Foothill Packing Co	.3202
Friesen, Lawrence	.0080
Haas & Ferry	.1944
Harding & Leggett	1.7635
Independent Growers, Inc	1.1213
Lo Bue Bros	.7208
Maas, W. A	.1188
Marks, W. & M	.4293
McNees, Hubert K	.0000
Morin, Carl W	.0208
Nickel, Edward	.0034
Orange Belt Fruit Distributors	.5838
Paramount Citrus Association, Inc	1.9529
Reimers, Don H	.5470
Riverside Fruit Co	.0944
Sequoia Cider Mill	.0171
Stephens & Cain	.5544
Tashjian, John	.1144
Zaninovich Bros., Inc	1.5395

PRORATE DISTRICT NO. 2

Handler	*Prorate base (percent)*
Total	100.0000
A. F. G. Corona	.5813
A. F. G. Fullerton	.0207
A. F. G. Orange	.0178
A. F. G. Riverside	1.3433
A. F. G. Santa Paula	.0474
Eadington Fruit Co	.7321
Signal Fruit Association	1.2220
Anaheim Cooperative Orange Association	.0320
Bryn Mawr Mutual Orange Association	.4900
Chula Vista Mutual Lemon Association	.1068
Daniels, Inc., Ward	.3351
Euclid Avenue Orange Association	3.0802
Foothill Citrus Union, Inc	.3816
Garden Grove Citrus Association	.0167
Index Mutual Association	.0108
La Verne Cooperative Citrus Association	3.0028
Olive Hillside Groves, Inc	.0082
Redlands Foothill Groves	2.6371
Redlands Mutual Orange Association	1.3698
Azusa Citrus Association	.8387
Covina Citrus Association	2.0612
Glendora Citrus Association	1.6448
Valencia Heights Orchard Association	.2197
Gold Buckle Association	4.6495
La Verne Orange Association	4.7271
Anaheim Valencia Orange Association	.0121
Fullerton Mutual Orange Association	.4257
La Habra Citrus Association	.0865
Yorba Linda Citrus Association	.0810
El Cajon Valley Citrus Association	.1575
Escondido Orange Association	.6317
Citrus Fruit Growers	.4569
Cucamonga Mesa Growers	.8796
Etiwanda Citrus Fruit Association	.1348
Upland Citrus Association	2.1316
Upland Heights Orange Association	1.1990
Consolidated Orange Growers	.0211
Garden Grove Citrus Association	.0204
Goldenwest Citrus Association	.1758
Olive Heights Citrus Association	.0601
Santiago Orange Growers Association	.0763
Villa Park Orchards Association	.0380
Bradford Bros., Inc	.2029
Placentia Mutual Orange Association	.1656
Placentia Orange Growers Association	.2270
Yorba Orange Growers Association	.0488
Corona Citrus Association	1.1636
Jameson Co	.5982
Orange Heights Orange Association	4.0528
Crafton Orange Growers Association	1.8594
East Highlands Citrus Association	.5407
Redlands Heights Groves	1.0000
Redlands Orangedale Association	1.2074
Rialto Fontana Citrus Association	.2671
Bryn Mawr Fruit Growers Association	1.3407
Mission Citrus Association	.9483
Redlands Cooperative Fruit Association	2.1216
Redlands Orange Growers Association	1.7322
Redlands Select Groves	.5312
Rialto Orange Co	.4570
Southern Citrus Growers	1.0429
United Citrus Growers	1.1017
Arlington Heights Citrus Co	1.6105
Blue Banner, Inc	2.5895
Brown Estate, L. V. W	2.2769
Gavilan Citrus Association	2.1988
McDermont Fruit Co	1.8467
Monte Vista Citrus Association	1.5519
National Orange Co	1.5376
Riverside Highgrove Citrus Association	2.0743
Victoria Avenue Citrus Association	3.3189
Claremont Citrus Association	.6467
College Heights Orange & Lemon Association	2.1496
Indian Hill Citrus Association	1.0713
Walnut Fruit Growers	.6304
West Ontario Citrus Association	.8407
Escondido Cooperative Citrus Association	.1067
Camarillo Citrus Association	.0041
Fillmore Citrus Association	1.0781
Mupu Citrus Association	.0049
Ojai Orange Association	1.0340
Piru Citrus Association	1.1975
Rancho Sespe	.0013
San Fernando Fruit Growers Association	.4539
Santa Paula Orange Association	.0925
Ventura County Citrus Association	.0413
North Whittier Heights	.1323
Placentia Cooperative Orange Association	.2715
Sierra Madre-Lamanda Citrus Association	.0761
A. J. Packing Co	.1574
Babijuice Corp. of California	.0442
Bryant, Foster	.0000
Cherokee Citrus Co., Inc	1.1407
Dunning, Vera Hueck	.1809
Evans Bros. Packing Co	1.3013
Far West Produce Distributors	.0483
Gold Banner Association	2.4897
Granada Packing House	.1349
Holland, M. J	.0218
Orange Belt Fruit Distributors	.7277
Panno Fruit Co., Carlo	.0517
Paramount Citrus Association	.1095
Placentia Orchards Association	.0795
Riverside Fruit Co	.4177
Wall, E. T	2.1944
Western Fruit Growers, Inc	5.2879

[F. R. Doc. 53-10622; Filed, Dec. 18, 1953; 11:10 a. m.]

[Grapefruit Reg. 190]

PART 933—ORANGES, GRAPEFRUIT, AND TANGERINES GROWN IN FLORIDA

LIMITATION OF SHIPMENTS

§ 933.652 *Grapefruit Regulation 190*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR Part

933), regulating the handling of oranges, grapefruit, and tangerines grown in the State of Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of grapefruit, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions of this section effective not later than December 21, 1953. Shipments of grapefruit, grown in the State of Florida, are presently subject to regulation by grades and sizes, pursuant to the amended marketing agreement and order, and will so continue until December 21, 1953, the recommendation and supporting information for continued regulation subsequent to December 20 was promptly submitted to the Department after an open meeting of the Growers Administrative Committee on December 15; such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section including the effective time of this section, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such grapefruit; it is necessary in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter set forth so as to provide for the continued regulation of the handling of grapefruit; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time of this section.

(b) *Order.* (1) During the period beginning at 12:01 a. m., e. s. t., December 21, 1953, and ending at 12:01 a. m., e. s. t., January 4, 1954, no handler shall ship:

(i) Any white seeded grapefruit, grown in the State of Florida, which do not grade at least U. S. No. 1 Russet;

(ii) Any pink seeded grapefruit, grown in the State of Florida, which do not grade at least U. S. No. 2;

(iii) Any seedless grapefruit, grown in the State of Florida, which do not grade at least U. S. No. 2;

(iv) Any white seeded grapefruit, grown in the State of Florida, which are of a size smaller than a size that will pack 70 grapefruit, packed in accordance with the requirements of a standard pack, in a standard nailed box;

(v) Any pink seeded grapefruit, grown in the State of Florida, which are of a size smaller than a size that will pack 80 grapefruit, packed in accordance with the requirements of a standard pack, in a standard nailed box;

(vi) Any pink seedless grapefruit, grown in the State of Florida, which are of a size smaller than a size that will pack 96 grapefruit, packed in accordance with the requirements of a standard pack, in a standard nailed box;

(vii) Any white seedless grapefruit, grown in the State of Florida, that grade U. S. No. 2 or U. S. No. 2 Bright which are of a size smaller than a size that will pack 80 grapefruit, packed in accordance with the requirements of a standard pack, in a standard nailed box; or

(viii) Any white seedless grapefruit, grown in the State of Florida, that grade U. S. No. 1 Russet, U. S. No. 1, U. S. No. 1 Bronze, U. S. No. 1 Golden, U. S. No. 1 Bright or U. S. Fancy which are of a size smaller than a size that will pack 96 grapefruit, packed in accordance with the requirements of a standard pack, in a standard nailed box

(2) As used in this section, "handler," "ship," and "Growers Administrative Committee," shall have the same meaning as when used in said amended marketing agreement and order; and "U. S. No. 1 Russet," "U. S. No. 1," "U. S. No. 1 Bronze," "U. S. No. 1 Golden," "U. S. No. 1 Bright," "U. S. Fancy," "U. S. No. 2," "U. S. No. 2 Bright," "standard pack," and "standard nailed box" shall have the same meaning as when used in the revised United States Standards for Florida Grapefruit (§§ 51.750 to 51.790 of this title).

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

Done at Washington, D. C., this 16th day of December 1953.

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

[F. R. Doc. 53-10574; Filed, Dec. 18, 1953; 8:53 a. m.]

[Orange Reg. 246]

PART 933—ORANGES, GRAPEFRUIT, AND TANGERINES GROWN IN FLORIDA

LIMITATION OF SHIPMENTS

§ 933.653 *Orange Regulation 246*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR Part 933), regulating the handling of oranges, grapefruit, and tangerines grown in the State of Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of all oranges, except Temple oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions of this section effective not later than December 21, 1953. Shipments of all oranges except Temple oranges, grown in the State of Florida, are presently subject to regulation by grades and sizes, pursuant to the amended marketing agreement and order, and will so continue until December 21, 1953; the recommendation and supporting information for continued regulation subsequent to December 20 was promptly submitted to the Department after an open meeting of the Growers Administrative Committee on December 15; such meeting was held to consider recommendations for regulation, after giving due notice of such meeting and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including the effective time of this section, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter set forth so as to provide for the continued regulation of the handling of all oranges, except Temple oranges; and compliance with this section will not require any special preparation on the part of the persons subject thereto which cannot be completed by the effective time of this section.

(b) *Order.* (1) During the period beginning at 12:01 a. m., e. s. t., December 21, 1953, and ending at 12:01 a. m., e. s. t., January 4, 1954, no handler shall ship:

(i) Any oranges, except Temple oranges, grown in the State of Florida, which do not grade at least U. S. No. 1 Russet; or

(ii) Any oranges, except Temple oranges, grown in the State of Florida, which are of a size smaller than 2$^{10}/_{16}$ inches in diameter, measured midway at a right angle to a straight line running from the stem to the blossom end of the fruit, except that a tolerance of 10 percent, by count, of oranges smaller than such minimum size shall be permitted, which tolerance shall be applied in ac-

cordance with the provisions for the application of tolerances, specified in the revised United States Standards for Florida oranges (§ 51.1140 of this title): *Provided*, That in determining the percentage of oranges in any lot which are smaller than 2 10/16 inches in diameter, such percentage shall be based only on those oranges in such lot which are of a size 2 14/16 inches in diameter and smaller.

(2) As used in this section, the terms "handler," "ship," and "Growers Administrative Committee" shall each have the same meaning as when used in said amended marketing agreement and order; and the term "U. S. No. 1 Russet" shall have the same meaning as when used in the revised United States Standards for Florida Oranges (§§ 51.1140 to 51.1186 of this title).

(3) Shipments of Temple oranges, grown in the State of Florida, are subject to the provisions of Orange Regulation 244 (§ 933.647; 18 F. R. 7380).

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

Done at Washington, D. C., this 16th day of December 1953.

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

[F. R. Doc. 53-10575; Filed, Dec. 18, 1953; 8:54 a. m.]

[Lemon Reg. 516]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

§ 953.623 *Lemon Regulation 516*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953; 18 F. R. 6767), regulating the handling of lemons grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of the quantity of such lemons which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions of this section effective as hereinafter set forth. Shipments of lemons, grown in the State of California or in the State of Arizona, are currently subject to regulation pursuant to said amended marketing agreement and order; the recommendation and supporting information for regulation during the period specified in this section was promptly submitted to the Department after an open meeting of the Lemon Administrative Committee on December 16, 1953, such meeting was held, after giving due notice thereof to consider recommendations for regulation, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter specified; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time thereof.

(b) *Order.* (1) The quantity of lemons grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., P. s. t., December 20, 1953, and ending at 12:01 a. m., P. s. t., December 27, 1953, is hereby fixed as follows:

(i) District 1: 25 carloads;
(ii) District 2: 160 carloads;
(iii) District 3: 15 carloads.

(2) The prorate base of each handler who has made application therefor, as provided in the said amended marketing agreement and order, is hereby fixed in accordance with the prorate base schedule which is attached to Lemon Regulation 515 (18 F. R. 8172) and made a part hereof by this reference.

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

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

Done at Washington, D. C., this 17th day of December 1953.

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

[F. R. Doc. 53-10600; Filed, Dec. 18, 1953; 8:55 a. m.]

[Grapefruit Reg. 93]

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

LIMITATION OF SHIPMENTS

§ 955.354 *Grapefruit Regulation 93*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 55, as amended (7 CFR Part 955), regulating the handling of grapefruit grown in the State of Arizona; in Imperial County, California, and in that part of Riverside County, California, situated south and east of the San Gorgonio Pass, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the Administrative Committee (established under the aforesaid amended marketing agreement and order), and upon other available information, it is hereby found that the limitation of shipments of grapefruit, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions of this section effective not later than December 20, 1953. Shipments of grapefruit, grown as aforesaid, have been subject to regulation by grades and sizes, pursuant to the amended marketing agreement and order, since October 18, 1953, and will so continue until December 20, 1953; the recommendation and supporting information for continued regulation subsequent to December 19, 1953, was promptly submitted to the Department after an open meeting of the Administrative Committee on December 10; such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including the effective time thereof, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such grapefruit; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter set forth so as to provide for the continued regulation of the handling of grapefruit; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time of this section.

(b) *Order.* (1) During the period beginning at 12:01 a. m., P. s. t., December 20, 1953, and ending at 12:01 a. m., P. s. t., January 24, 1954, no handler shall ship:

(i) Any grapefruit of any variety grown in the State of Arizona; in Imperial County, California; or in that part of Riverside County, California, situated south and east of the San Gorgonio Pass

unless such grapefruit are at least fairly well colored, and otherwise grade at least U. S. No. 2; or

(ii) From the State of California or the State of Arizona (*a*) to any point outside thereof in the United States, any grapefruit, grown as aforesaid, which are of a size smaller than 3¹¹⁄₁₆ inches in diameter, or (*b*) to any point in Canada, any grapefruit, grown as aforesaid, which are of a size smaller than 3⁹⁄₁₆ inches in diameter ("diameter" in each case to be measured midway at a right angle to a straight line running from the stem to the blossom end of the fruit), except that a tolerance of 5 percent, by count, of grapefruit smaller than the foregoing minimum sizes shall be permitted which tolerance shall be applied in accordance with the provisions for the application of tolerance, specified in the revised United States Standards for Grapefruit (California and Arizona), §§ 51.925 to 51.955 of this title: *Provided*, That in determining the percentage of grapefruit in any lot which are smaller than 3¹¹⁄₁₆ inches in diameter, such percentage shall be based only on the grapefruit in such lot which are of a size 4²⁄₁₆ inches in diameter and smaller; and in determining the percentage of grapefruit in any lot which are smaller than 3⁹⁄₁₆ inches in diameter, such percentage shall be based only on the grapefruit in such lot which are of a size 3¹³⁄₁₆ inches in diameter and smaller.

(2) As used in this section, "handler," "variety," "grapefruit," and "ship" shall have the same meaning as when used in said amended marketing agreement and order; and the terms "U. S. No. 2" and "fairly well colored" shall each have the same meaning as when used in the revised United States Standards for Grapefruit (California and Arizona), §§ 51.925 to 51.955 of this title.

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

Done at Washington, D. C., this 15th day of December 1953.

[SEAL] FLOYD F. HEDLUND,
Acting Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 53-10552; Filed, Dec. 18, 1953; 8:48 a. m.]

[959.309, Amdt. 3]

PART 959—IRISH POTATOES GROWN IN THE COUNTIES OF CROOK, DESCHUTES, JEFFERSON, KLAMATH, AND LAKE IN OREGON, AND MODOC AND SISKIYOU IN CALIFORNIA

LIMITATION OF SHIPMENTS

Findings. (1) Pursuant to Marketing Agreement No. 114 and Order No. 59, as amended (7 CFR Part 959), regulating the handling of Irish potatoes grown in the counties of Crook, Deschutes, Jefferson, Klamath, and Lake in the State of Oregon, and Modoc and Siskiyou in the State of California, effective under the applicable provisions of the Agricultural

Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.), and upon the basis of the recommendation and information submitted by the Oregon-California Potato Committee, established pursuant to said marketing agreement and amended order, and upon other available information, it is hereby found that the amendment to the limitation of shipments, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this amendment until 30 days after publication in the FEDERAL REGISTER (5 U. S. C. 1001 et seq.) in that (i) the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient, (ii) more orderly marketing in the public interest, than would otherwise prevail, will be promoted by regulating the shipment of potatoes, in the manner set forth below, on and after the effective date of this amendment, (iii) compliance with this amendment will not require any preparation on the part of handlers which cannot be completed by the effective date, and (iv) information regarding the committee's recommendations has been made available to producers and handlers in the production area.

Order as amended. The provisions of § 959.309 (b) (4) and (5) (FEDERAL REGISTER, August 29, October 22, November 10, and December 5, 1953; 18 F. R. 5163, 6697, 7055, 7844), are hereby amended to read as follows:

(4) The limitations set forth in subparagraph (1) of this paragraph shall not be applicable to shipments of potatoes for the following purposes: (i) Grading or storing in the production area, (ii) seed, (iii) canning or freezing, (iv) dehydration, or manufacture or conversion into starch, flour, and alcohol within the production area, (v) charity, and (vi) livestock feed within the production area.

(5) Each handler making shipments of potatoes pursuant to subparagraph (4) of this paragraph shall (except for shipments of potatoes for grading or storing in the production area, and shipments of potatoes for livestock feed within the production area) (i) file an application with the committee pursuant to § 959.130 for permission to make such shipments, (ii) pay assessments on such shipments pursuant to § 959.41, and (iii) have such shipments (except shipments of seed potatoes) inspected pursuant to § 959.60, and for each shipment made pursuant to subdivisions (iii), (iv), and (v) of subparagraph (4) of this paragraph shall furnish a record of shipment applicable thereto to the committee: *Provided*, That each application to ship potatoes made pursuant to subdivisions (iii), (iv), and (v) of subparagraph (4) of this paragraph shall be accompanied by the applicant handler's certification and buyer's certification that the potatoes to be shipped are to be used for the purpose stated in the application; *And provided further*, That each handler agrees in his application to furnish a copy of the bill of lading on each such shipment and to bill each such shipment directly to the applicable processor.

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

Done at Washington, D. C., this 17th day of December 1953, to become effective 12:01 a. m., P. s. t., December 21, 1953.

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

[F. R. Doc. 53-10601; Filed, Dec. 18, 1953; 8:55 a. m.]

TITLE 14—CIVIL AVIATION

Chapter II—Civil Aeronautics Administration, Department of Commerce

[Amdt. 68]

PART 608—DANGER AREAS

ALTERATIONS

The danger area alteration appearing hereinafter has been coordinated with the civil operators involved, the Army, the Navy, and the Air Force, through the Air Coordinating Committee, Airspace Subcommittee, and is adopted to become effective when indicated in order to promote safety of the flying public. Since a military function of the United States is involved, compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act is not required.

Part 608 is amended as follows:

In § 608.61, the Fairbanks, Alaska, area (D-345), published on July 16, 1949, in 14 F. R. 4298, is amended by changing the "Description by Geographical Coordinates" column to read: "Beginning at lat. 64°45'00'' N., long. 147°30'00'' W.; SE along the S. bank of the Tanana River to lat. 64°43'40'' N., long. 147°24' 18'' W.; ENE. to lat. 64°43'50'' N., long. 147°21'14'' W.; ESE. to lat. 64°43'00'' N., long. 147°17'33'' W.; SSE. to lat. 64°37'16'' N., long. 147°13'14'' W.; SE. along the S. bank of the Tanana River to lat. 64°20'00'' N., long. 146°53'00'' W.; due W. to the N. bank of Wood River at lat. 64°20'00'' N., long. 147°55'00'' W.; NW. along the N. bank of Wood River to lat. 64°34'00'' N., long. 148°23'00'' W.; NE. to lat. 64°45'00'' N., long. 147°30'00'' W., point of beginning."

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

This amendment shall become effective on December 15, 1953.

[SEAL] F. B. LEE,
Administrator of Civil Aeronautics.

[F. R. Doc. 53-10580; Filed, Dec. 17, 1953; 5:09 p. m.]

[Amdt. 54]

Part 609—Standard Instrument Approach Procedures

ALTERATIONS

The standard instrument approach procedure alterations appearing hereinafter are adopted to become effective when indicated in order to promote safety of the flying public. Compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to the public interest, and therefore is not required.

Part 609 is amended as follows:

1. The low frequency range procedures prescribed in § 609.6 are amended to read in part:

LFR Standard Instrument Approach Procedure

Bearings, headings, and courses are magnetic. Distances are in statute miles unless otherwise indicated. Elevations and altitudes are in feet, MSL. Ceilings are in feet above airport elevation.

If an LFR instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure authorized by the Administrator for Civil Aeronautics for such airport. Initial approaches shall be made over specified routes. Minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set forth below.

City and State; airport name, elevation; facility: class and identification; procedure No.; effective date	Initial approach to facility from—	Course and distance	Minimum altitude (ft.)	Procedure turn (—) side of final approach course (outbound and inbound); altitudes; limiting distances	Minimum altitude over facility on final approach course (ft.)	Course and distance, facility to airport	Ceiling and visibility minimums			If visual contact not established at authorized landing minimums after passing facility within distance specified, or if landing not accomplished
							Condition	Type aircraft: 75 m. p. h. or less	Type aircraft: More than 75 m. p. h.	
1	2	3	4	5	6	7	8	9	10	11
BELMAR, N. J. Monmouth County Airport, 180' SBMRLZ (Lakehurst NAS NEL LFR). Procedure No. 1 November 20, 1953	Int NE course NEL LFR and E course MWA VAR (final).	242—10	1,000	E side NE course: 062° outbound. 242° inbound. 1,500' within 10 miles NE of Asbury Park FM (NA beyond 10 miles).	1,000 (over Asbury Park FM).	258—5.1 (from Asbury Park FM).	T-dn C-dn A-dn	300-1 600-2 1,000-2	NA NA NA	Within 3 miles after passing Asbury Park FM, turn left, climb to 1,500' on NE (outbound) course. Deviation from criteria authorized in item 5. Procedure turn conducted to the E to avoid traffic on Red 3.
CONCORD, N. H. Municipal, 345' BMRLZ-DTV CON Procedure No. 1 December 28, 1953	----------	----------	----------	E side SE course: 164° outbound. 344° inbound. 2,000' within 10 miles.	1,400	332—2.2	T-dn C-dn A-dn	300-1 500-1 800-2	300-1 600-1½ 800-2	Within 2.2 miles, climb to 5,000' on NW course. This procedure not approved for ADF approach. Deviation from criteria authorized in item 5. Standard obstruction clearance not provided over 1,410' obstruction approximately 8 miles E of Concord LFR.
DES MOINES, IOWA Des Moines, 357' SBRAZ-VOR, DSM Procedure No. 1 December 25, 1953	Martindale FM (final)	005—11.0	1,600	E side course: 185 outbound. 005 inbound. 2,100' within 15 miles. 2,200' within 25 miles.	1,600	343—2.2	T-dn C-dn S-dn 35 A-dn	300-1 500-1 500-1 800-2	300-1 500-1½ 500-1 800-2	Within 2.2 miles, immediately turn left, climb to 2,600' on W course or when directed by ATC, immediately turn left, climb to 2,600' 253° ADF track from DSM LFR. CAUTION: 1,560' MSL TV tower located 3.2 miles NNE of airport. #When TV tower not visible on N, NW, E, and W takeoffs, climb to 2,100' MSL prior to turning toward tower. Deviation from standard criteria authorized in straight-in minima.
	Des Moines VOR	353—4.0	2,100							
DETROIT, MICH. Detroit City, 626' SBRAZ-T Windsor Procedure No. 1 November 30, 1953	Romulus VOR	088—28.0	2,300	E side SE course: 142 outbound. 322 inbound. 1,900' within 25 miles.	1,700	329—9.0	T-dn* C-dn A-dn	500-1 1,000-2 1,000-2	500-1 1,000-2 1,000-2	Over Windsor LFR climb to 2,300' on NW course. *300-1 Runway 33 only. NOTE: Detroit RBN located 2.6 miles SE of Detroit City Airport.
	Detroit "H" Fac	138—7.0	2,300							
DETROIT, MICH. Detroit City, 626' SBRAZ-T Windsor LFR "QG" Procedure No. 2, from Warren Int.# November 30, 1953	From Detroit VOR to Warren Int.#	060—23.0	2,700	W side NW course: 329 outbound. 149 inbound. 2,700' within 25 miles of Warren Int#	Minimum altitude over Warren Int# 2,000	From Warren Int# to Airport 149—5.2	T-dn* C-dn A-dn	500-1 700-1 800-2	500-1 700-1½ 800-2	Within 5.2 miles after passing Warren Int.#, climb straight ahead to 2,300' to Windsor LFR, or if directed by ATC make left climbing turn, climb to 2,300' and proceed out NW course Windsor LFR to Warren Int.# *Take-off 300-1, Runway 33 only. #Warren Intersection—Int NW course Windsor LFR and E. course Salem VAR or bearing 240° to Detroit VOR.
	From Pontiac Int to Warren Int# (final).	149—11.0	2,000							

LFR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

City and State; airport name, elevation; facility: class and identification; procedure No.; effective date	Initial approach to facility from—	Course and distance	Minimum altitude (ft.)	Procedure turn (—) side of final approach course (outbound and inbound); altitudes; limiting distances	Minimum altitude over facility on final approach course (ft.)	Course and distance, facility to airport	Ceiling and visibility minimums			If visual contact not established at authorized landing minimums after passing facility within distance specified, or if landing not accomplished
							Condition	Type aircraft		
								75 m. p. h. or less	More than 75 m. p. h.	
1	2	3	4	5	6	7	8	9	10	11_
GRAND RAPIDS, MICH. Kent County airport, 692' SBMRLZ-VDT-GRR Procedure No. 1 December 20, 1953	Alaska FM final	303—10	1, 500	E side SE course: 123 outbound. 303 inbound. 2,000' within 25 miles.	1, 500	303—2. 0	T-dn C-d C-n A-dn	300-1 500-1 500-1½ 800-2	300-1 500-1½ 500-1½ 800-2	Within 2.0 miles climb to 1,900' within 25 miles. CAUTION: 912' MSL stack located 0.5 mile WSW airport. 930' MSL tower located 2.0 miles S of airport.
MADISON, WIS. Truax Field, 859' BMRLZ-VDT-MSN Procedure No. 1				N side E course: 094 outbound. 274 inbound. 2,100' within 15 miles.	1, 600	314—2. 6	T-dn C-dn S-dn 31 A-dn	300-1 600-1 500-1 800-2	300-1 600-1½ 500-1 800-2	Within 2.6 miles, climb to 2,500' on N course within 25 miles of MSN-LFR. ADF procedure not authorized.
MILLVILLE, N. J. Millville Airport, 87' SBRAZ-DTV MIV Procedure No. 1 December 1, 1953				W side NW course: 337° outbound. 157° inbound. 1,600' within 10 miles. *NA beyond 10 miles.	1, 100	144—4. 3	T-dn C-dn A-dn	300-1 500-1 800-2	300-1 500-1½ 800-2	Within 4.3 miles, climb to 1,500' (or higher altitude when directed by ATC) on SE course within 25 miles. *Procedure turn beyond 10 miles not authorized due to operations at New Castle County Airport. NOTE: Night operations authorized on E-W and NW-SE runways only.
MUSKEGON, MICH. Muskegon County, 628' SBMRLZ-VDT MKG Procedure No. 1 December 20, 1953				E side SE course: 137 outbound. 317 inbound. 1,800' within 10 miles. 1,900' within 25 miles.	1, 300	317—2. 4	T-dn C-dn S-dn 32 A-dn	300-1 500-1 500-1 800-2	300-1 500-1½ 500-1 800-2	Within 2.4 miles climb to 2,000' on NW course MKG-LFR.
PENDLETON, OREG. Pendleton, 1,493' SBRAZ-VDT PDT Procedure No. 1 December 23, 1953	PDT VOR Cabbage Hill FM Athena Int. (final) PDT LOM (final)	072—7. 0 301—12. 0 236—14. 0 236—3. 0	4, 000 4, 800 2, 400 2, 000	N side of E course: 056° outbound. 236° inbound. 3,000' within 10 miles. 4,500' within 15 miles. 20 and 25 miles NA due to high terrain.	2, 400	258—2. 0	T-dn C-dn S-dn Rwy 25 A-dn	300-1 500-1 500-1 800-2	300-1 500-1½ 500-1 800-2	Within 2.0 miles, climb to 4,000' on W course within 25 miles of PDT LFR. *Descent to 2,000' authorized (final) after passing PDT LOM; if PDT LOM not received, maintain 2,400' until reaching PDT LFR. *Straight-in landing minimums applicable only if PDT LOM received.
SEATTLE, WASH. Seattle-Tacoma International 416' SBRAZ—VDTXP SEA Procedure No. 1 December 24, 1953	Monroe Int Hobart FM TCM LFR TCM-LFR to SEA-LOM SEA-LOM Kitsap Int Harbor Island FM (final)	186—26. 0 269—15. 0 356—33. 0 356—25. 0 356—4. 0 117—22. 0 117—8. 0	3, 000 4, 000 3, 000 2, 000 2, 000 2, 000 1, 200	W side of course: 297° outbound. 117° inbound. 2,000' within 10 miles. 15, 20, and 25 miles NA.	1, 200	194—4. 0	T-dn C-dn A-dn	300-1 500-1 800-2	300-1 500-1½ 800-2	Within 4.0 miles, cling to 2,000' on S course within 25 miles of SEA LFR. CAUTION: Radio towers 606' 7 miles SW and 787' 5 miles E of SEA LFR.

2. The automatic direction finding procedures prescribed in § 609.9 are amended to read in part:

ADF STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, and courses are magnetic. Distances are in statute miles unless otherwise indicated. Elevations and altitudes are in feet, MSL. Ceilings are in feet above airport elevation.

If an ADF instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure authorized by the Administrator for Civil Aeronautics for such airport. Initial approaches shall be made over specified routes. Minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set forth below.

City and State; airport name, elevation; facility: class and identification; procedure No.; effective date	Initial approach to facility from—	Course and distance	Minimum altitude (ft.)	Procedure turn (—) side of final approach course (outbound and inbound); altitudes; limiting distances	Minimum altitude over facility on final approach course (ft.)	Course and distance, facility to airport	Ceiling and visibility minimums: Condition	Ceiling and visibility minimums: Type aircraft: 75 m. p. h. or less	Ceiling and visibility minimums: Type aircraft: More than 75 m. p. h.	If visual contact not established at authorized landing minimums after passing facility within distance specified, or if landing not accomplished.
1	2	3	4	5	6	7	8	9	10	11
DES MOINES, IOWA Des Moines, 957' LOM-DS Procedure No. 1 December 25, 1953	Des Moines LFR	101—3.5	2,300	E side of course: 124 outbound. 304 inbound. 2,300' within 25 miles.	2,300	304—4.7	T-dn C-dn S-dn 31 A-dn	300-1# 500-1 500-1 1,000-2 BCOB	300-1# 500-1½ 500-1 1,000-2 BCOB	Within 4.7 miles, climb to 2,600' on outbound course of 304 within 25 miles or when directed by ATC turn left climb to 2,600' on W course of DSM-LFR. CAUTION: 1,560' MSL TV tower located 3.2 miles NNE of airport. #When TV tower not visible on N, NW, E, and # takeoffs, climb to 2,100' MSL prior to turning toward tower. Deviation from standard criteria authorized in straight-in minima.
	Des Moines VOR	040—4.5	2,300							
	Martindale FM	026—10	2,300							
	ILS LMM	124—4.5	2,300							
	Int. 258° course to DSM-VOR-304° course to LOM.	304—3.5	2,300							
DETROIT, MICH. Detroit City, 626' MH DET Procedure No. 1 November 30, 1953	Romulus VOR	080—26.0	2,300	E side of course: 149 outbound. 329 inbound. 1,900' within 25 miles.	1,620	329—2.6	T-dn* C-dn A-dn	500-1 700-1 1,000-2 BCOB	500-1 700-1½ 1,000-2 BCOB	Within 2.6 miles, climb to 2,300' on track 329° within 25 miles. *300-1 Runway 33 only.
	Romulus LFR	068—24.0	2,300							
	Windsor LFR final	329—6.5	1,620							
	Warren Int. or Int. 60° course from RML-VOR and 149° bearing to DET-"MH."	149—9.0	2,000							
FLINT, MICH. Bishop Field, 781' LOM-FN Procedure No. 2 April 20, 1951	PROCEDURE CANCELED EFFECTIVE DECEMBER 20, 1953.									
GLEN FALLS, N. Y. Warren County Airport, 328' MH GFL Procedure No. 1 November 20, 1953	Albany LFR	28—39	3,000	E side course: 190° outbound. 010° inbound. 2,500' within 10 miles.	1,300	MH on airport GFL FM to airport 010—2.0	T-d T-n C-d C-n A-dn	500-1 500-2 1,000-1 1,000-2 1,000-2 BCOB	500-1 500-2 1,000-1½ 1,000-2 1,000-2 BCOB	Within 0.0 mile after passing GFL MH make right climbing turn immediately to 3,000' on track of 190° M within 10 miles of GFL MH. *Straight-in approach authorized via Int. 56° course from Saratoga Springs FM and 10° course to GFL MH. Descend to final approach altitude after establishing 10° course to GFL MH within 10 miles. Distance Saratoga Springs FM to Int. 10° course to GFL Rbn 5 miles.
	Saratoga Springs FM	28—17	*2,500							
MORRISTOWN, N. J. Morristown Airport, 187' Chatham MHW CAT Procedure No. 1 December 27, 1953	----------	----------	----------	W side course:* 238° outbound. 058° inbound. 2,000' within 10 miles. NA beyond 10 miles.	1,200	023—3.6	T-dn C-dn S-dn 4 A-dn	300-1 800-1 800-1 1,000-2 BCOB	300-1 800-1½ 800-1½ 1,000-2 BCOB	Within 3.6 miles, climb to 1,000' on course of 023°, then make a right climbing turn, return to Chatham Rbn at 2,000'. *Procedure turn W to avoid traffic on Amber 7.
PELLSTON, MICH. Emmet County, 720' BMHTV PLN Procedure No. 1 December 20, 1953	----------	----------	----------	N side of track: 135 outbound. 315 inbound. 2,200 within 25 miles.	1,520	0.0 mile at airport.	T-dn C-dn A-dn	500-1 800-1 1,000-2 BCOB	500-1 800-1½ 1,000-2 BCOB	Within 0.0 mile climb to 2,500' on course of 315° within 25 miles. *E/W runway limited to DC-3 or smaller operation.

ADF STANDARD INSTRUMENT APPROACH PROCEDURE

City and State; airport name, elevation; facility: class and identification; procedure No.; effective date	Initial approach to facility from—	Course and distance	Minimum altitude (ft.)	Procedure turn (—) side of final approach course (outbound and inbound); altitudes; limiting distances	Minimum altitude over facility on final approach course (ft.)	Course and distance, facility to airport	Ceiling and visibility minimums: Condition	Type aircraft: 75 m. p. h. or less	Type aircraft: More than 75 m. p. h.	If visual contact not established at authorized landing minimums after passing facility within distance specified, or if landing not accomplished.
1	2	3	4	5	6	7	8	9	10	11
PENDLETON, OREG. Pendleton, 1,493' LOM-PD Procedure No. 1 December 23, 1953	PDT-VOR	069—10.0	4,000	NW side of NE course: 040° outbound. 220° inbound. 3,000' within 10 miles. 4,000' within 15 miles. 20 and 25 miles NA.	2,400	249—4.7	T-dn C-dn S-dn Rwy 25 A-dn	300-1 500-1 500-1 800-2	300-1 500-1½ 500-1 800-2	Within 4.7 miles, climb to 4,000' on W course. PDT-LFR or on 233° outbound course from PDT-VOR within 25 miles of respective stations.
	PDT-LFR	062—3.0	4,000							
	Athena INT	234—11.0	4,000							
	Cabbage Hill FM	294—10.0	4,800							
	Int. S course, ALW LFR and 040° outbound bearing from LOM.	220—15.0	4,000							

3. The instrument landing system procedures prescribed in § 609.11 are amended to read in part:

ILS STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, and courses are magnetic. Distances are in statute miles unless otherwise indicated. Elevations and altitudes are in feet, MSL. Ceilings are in feet above airport elevation.

If an ILS instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure authorized by the Administrator for Civil Aeronautics for such airport. Initial approaches shall be made over specified routes. Minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set forth below:

City and State; airport name, elevation; facility: class and identification; procedure No.; effective date	Transition to ILS: From—	Transition to ILS: To—	Transition to ILS: Course and distance	Transition to ILS: Minimum altitudes (ft.)	Procedure turn (—) side of final approach course (outbound and inbound); altitudes; limiting distances	Minimum altitude at glide slope interception inbound (ft.)	Altitude of glide slope and distance to approach end of runway at—: Outer marker	Altitude of glide slope and distance to approach end of runway at—: Middle marker	Ceiling and visibility minimums: Condition	Type aircraft: 75 m. p. h. or less	Type aircraft: More than 75 m. p. h.	If visual contact not established upon descent to authorized landing minimums or if landing not accomplished
1	2	3	4	5	6	7	8	9	10	11	12	13
DENVER, COLO. Stapleton Airfield 5, 325' ILS-DEN Procedure No. 1 December 6, 1953	Denver LFR	LOM	098—9.0	7,000	N side E course: 7,000' within 5 miles. 076 outbound. 256 inbound.	7,000	6,930—6.3	5,583—0.7	T-Dn D-Dn S-Dn 26L A-Dn	300-1 500-1 400-¾ 800-2	300-1 500-1½ 400-¾ 800-2	Turn right, climb to 6,300' on N course Denver LFR within 20 miles. CAUTION: 5,918' MSL radio tower 4.7 miles ESE airport.
	Denver VOR	LOM	162—7.0	7,000								
	Aurora "H"	LOM	050—9.0	7,000								
	Dupont Int	LOM	122—11.0	7,000								
	Watkins FM	E course ILS	192—9.0	7,000								
	Int E course ILS and S course Denver LFR.	LOM	076—8.0	7,000								
FLINT, MICH. Bishop Field, 781' ILS-FNT LOW-FW LOM-FN Procedure No. 1 Combination ILS & ADF December 20, 1953	Int. N course RML LFR and 180 bearing to LOM.	LOM	180—19	2,000	S side of W course: 271 outbound. 091 inbound. 2,000' within 10 miles. 2,100' within 25 miles.	1,900	1,880—4.7	964—0.71	T-dn C-dn S-dn	300-1 500-1	300-1 500-1½	Within 4.7 miles, climb to 2,300' on course of 118 within 25 miles of LOM. No approach lights.
	Int. NW course QG-LFR and W course ZR-LFR.	LOW	299—27	2,300					9 ILS	400-¾	400-¾	
	Int. N course RML LFR and E course LAN-LFR.	LOM	331—25	2,300					ADF	400-1	400-1	
	Lansing LFR	LOM	072—38	2,300					A-dn ILS	800-2	800-2	
									A-dn ADF	1,000-2 BCOB	1,000-2 BCOB	

ILS STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

City and State; airport name, elevation; facility: class and identification; procedure No.; effective date	Transition to ILS: From—	Transition to ILS: To—	Transition to ILS: Course and distance	Transition to ILS: Minimum altitudes (ft.)	Procedure turn (—) side of final approach course (outbound and inbound); altitudes; limiting distances	Minimum altitude at glide slope interception inbound (ft.)	Altitude of glide slope and distance to approach end of runway at—: Outer marker	Altitude of glide slope and distance to approach end of runway at—: Middle marker	Ceiling and visibility minimums: Condition	Ceiling and visibility minimums: Type aircraft: 75 m. p. h. or less	Ceiling and visibility minimums: Type aircraft: More than 75 m. p. h.	If visual contact not established upon descent to authorized landing minimums or if landing not accomplished
1	2	3	4	5	6	7	8	9	10	11	12	13
GRAND RAPIDS, MICH. Kent County Airport 692' ILS-GRR LOM-GR Procedure No. 1 Combination ILS-ADF December 20, 1953	Wayland (Int.)	LOM	054—5.0	2,200	E side of S course: 176 outbound. 356 inbound. 2,200' within 20 miles. 2,300' within 25 miles.	2,200	2,170—5.7	906—0.75	T-dn	300-1	300-1	5.7 miles after passing LOM (ADF) climb to 2,200' on N course ILS within 25 miles; or when directed by ATC make right climbing turn, climb to 2,200' on SE course. GRR-LFR to Alaska FM. No approach lights. CAUTION: 930' MSL tower located 2.0 miles S of airport on ILS course.
	Clarksville Int	LOM	264—22.0	2,200					C-d	500-1	500-1½	
	GRR-LFR	LOM	195—6.0	2,200					C-n	500-1½	500-1½	
	Hastings (Int)	LOM	290—23.0	2,200					S-dn 36R ILS	400-¾	400-¾	
	Lansing VOR	LOM	278—49.0	2,200					ADF	500-1	500-1	
	Alaska FM	LOM	269—10.0	2,200					A-dn ILS	800-2	800-2	
	Int. NW-course GRR-LFR and N course ILS	LOM	176—7.0	2,200					A-dn ADF	1,000-2 BCOB	1,000-2 BCOB	
MADISON, WIS. Truax Field, 859' ILS-MSN LOM-MS Procedure No. 1 Combination ILS and ADF November 30, 1953	Madison LFR	LOM	218—4.0	2,400	East side of course: 178 outbound. 358 inbound. 2,400' within 25 miles.	2,400	1,917—4.4	1,058—0.7	T-dn	300-1	300-1	Within 4.4 miles after passing LOM (ADF) climb to 2,500' on N course ILS or on 358 course from LOM within 25 miles.
	Int. W. course MSN LFR and BRG. 111 to LOM.	LOM	111—15.0	2,400					C-dn	600-1½	600-1½	
	Int. E. course MSN LFR and bearing 257 to LOM.	LOM	257—13.0	2,400					S-dn 36 ILS	400-¾	400-¾	
	Int. 308 course from JVL-VOR and S course ILS-final.	LOM	358—17.0	2,400					ADF	600-1	600-1	
	Mendota Int	LOM	148—8.0	2,400					A-dn ILS	800-2	800-2	
									ADF	1,000-2 BCOB	1,000-2 BCOB	
PENDLETON, OREG. Pendleton 1,493' ILS-IPDT Procedure No. 1 December 23, 1953	PDT-VOR	LOM	069—10.0	4,000	North side of course: 069° outbound. 249° inbound. 3,000' within 5 miles of LOM. 4,500' within 10 miles of LOM. 15, 20 and 25 miles NA.	2,750	2,750—4.7	1,725—0.7	T-Dn	300-1	300-1	Climb to 4,000' on W course of PDT LFR or on 233° outbound course on PDT-VOR within 25 miles of respective stations. *After intercepting glide path at 4,500' descent to cross the outer marker inbound at 2,750' is authorized. NOTE: No approach lights installed.
	PDT-LFR	LOM	062—3.0	4,000					C-Dn	500-1	500-1½	
	Athena Int	LOM	234—11.0	4,000					S-Dn RWY 25	400-¾	400-¾	
	Cabbage Hill FM	LOM	294—10.0	4,800					A-Dn	800-2	800-2	
	Athena Int. to Int. S course ALW, LFR and E course ILS.		182—3.5	4,500								
	Int. S course ALW, LFR and E course ILS (final).	LOM	249—10.0	*4,500								
PITTSBURGH, PA. Allegheny County Airport, 1,252' ILS PIT RBN MKP Procedure No. 1 Combination ILS & ADF December 8, 1953	Pittsburgh Range	ILS OM	91—8	2,600	N side E course: 95 outbound. 275 inbound. 2,600' within 10 miles.	ILS 2,600* ADF 2,600' over MKP Rbn.	2,510—4.7	1,460—0.7	T-dn	300-1	300-1	Climb to 2,500' proceeding to Cecil Rbn. *Approaches may also be conductedfr om McKeesport Rbn. Glide path altitude on final approach over McKeesport 3,000'.
	McKeesport Rbn	ILS OM	275—1.5	2,600					C-dn	500-1	500-1½	
	Int SE course PIT and NE course MGW.	McKeesport Rbn.	322—17	2,500					S-dn 28 ILS	400-¾	400-¾	
	New Alexandria FM	McKeesport Rbn.	263—23	2,600					ADF	500-1	500-1	
									A-dn ILS	800-2	800-2	
									ADF	1,000-2 BCOB	1,000-2 BCOB	

ILS STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

City and State; airport name, elevation; facility: class and identification; procedure No.; effective date	Transition to ILS				Procedure turn (—) side of final approach course (outbound and inbound); altitudes; limiting distances	Minimum altitude at glide slope interception inbound (ft.)	Altitude of glide slope and distance to approach end of runway at—		Ceiling and visibility minimums			If visual contact not established upon descent to authorized landing minimums or if landing not accomplished
	From—	To—	Course and distance	Minimum altitudes (ft.)			Outer marker	Middle marker	Condition	Type aircraft: 75 m. p. h. or less	Type aircraft: More than 75 m. p. h.	
1	2	3	4	5	6	7	8	9	10	11	12	13
SEATTLE, WASH. Seattle-Tacoma International, 416′ ILS SEA LOM SE Procedure No. 1 Combination ILC-ADF December 24, 1953	SEA LFR	LOM	175—9.0	2,000	E side of S course: 158° outbound. 338° inbound. 2,000′ within 9 miles. 10, 15, 20, and 25 miles NA.	ILS 1,700 ADF 1,600	1,590—4.7	585—0.6	T-dn C-dn S-dn Rwy 34 ILS ADF A-dn	300-1 500-1 400-¾ 500-1 800-2	300-1 500-1½ 400-¾ 500-1 800-2	Within 4.7 miles after passing LOM (ADF) climb to 2,000′ on NW course SEA LFR or on 338° outbound course from SEA VOR within 25 miles of respective stations. CAUTION: Terrain and trees 500′ MSL located immediately N of airport. 720′ tower located 9½ miles S of LOM.
	SEA VOR	LOM	158—5.0	2,000								
	Vashon Int	LOM	098—9.0	2,000								
	Hobart FM	LOM	237—17.0	4,000								
	TCM LFR	LOM	356—25.0	2,000								
	TCM LFR to Int. S course ILS (338° bearing to LOM for ADF) and 185° bearing to TCM LFR.		005—17.0	2,000								
	Int. S course ILS (338° bearing to LOM for ADF) and 185° bearing to TCM LFR (final).	LOM	338—9.0	ILS 1,700 ADF 1,600								
WHEELING, W. VA. Ohio County Airport, 1,195′ ILS HLG MHW at OM HLG Procedure No. 1 Combination ILS and ADF November 28, 1953	Old Concord Int. (Int. 44° bearing to PIT LFR and NW course MGW LFR.	LOM	292—19	2,600	E side course: 210° outbound. 030° inbound. 2,600′ within 10 miles.	2,100 over LOM	No glide slope 4.6	0.72	T-dn C-dn S-dn 3 ILS ADF A-dn ILS ADF	300-1 600-1 500-1 500-1 800-2 1,000-2 (BCOB)	300-1 700-1½ 500-1 500-1 800-2 1,000-2 (BCOB)	Within 4.6 miles, make climbing left turn, return to LOM climbing to 2,600′ or higher altitude if directed by ATC. NOTE: Night operations on Runway 9/27 and take-offs on Runway 9 not authorized for air carrier aircraft over 12,500 pounds gross weight. Procedure not premised on use of glide slope.
	HLG VOR	LOM	215—11.5	2,600								

4. The very high frequency omnirange procedures prescribed in § 609.15 are amended to read in part:

VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, and courses are magnetic. Distances are in statute miles unless otherwise indicated. Elevations and altitudes are in feet, MSL. Ceilings are in feet above airport elevation.

If a VOR instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure authorized by the Administrator for Civil Aeronautics for such airport. Initial approaches shall be made over specified routes. Minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set forth below.

City and State; airport name, elevation; facility; class and identification; procedure No.; effective date	Initial approach to facility from—	Course and distance	Minimum altitude (ft.)	Procedure turn (—) side of final approach course (outbound and inbound); altitudes; limiting distances	Minimum altitude over facility on final approach course (ft.)	Course and distance facility to airport	Ceiling and visibility minimums			If visual contact not established at authorized landing minimums after passing facility within distance specified, or if landing not accomplished
							Condition	Type aircraft: 75 m. p. h. or less	Type aircraft: More than 75 m. p. h.	
1	2	3	4	5	6	7	8	9	10	11
DULUTH, MINN. Duluth, 1,430′ BVOR-DLH Procedure No. 1 December 25, 1953	Duluth LFR	012—1.2	2,500	E side of course: 192 outbound. 012 inbound. 2,500′ within 25 miles.	2,000	012—2.5	T-dn C-d C-n S-dn 3 A-dn	300-1 500-1 500-1½ 500-1 800-2	300-1 500-1½ 500-1½ 500-1 800-2	Within 2.5 miles, climb to 2,500′ on course of 012 within 15 miles DLH-VOR. CAUTION: 1,790′ tower 4.3 miles E of Duluth VOR.

VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

City and State; airport name, elevation; facility; class and identification; procedure No.; effective date	Initial approach to facility from—	Course and distance	Minimum altitude (ft.)	Procedure turn (—) side of final approach course (outbound and inbound); altitudes; limiting distances	Minimum altitude over facility on final approach course (ft.)	Course and distance facility to airport	Ceiling and visibility minimums: Condition	Ceiling and visibility minimums: Type aircraft: 75 m. p. h. or less	Ceiling and visibility minimums: Type aircraft: More than 75 m. p. h.	If visual contact not established at authorized landing minimums after passing facility within distance specified, or if landing not accomplished
1	2	3	4	5	6	7	8	9	10	11
EAU CLAIRE, WIS. Municipal, 887′ BVOR-EAU Procedure No. 1 December 28, 1953	----------	----------	----------	W side of course: 360 outbound. 180 inbound. 2,400′ within 25 miles.	1,780	180—2.2	T-dn C-d C-n A-dn	300-1 600-1 600-1½ 800-2	300-1 600-1½ 600-2 800-2	Within 2.2 miles, climb to 2,500′ on outbound course 214° within 25 miles of EAU-VOR. CAUTION: Tower 1,350′ MSL located approximately 2.5 miles SE of airport in direct line of NW/SE runway.
PENDLETON, OREG. Pendleton, 1,493′ BVOR-PDT Procedure No. 1 December 23, 1953	PDT-LFR	252—7.0	4,000	N side of W course: 250° outbound. 070° inbound. 3,500′ within 25 miles. Procedure turn north for more favorable terrain.	2,600	070—4.5	T-dn C-dn S-dn Rwy 7 A-dn	300-1 500-1 500-1 800-2	300-1 500-1½ 500-1 800-2	Within 4.5 miles, execute climbing left turn, climb to 4,000′ on 233° outbound course within 25 miles of PDT-VOR.
	PDT-LOM	249—10.0	4,000							
	Int. S course ALW-LFR and 061° outbound course from PDT-VOR.	241—21.0	4,000							
	Cabbage Hill FM	296—17.0	4,800							
SEATTLE, WASH. Seattle-Tacoma International, 416′ BVOR SEA (Voice and Code) Procedure No. 1 December 24, 1953	SEA LFR	193—4.5	2,000	E side of S course: 158° outbound. 338° inbound. 2,000′ within 14 miles. 15, 20 and 25 miles NA.	1,600 (over SEA LOM*)	SEA LOM to airport, 338—4.7	T-dn C-dn S-dn Rwy 34 A-dn	300-1 500-1 500-1 800-1	300-1 500-1½ 500-1 800-2	Within 0.0 mile, climb to 2,000′ on 338° outbound course within 25 miles of SEA VOR. *Descent to landing minimums authorized after passing SEA LOM; if SEA LOM not received, maintain 1,600′. (SEA LOM located adjacent to final approach course.) CAUTION: 500′ terrain and trees located immediately N of airport. 720′ tower located 14 miles S of airport.
	Harbor Island FM	144—10.0	2,000							
	Hobart FM	266—16.0	4,000			SEA VOR located on airport.				
	Nej LFR	161—23.0	2,000							
	Tom LFR	353—29.0	3,000							
	Vashon Int	065—8.0	2,000							
	Int. NW course SEA LFR and 338° outbound course from SEA VOR.	158—7.0	2,000							
	TCM LFR to Int. 158° outbound course from SEA VOR and 005° outbound BRG from TOM LFR.	005—17.0	2,000							
	Int. 158° outbound course from SEA VOR and 005° outbound bearing from TCM LFR (final).	338—9.0	1,600							

These procedures shall become effective on the dates indicated in column 1 of the procedures.

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

[SEAL]

F. B. LEE,
Administrator of Civil Aeronautics.

[F. R. Doc. 53-10448; Filed, Dec. 17, 1953; 8:45 a. m.]

TITLE 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

PART 239—FORMS PRESCRIBED UNDER THE SECURITIES ACT OF 1933

FORMS FOR REGISTRATION STATEMENTS

The Securities and Exchange Commission has heretofore published for comments and suggestions a proposed revision of Form S-5 (17 CFR 239.15) under the Securities Act of 1933. This form is used for registration of securities under that act by open-end management investment companies which are registered under the Investment Company Act of 1940 on Form N-8B-1 (17 CFR 274.11). All comments and suggestions received have been carefully considered, and the Commission has determined that the proposed revision should be adopted with certain modifications.

A registration statement on Form S-5 (17 CFR 239.15) consists largely of certain of the information and documents which would be required by Form N-8B-1 (17 CFR 274.11) if a registration statement under the 1940 Act were currently being filed on that form. The purpose of the revision is to bring this form into line with the revision of Form N-8B-1. It also permits the use in the prospectus of more concise financial data than has heretofore been required. It is believed that the revision of these forms will simplify registration under both acts and will result in shorter and simpler prospectuses for open-end management investment companies.

The revised Form S-5 (17 CFR 239.15) may be used by any open-end management investment company even though its registration statement under the 1940 Act was filed on Form N-8B-1 (17 CFR 274.11) prior to the revision of that form. In such cases, registrants need only furnish in their registration statement on Form S-5 (17 CFR 239.15) the

information and documents specified in that form which would be required if they were currently filing a registration statement under the 1940 Act on the revised Form N-8B-1 (17 CFR 274.11).

The revised Form S-5 [1] (17 CFR 239.-15) is adopted pursuant to the Securities Act of 1933, particularly sections 7, 10 and 19 (a) thereof. It shall become effective immediately upon publication December 15, 1953, provided that any registration statement filed on Form S-5 (17 CFR 239.15) prior to January 15, 1954, may at the option of the registrant be filed on such form as in effect immediately prior to such effective date.

(Sec. 19, 48 Stat. 85, as amended; 15 U. S. C. 77s)

By the Commission.

[SEAL] NELLYE A. THORSEN, *Assistant Secretary.*

DECEMBER 10, 1953.

[F. R. Doc. 53-10547; Filed, Dec. 18, 1953; 8:47 a. m.]

PART 270—RULES AND REGULATIONS, INVESTMENT COMPANY ACT OF 1940

PREPARATION AND FILING OF REGISTRATION STATEMENTS AND REPORTS

The Securities and Exchange Commission has heretofore published for comments and suggestions certain proposed amendments to its general rules and regulations under the Investment Company Act of 1940. All comments and suggestions received have been carefully considered and the Commission has determined that the amendments should be adopted with certain modifications. The text of the amended rules is set forth below.

The amended rules relate to the preparation and filing of registration statements and reports pursuant to section 8 and 30 (a) of the act. They incorporate into the general rules and regulations certain definitions and other general requirements which have heretofore been contained in the various forms for registration statements and reports. These rules with appropriate changes are in large part patterned after the registration and reporting rules under the Securities Act of 1933 and the Securities Exchange Act of 1934. They replace all existing rules under section 8 of the act.

These amended rules are adopted pursuant to the Investment Company Act of 1940, particularly sections 8, 30 (a) and 38 (a) thereof. They shall become effective immediately upon publication December 15, 1953, provided that any registration statement or report filed prior to January 15, 1954, may, at the option of the company filing such statement or report, comply with such amended rules or with the corresponding rules and regulations as in effect immediately prior to such effective date.

By the Commission.

[SEAL] NELLYE A. THORSEN, *Assistant Secretary.*

DECEMBER 10, 1953.

[1] Filed as part of the original document.

No. 247——7

§ 270.8b-1 *Scope of §§ 270.8b-1 to 270.8c-1.* The rules contained in §§ 270.8b-1 to 270.8c-1 shall govern all registration statements pursuant to section 8 of the act, including notifications of registration pursuant to section 8 (a), and all reports pursuant to section 30 (a) or (b) of the act, including all amendments to such statements and reports, except that any provision in a form covering the same subject matter as any such rule shall be controlling.

§ 270.8b-2 *Definitions.* Unless the context otherwise requires, the following terms, when used in the rules contained in §§ 270.8b-1 to 270.8c-1, in the rules under section 30 (a) or (b) of the act or in the forms for registration statements and reports pursuant to section 8 or 30 (a) or (b) of the act, shall have the respective meanings indicated in this section:

Amount. The term "amount", when used in regard to securities, means the principal amount if relating to evidences of indebtedness, the number of shares if relating to shares, and the number of units if relating to any other kind of security.

Certified. The term "certified", when used in regard to financial statements, means certified by an independent public or independent certified public accountant or accountants.

Charter. The term "charter" includes articles of incorporation, declaration of trust, articles of association or partnership, or any similar instrument, as amended, effecting (either with or without filing with any governmental agency) the organization or creation of an incorporated or unincorporated person.

Employee. The term "employee" does not include a director, trustee, officer or member of the advisory board.

Fiscal year. The term "fiscal year" means the annual accounting period or, if no closing date has been adopted, the calendar year ending on December 31.

Investment income. The term "investment income" means the aggregate of net operating income or loss from real estate and gross income from interest, dividends and all other sources, exclusive of profit or loss on sales of securities or other properties.

Material. The term "material", when used to qualify a requirement for the furnishing of information as to any subject, limits the information required to those matters as to which an average prudent investor ought reasonably to be informed before buying or selling any security of the particular company.

Parent. A "parent" of a specified person is an affiliated person who controls the specified person directly or indirectly through one or more intermediaries.

Previously filed or reported. The terms "previously filed" and "previously reported" mean previously filed with, or reported in, a registration statement under section 8 of the act or in a report under section 30 (a) or (b) of the act.

Share. The term "share" means a share of stock in a corporation or unit of interest in an unincorporated person.

Significant subsidiary. The term "significant subsidiary" means a subsidiary meeting any one of the following conditions:

(1) The value of the investments in and advances to the subsidiary by its parent and the parent's other subsidiaries, if any, exceed 10 percent of the value of the assets of the parent or, if a consolidated balance sheet is filed, the value of the assets of the parent and its consolidated subsidiaries.

(2) The total investment income of the subsidiary or, in the case of a non-investment company subsidiary, the net income exceeds 10 percent of the total investment income of the parent or, if consolidated statements are filed, 10 percent of the total investment income of the parent and its consolidated subsidiaries.

(3) The subsidiary is the parent of one or more subsidiaries and, together with such subsidiaries would, if considered in the aggregate, constitute a significant subsidiary.

Subsidiary. A "subsidiary" of a specified person is an affiliated person who is controlled by the specified person, directly or indirectly, through one or more intermediaries.

Totally-held subsidiary. The term "totally-held subsidiary" means a subsidiary (1) substantially all of whose outstanding securities are owned by its parent and/or the parent's other totally-held subsidiaries, and (2) which is not indebted to any person other than its parent and/or the parent's other totally-held subsidiaries in an amount which is material in relation to the particular subsidiary, excepting indebtedness incurred in the ordinary course of business which is not over-due and which matures within one year from the date of its creation, whether evidenced by securities or not.

§ 270.8b-3 *Title of securities.* Wherever the title of securities is required to be stated, there shall be given such information as will indicate the type and general character of the securities, including the following:

(a) In the case of shares, the par or stated value, if any; the rate of dividends, if fixed, and whether cumulative or non-cumulative; a brief indication of the preference, if any; and if convertible, a statement to that effect.

(b) In the case of funded debt, the rate of interest; the date of maturity, or if the issue matures serially, a brief indication of the serial maturities, such as "maturing serially from 1950 to 1960"; if the payment of principal or interest is contingent, an appropriate indication of such contingency; a brief indication of the priority of the issue; and if convertible, a statement to that effect.

(c) In the case of any other kind of security, appropriate information of comparable character.

§ 270.8b-4 *Interpretation of requirements.* Unless the context clearly shows otherwise—

(a) The forms require information only as to the company filing the registration statement or report.

(b) Whenever any fixed period of time in the past is indicated, such period shall be computed from the date of filing.

(c) Whenever words relate to the future, they have reference solely to present intention.

(d) Any words indicating the holder of a position or office include persons, by whatever titles designated, whose duties are those ordinarily performed by holders of such positions or offices.

§ 270.8b–10 *Requirements as to proper form.* Every registration statement or report shall be prepared in accordance with the form prescribed therefor by the Commission, as in effect on the date of filing. Any such statement or report shall be deemed to be filed on the proper form unless objection to the form is made by the Commission within thirty days after the date of filing.

§ 270.8b–11 *Number of copies; signatures; binding.* (a) Three complete copies of each registration statement or report, including exhibits and all other papers and documents filed as a part thereof, shall be filed with the Commission.

(b) At least one copy of the registration statement or report shall be manually signed in the manner prescribed by the appropriate form. If the registration statement or report is typewritten, one of the signed copies filed with the Commission shall be the original "ribbon" copy. Unsigned copies shall be conformed. If the signature of any person is affixed pursuant to a power of attorney or other similar authority, a copy of such power of attorney or other authority shall also be filed with the registration statement or report.

(c) Each copy of a registration statement or report filed with the Commission shall be bound in one or more parts, without stiff covers. The bindings shall be made on the left-hand side and in such manner as to leave the reading matter legible.

§ 270.8b–12 *Requirements as to paper, printing and language.* (a) Registration statements and reports shall be filed on good quality unglazed, white paper, 8½ x 13 inches in size, insofar as practicable. However, tables, charts, maps, and financial statements may be on larger paper if folded to that size.

(b) The registration statement or report and, insofar as practicable, all papers and documents filed as a part threeof, shall be printed, lithographed, mimeographed, or typewritten. However, the registration statement or report or any portion thereof may be prepared by any similar process which, in the opinion of the Commission, produces copies suitable for a permanent record. Irrespective of the process used, all copies of any such material shall be clear, easily readable and suitable for repeated photo-copying. Debits in credit categories and credits in debit categories shall be designated so as to be clearly distinguishable as such on photocopies.

(c) The body of all printed registration statements and reports shall be in roman type at least as large as ten-point modern type. However, to the extent necessary for convenient presentation, financial statements and other statistical or tabular data and the notes thereto may be in roman type at least as large as eight-point modern type. All type shall be leaded at least two points.

(c) Registration statements and reports shall be in the English language. If any exhibit or other paper or document filed with a registration statement or report is in a foreign language, it shall be accompanied by a translation into the English language.

§ 270.8b–13 *Preparation of registration statement or report.* The registration statement or report shall contain the numbers and captions of all items of the appropriate form, but the text of the items may be omitted provided the answers thereto are so prepared as to indicate to the reader the coverage of the items without the necessity of his referring to the text of the items or instructions thereto. However, where any item requires information to be given in tabular form, it shall be given in substantially the tabular form specified in the item. All instructions, whether appearing under the items of the form or elsewhere therein, are to be omitted from the registration statement or report. Unless expressly provided otherwise, if any item is inapplicable or the answer thereto is in the negative, an appropriate statement to that effect shall be made.

§ 270.8b–14 *Riders; inserts.* Riders shall not be used. If the registration statement or report is typed on a printed form, and the space provided for the answer to any given item is insufficient, reference shall be made in such space to a full insert page or pages on which the item number and caption and the complete answer are given.

§ 270.8b–15 *Amendments.* All amendments shall be filed under cover of the facing sheet of the appropriate form, shall be clearly identified as amendments, and shall comply with all pertinent requirements applicable to registration statements and reports. Amendments shall be filed separately for each separate registration or report amended.

§ 270.8b–20 *Additional information.* In addition to the information expressly required to be included in a registration statement or report, there shall be added such further material information, if any, as may be necessary to make the required statements, in the light of the circumstances under which they are made, not misleading.

§ 270.8b–21. *Information unknown or not available.* Information required need be given only insofar as it is known or reasonably available to the registrant. If any required information is unknown and not reasonably available to the registrant, either because the obtaining thereof would involve unreasonable effort or expense, or because it rests peculiarly within the knowledge of another person not affiliated with the registrant, the information may be omitted subject to the following conditions:

(a) The registrant shall give such information on the subject as it possesses or can acquire without unreasonable effort or expense, together with the sources thereof.

(b) The registrant shall include a statement either showing that unreasonable effort or expense would be involved or indicating the absence of any affiliation with the person within whose knowledge the information rests and stating the result of a request made to such person for the information.

§ 270.8b–22 *Disclaimer of control.* If the existence of control is open to reasonable doubt in any instance, the registrant may disclaim the existence of control and any admission thereof; in such case, however, the registrant shall state the material facts pertinent to the possible existence of control.

§ 270.8b–23 *Incorporation by reference.* (a) Matter contained in any part of a registration statement or report, other than exhibits, may be incorporated by reference in answer or partial answer to any item of the statement or report. Matter contained in an exhibit may be so incorporated to the extent permitted in § 270.8b–24 (Rule N-8B-24).

(b) Any financial statement filed with the Commission pursuant to any act administered by the Commission may be incorporated by reference in a registration statement or report, filed with the Commission by the same or any other person, if it substantially conforms to the requirements of the form on which the statement or report is filed.

(c) Material incorporated by reference shall be clearly identified in the reference. An express statement that the specified matter is incorporated by reference shall be made at the particular place in the registration statement or report where the information is required. Matter shall not be incorporated by reference in any case where such incorporation would render the statement incomplete, unclear or confusing.

§ 270.8b–24 *Summaries or outlines of documents.* Where an item requires a summary or outline of the provisions of any document, only a brief statement shall be made, in succinct and condensed form, as to the most important provisions of the document. In addition to such statement, the summary or outline may incorporate by reference particular items, sections, or paragraphs of any exhibit and may be qualified in its entirety by such reference. Matter contained in an exhibit may be incorporated by reference in answer to an item only to the extent permitted by this section.

§ 270.8b–25 *Extension of time for furnishing information.* If it is impractical to furnish any required information, document or report at the time it is required to be filed, there may be filed with the Commission as a separate document an application (a) identifying the information, document or report in question, (b) stating why the filing thereof at the time required is impracticable, and (c) requesting an extension of time for filing the information, document or report to a specified date not more than 60 days after the date it would otherwise have to be filed. The application shall be deemed granted unless the Commission,

within 10 days after receipt thereof, shall enter an order denying the application. Section 270.0-5 (Rule N-5) shall not apply to such applications.

§ 270.8b-30 *Additional exhibits.* A company may file such exhibits as it may desire, in addition to those required by the appropriate form. Such exhibits shall be so marked as to indicate clearly the subject matters to which they refer.

§ 270.8b-31 *Omission of substantially identical documents.* In any case where two or more indentures, contracts, franchises, or other documents required to be filed as exhibits are substantially identical in all material respects except as to the parties thereto, the dates of execution, or other details, copies of only one of such documents need be filed, with a schedule identifying the other documents omitted and setting forth the material details in which such documents differ from the documents filed. The Commission may at any time in its discretion require the filing of copies of any documents so omitted.

§ 270.8b-32 *Incorporation of exhibits by reference.* (a) Any document or part thereof filed with the Commission pursuant to any act administered by the Commission may be incorporated by reference as an exhibit to any registration statement or report filed with the Commission by the same or any other person.

(b) If any modification has occurred in the text of any document incorporated by reference since the filing thereof, a statement containing the text of such modification and the date thereof shall be filed with the reference.

§ 270.8c-1 *Previously filed material.* A company which has securities registered under the Securities Act of 1933 may, in filing a registration statement under the Investment Company Act of 1940, incorporate by reference any information, financial statement or exhibit contained in (a) its most recent currently effective registration statement under the Securities Act of 1933, (b) the most recent prospectus filed under that act, or (c) any report filed pursuant to section 15 (d) of the Securities Exchange Act of 1934, provided a copy of such registration statement, prospectus or report is filed with each copy of the registration statement under the Investment Company Act of 1940.

(Sec. 38, 54 Stat. 841; 15 U. S. C. 80a-37. Interpret or apply secs. 8, 30, 54 Stat. 803, 841; 15 U. S. C. 80a-8, 80a-29)

[F. R. Doc. 53-10549; Filed, Dec. 18, 1953; 8:47 a. m.]

PART 274—FORMS PRESCRIBED UNDER THE INVESTMENT COMPANY ACT OF 1940

REGISTRATION STATEMENT OF MANAGEMENT INVESTMENT COMPANY

The Securities and Exchange Commission has heretofore published for comments and suggestions a proposed revision of Form N-8B-1 (17 CFR 274.11) under the Investment Company Act of 1940. This form is prescribed for registration statements filed under the act by all management investment companies except those which issue periodic payment plan certificates. All comments and suggestions received have been carefully considered, and the Commission has determined that the revised form should be adopted, with certain modifications.

This is the first general revision of this form since it was adopted in 1941. The revision reflects the experience gained over the intervening years and takes into consideration the fact that the form is now used chiefly by newly organized management investment companies. Much of the historical information relating to the operation of companies which were in existence at the time of the adoption of the Investment Company Act is no longer of importance and, hence, the requirements for the furnishing of such information have been omitted. The resulting form is considerably simplified and should result in less work in the preparation of registration statements thereon.

Management investment companies which have previously filed a registration statement on Form N-8B-1 (17 CFR 274.11) are not required to refile on the revised form. However, any such company will be permitted, at its option, to file a statement on the revised form in lieu of its next annual report on Form N-30A-1 (17 CFR 274.101). Any company which elects to file such a statement may, of course, incorporate by reference any required financial statements or exhibits previously filed so that the work involved will thereby be considerably reduced.

The revised Form N-8B-1[1] (17 CFR 274.11) is adopted pursuant to the Investment Company Act of 1940, particularly sections 8 and 38 (a) thereof. It shall become effective immediately upon publication December 15, 1953, provided that any registration statement filed on Form N-8B-1 (17 CFR 274.11) prior to January 15, 1954, may at the option of the registrant be filed on such form as in effect immediately prior to such effective date.

(Sec. 38, 54 Stat. 841; 15 U. S. C. 80a-37)

By the Commission.

NELLYE A. THORSEN,
Assistant Secretary.

DECEMBER 10, 1953.

[F. R. Doc. 53-10548; Filed, Dec. 18, 1953; 8:47 a. m.]

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

DEPARTMENT OF STATE; DEPARTMENT OF COMMERCE

Effective upon publication in the FEDERAL REGISTER, subparagraphs (12) and (13) are added to paragraph (b), subparagraph (4) is added to paragraph (i), subparagraph (4) is added to paragraph (1) of § 6.302, and subparagraph (20) is added to § 6.312 (a), as set out below.

§ 6.302 *Department of State.* * * *
(b) *Bureau of Security, Consular Affairs and Personnel.* * * *
(12) Assistant Administrator, Refugee Relief.
(13) Assistant to the Chief, Special Candidates Staff.

* * * * *

(i) *Bureau of United Nations Affairs.* * * *
(4) Special Assistant to the Assistant Secretary.

* * * * *

(l) *Bureau of Inter-American Affairs.* * * *
(4) Special Assistant to the Assistant Secretary.

§ 6.312 *Department of Commerce*—(a) *Office of the Secretary.* * * *
(20) One Executive Director, Foreign-Trade Zones Operations.

(R. S. 1753, sec. 2, 22 Stat. 403; 5 U. S. C. 631, 633. E. O. 10440, March 31, 1953, 18 F. R. 1823)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] WM. C. HULL,
Executive Assistant.

[F. R. Doc. 53-10578; Filed, Dec. 18, 1953; 8:55 a. m.]

TITLE 6—AGRICULTURAL CREDIT

Chapter IV—Production and Marketing Administration and Commodity Credit Corporation, Department of Agriculture

Subchapter C—Loans, Purchases, and Other Operations

[1953 C. C. C. Grain Price Support Bulletin 1, Supp. 1, Amdt. 5, Grain Sorghums]

PART 601—GRAINS AND RELATED COMMODITIES

SUBPART—1953-CROP GRAIN SORGHUMS LOAN AND PURCHASE AGREEMENT PROGRAM

SUPPORT RATES

The regulations issued by the Commodity Credit Corporation and the Production and Marketing Administration published in 18 F. R. 1969, 4787, 4990, 5725, and 7377, and containing the specific requirements for the 1953-crop Grain Sorghums Price Support Program are hereby amended as follows:

Section 601.133 (c) (1) is amended by adding to the list of basic county support rates, "Kentucky—all counties $2.60 per 100 pounds."

(Sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. Sup. 714b. Interprets or applies sec. 5, 62 Stat. 1072; secs. 301, 401, 63 Stat. 1053; 15 U. S. C. Sup. 714; 7 U. S. C. Sup. 1447, 1421)

Issued this 15th day of December 1953.

[SEAL] HOWARD H. GORDON,
President,
Commodity Credit Corporation.

[F. R. Doc. 53-10573; Filed, Dec. 18, 1953; 8:53 a. m.]

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[1] Filed as part of the original document.

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter XVIII—National Shipping Authority, Maritime Administration, Department of Commerce

[NSA Order No. 62 (AGE-7), Amdt. 2]

AGE-7—AUTHORITY OF GENERAL AGENTS TO PROVIDE FOR AMERICAN MERCHANT MARINE LIBRARY SERVICE

PERIOD OF AGREEMENT

It is hereby ordered that section 4 *Period of the agreement* of NSA Order No. 62 (AGE-7) published in the FEDERAL REGISTER issue of March 13, 1952 (17 F. R. 2182) as amended (18 F. R. 157) is further amended as follows:

By deleting the first sentence of said section 4 and substituting therefor the following: "The agreement shall be in effect for the calendar years 1951, 1952, 1953 and 1954."

(Sec. 204, 49 Stat. 1987 as amended; 46 U. S. C. 1114)

Approved: December 7, 1953.

[SEAL] C. H. MCGUIRE,
Director, National Shipping Authority and Government Aid.

[F. R. Doc. 53-10564; Filed, Dec. 18, 1953; 8:52 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Docket No. 10591]

PART 3—RADIO BROADCAST SERVICES

STANDARDS OF GOOD ENGINEERING PRACTICE CONCERNING STANDARD BROADCAST STATIONS

Correction

In Federal Register Document 53-10318, appearing at page 8137 of the issue for Friday, December 11, 1953, the following change should be made: In section 4, A, (3) the word "prevent" should read "present".

TITLE 15—COMMERCE AND FOREIGN TRADE

Chapter III—Bureau of Foreign Commerce, Department of Commerce

Subchapter B—Export Regulations

[6th Gen. Rev. of Export Regs., Amdt. P. L. 64 [1]]

PART 399—POSITIVE LIST OF COMMODITIES AND RELATED MATTERS

MISCELLANEOUS AMENDMENTS

Section 399.1 *Appendix A—Positive List of Commodities* is amended in the following particulars:

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

[1] This amendment was published in Current Export Bulletin No. 720, dated December 10, 1953.

Dept. of Commerce Schedule B No.	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Validated license required
	Electrical apparatus, n. e. c., and parts, n. e. c. (specify by name):				
709998	Thermistors [1]	No.	RARA	10	RO
	Industrial manufacturing and service-industries machines, n. e. c., and specially fabricated parts, n. e. c. (specify by name):				
775998	Assembling jigs, and fixtures and accessories therefor, for military equipment (report jigs and fixtures for machine tools under 744383).[2]		GIEQ	None	RO

[1] These commodities may be exported under Foreign Distribution (FD), license (see Part 378 of this subchapter), and, effective January 25, 1954, are subject to the IC/DV requirements (see § 373.2 of this subchapter).

[2] These commodities may be exported under the Periodic Requirements licensing procedure (see Part 376 of this subchapter), and, effective January 25, 1954, are subject to the IC/DV requirements (see § 373.2 of this subchapter).

This part of the amendment shall become effective as of 12:01 a. m., December 17, 1953.

2. The following commodities are deleted from the Positive List:

Dept. of Commerce Schedule B No.	Commodity
	Logs, bolts, and hewn timber:
401700	Port Orford cedar logs (including Lawson's cypress).

This part of the amendment shall become effective as of December 10, 1953.

3. The revised entries set forth below are substituted for entries presently on the Positive List. Where the Positive List contains more than one entry under a single Schedule B number, the entry to be superseded is identified by a numerical reference enclosed in parentheses following the commodity description in the revised entry.

Dept. of Commerce Schedule B No.	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Validated license required
	Platinum and allied metals:				
692205	Wire of platinum, rhodium platinum, or iridium platinum of a thickness of 0.5 mm or less.[23]	T. oz.	MINL	25	RO
709909	Parts, n. e. c., specially fabricated for electronic and cathode-ray tubes, n. e. c., including commercial, industrial, and radio and television transmitting tubes (specify by name). (3) [18]		RARA 51	100	RO
709909	Parts, n. e. c., specially fabricated for radio and television receiving tubes (specify by name). (3) [5]		RARA 51	100	RO
	Power-driven metalworking machine tools (non-portaable), and parts:				
740005	Engine lathes, except bench and light duty types (specify types).[13]	No.	TOOL	500	RO
740315	Automatic screw (bar) machines [13]	No.	TOOL	500	RO
740607	Pipe- and/or nipple-threading machines [13]	No.	TOOL	500	RO
740607	Tapping machines, vertical multiple spindle, adjustable joint.[13]	No.	TOOL	500	RO
740700	Knee- and column-type milling machines (specify type).[13]	No.	TOOL	500	RO
746010	Portable machine tools so designed that they must be attached to the work they operate.[13]		TOOL	250	R
	Industrial process indicating (measuring), recording and/or controlling instruments, n. e. c., and specially fabricated parts, n. e. c. (for measuring and/or controlling temperatures, pressures, level, flow, humidity, moisture, motion, rotation, gas analysis, chemical properties, and variables) (specify by name):				
766970	pH (hydrogen-ion) meters and pH control apparatus, continuous measuring types; and specially fabricated parts, n. e. c. (report noncontinuous pH meters in 919080). (3) [1]		GIEQ	100	RO
	Pipe valves, except automatic control or regulating:				
	Iron or steel:				
774450★	Valves and cocks fitted with bellows seal, and having pressure parts fabricated of or wholly lined with nickel, monel, stainless steel, or aluminum (give full specifications). (1 and 2) [1]	No.	GIEQ 5	50	RO
774450	Other valves and cocks with either of the following characteristics: (a) having pressure parts fabricated of or wholly lined with corrosion-resistant materials as definied in the "General Notes to Appendix A;" (b) designed for working pressures of 300 or more psig (give full specifications). (1 and 2) [1, 7, 10, 21]	No.	GIEQ 5	50	RO
	Brass, bronze, or other nonferrous metals:				
774465★	Valves and cocks fitted with bellows seal, and having pressure parts fabricated of or wholly lined with nickel, monel, stainless steel, or aluminum (give full specifications). (1 and 2) [1]	No.	GIEQ 5	50	RO
774465	Other valves and cocks with either of the following characteristics: (a) having pressure parts fabricated of or wholly lined with corrosion-resistant materials as defined in the "General Notes to Appendix A;" (b) designed for working pressures of 300 or more psig (give full specifications). (1 and 2) [1, 7, 10, 21]	No.	GIEQ 5	50	RO

See footnotes at end of table.

Dept. of Commerce Schedule B No.	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Validated license required
	Pipe valves, except automatic control or regulating—Con.				
	Nonmetal valves:				
774480	Nonmetal valves and cocks (specify material, whether or not fitted with bellows seal, and working pressure).[1 7 10 21 24]	No.	GIEQ 5	50	RO
	Automatic control or regulating valves, n. e. c. (any pipe valve having a mechanism partially integral, i. e., directly attached by adaptors and bolts, or wholly integral, for automatically regulating or controlling its operation):				
774490★	Automatic control valves having pressure parts fabricated of or wholly lined with corrosion-resistant materials as defined in the "General Notes to Appendix A" (give full specifications).[18]	No.	GIEQ 5	50	RO
774490	Other automatic control valves, except the following when their pressure parts are not fabricated of or wholly lined with corrosion-resistant materials as defined in the "General Notes to Appendix A": (a) check, nonreturn and float valves, (b) pressure relief valves designed for a working pressure of less than 300 psig, and (c) valves specially fabricated for milking machines, household refrigerators, and home freezers (specify size, working pressure, method of automatic control, i. e., hydraulic, pneumatic, mechanical, electrical, or otherwise actuated (give full description), whether pressure parts are fabricated of or wholly lined with corrosion-resistant materials).[7 10 21]	No.	GIEQ 5	50	RO
774498	Parts, n. e. c., specially fabricated for pipe valves included on the Positive List under Schedule B Nos. 774450 through 774490 (state Schedule B number of valve for which parts are intended, valve size, type, working pressure, and whether parts are for a valve having pressure parts fabricated of or wholly lined with corrosion-resistant materials as defined in the General Notes to Appendix A").[10]	----------	GIEQ 5	50	RO
	Medicinal chemicals, including U. S. P. and N. F., bulk (dosage forms excluded except as indicated):				
813578	Compounds or mixtures containing antibiotics and/or sulfonamide drugs, bulk, parenteral, oral, and powder dosage forms (excludes other topical forms and suppositories), except compounds or mixtures containing the following antibiotics, singly or in combination with one another: bacitracin, neomycin, polymixin and tyrothricin, but including all compounds or mixtures containing sulfonamide drugs.[25]	----------	DRUG	100	RO
814310	Antibiotic feed supplements (containing not less than 100,000 Oxford units of penicillin per pound, or not less than 1/10 gram of any other antibiotic per pound), except feed supplements containing the following antibiotics, singly or in combination with one another: bacitracin, neomycin, polymixin and tyrothricin (report prepared feeds containing less than 100,000 Oxford units of penicillin per pound, or less than 1/10 gram of any other antibiotic per pound, in 117500, 117700, or 119900, according to type of feed).[26]	----------	DRUG	100	RO
	Other industrial chemicals:				
839900	Molybdenum salts and compounds, n. e. c. (report molybdenum oxide, molybdenum trioxide and molybdic acid, except chemically pure grade, in 664550; report chemically pure grade in 829970). (21)[18]	Lb.	SALT 64	25	RO
	Chemical pigments:				
842350	Carbon black, furnace [27]	Lb.	PLAT 72	100	RO
	Microscopes, and specially fabricated accessories and parts, n. e. c.:				
914950	Other microscopes, except diamondscopes (report micro-projectors and metallographs in 919066). (3) [1 19]	No.	SATE	200	R
914950	Specially fabricated parts and accessories, n. e. c., for other microscopes, except microscope slides. (3) [18]	----------	SATE	50	R
	Research laboratory apparatus and equipment, n. e. c., and specially fabricated parts, n. e. c.:				
919080	Parts, n. e. c., specially fabricated for noncontinuous pH meters (including parts for titrimeters and aquameters). (20) [1 18]	----------	SATE	100	RO

★The commodities described in this Positive List entry are excepted from the provisions of General In-Transit License GIT. See § 371.9 (c) of this subchapter.

[1] The GLV dollar-value limit is increased.

[4] The letter "A" is added in the column headed "Commodity Lists", indicating that the commodity is subject to the IC/DV procedure (see § 373.2 of this subchapter), effective January 25, 1954.

[5] The letter "A" is deleted in the column headed "Commodity Lists", indicating that the commodity is no longer subject to the IC/DV procedure (see § 373.2 of this subchapter).

[7] The letter "B" is deleted in the column headed "Commodity Lists", indicating that the commodity is no longer subject to DL restrictions (see § 374.2 of this subchapter), and is no longer excepted from the Time Limit licensing procedure (see Part 377 of this subchapter).

[10] The letter "E" is added in the column headed "Commodity Lists", indicating that the commodity may be exported under the Periodic Requirements licensing procedure (see Part 376 of this subchapter).

[12] The letter "F" is added in the column headed "Commodity Lists", indicating that the commodity may be exported under the Foreign Distribution licensing procedure (see Part 378 of this subchapter).

[13] The letter "F" is deleted in the column headed "Commodity Lists", indicating that the commodity may no longer be exported under the Foreign Distribution licensing procedure (see Part 378 of this subchapter), effective January 9, 1954.

[18] The commodity description is revised without substantive change.

[19] The unit of quantity is changed.

[21] The commodity is no longer excepted from the provisions of General In-Transit License GIT (see § 371.9 (c) of this subchapter).

[22] The effect of this revision is to delete all other forms of platinum and alloys, including scrap.

[24] The requirement to specify working pressure is added.

[25] The effect of this revision is to remove compounds or mixtures containing bacitracin, neomycin, polymixin, and tyrothricin.

[26] The effect of this revision is to remove antibiotic feed supplements containing bacitracin, neomycin, polymixin, and tyrothricin.

[27] The requirement to specify grade is removed for licensing purposes.

This part of the amendment shall become effective as of December 10, 1953, unless otherwise indicated in the footnotes.

Shipments of any commodities removed from general license to Country Group R or Country Group O destinations as a result of changes set forth in Item 1 of this amendment, which were on dock, on lighter, laden aboard an exporting carrier, or in transit to a port of exit pursuant to actual orders for export prior to 12:01 a. m., December 17, 1953, may be exported under the previous general license provisions up to and including January 9, 1954. Any such shipment not laden aboard the exporting carrier on or before January 9, 1954, requires a validated license for export.

(Sec. 3, 63 Stat. 7; 65 Stat. 43; 67 Stat. 62; 50 U. S. C. App. Sup. 2023. E. O. 9630, Sept. 27, 1945, 10 F. R. 12245, 3 CFR, 1945 Supp.; E. O. 9919, Jan. 3, 1948, 13 F. R. 59, 3 CFR, 1948 Supp.)

LORING K. MACY,
Director,
Bureau of Foreign Commerce.

[F. R. Doc. 53-10478; Filed, Dec. 18, 1953; 8:45 a. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard, Department of the Treasury

Subchapter A—General

[CGFR 53-38]

PART 8—REGULATIONS, UNITED STATES COAST GUARD RESERVE

PHYSICAL EXAMINATIONS AND STANDARDS

By virtue of the authority contained in the act of July 9, 1952 (66 Stat. 481), the following amendments are hereby prescribed and shall become effective upon publication in the FEDERAL REGISTER.

1. Section 8.1401 is amended to read as follows:

§ 8.1401 *Physical standards*—(a) *Officers.* The standards for appointment and retention of Reserve officers and for the enlistment of officer candidates shall be the same as those prescribed for officers of the Regular Coast Guard.

(b) *Enlisted personnel.* The standards for enlistment, reenlistment, and retention of Reserve enlisted personnel other than officer candidates shall be the same as those prescribed for enlisted personnel of the Naval Reserve.

2. Section 8.1402 is amended to read as follows:

§ 8.1402 *Waiver of physical defects.* (a) Physical defects not considered to be sufficiently serious to interfere with the performance of general or special duties to which a Reservist or an applicant for membership in the Reserve is likely to be assigned may be waived by the Commandant. Once such defects have been waived either prior or subsequent to the effective date of this amendment, additional waivers shall not be required for the same defects provided that the degree thereof has not materially increased, and if a Reservist is

otherwise physically qualified, such defects shall not prevent him from being reenlisted or promoted.

(b) In determining the physical qualifications of a Reservist or an applicant for membership in the Reserve, due consideration shall be given to an individual's age, prior military service, educational background, civilian occupational skill, and the character of the duty to which the member may be assigned in the event he should be ordered to active duty pursuant to law.

(c) A Reservist or applicant for membership in the Reserve who has been found not physically qualified may submit a request for waiver of physical defects to the Commandant via official channels. In each such case, the District Commander shall make recommendations in the premises.

(d) A Reservist who is granted a waiver under this section may be placed in a limited duty status category in the discretion of the Commandant.

3. Section 8.1403 is amended to read as follows:

§ 8.1403 *Persons authorized to conduct physical examinations.* (a) Physical examinations of Reservists and of applicants for appointment or enlistment shall, if practicable, be conducted by a board of at least two medical officers of the U. S. Public Health Service. If impracticable to assemble such a board, physical examinations shall be conducted by one medical officer of the U. S. Public Health Service. If such a medical officer is unavailable, physical examinations may be conducted by one medical officer of any component of the Armed Forces. In special cases, physical examinations may be conducted by a medical officer of the Veterans' Administration or by a reputable civilian physician.

(b) A Reservist whose duties involve flying shall be given a flight physical examination commensurate with the type of duty to be performed by medical officers of the U. S. Public Health Service who have qualified as flight surgeons or aviation medical examiners or by medical officers of any branch of the Armed Forces including the Reserve components thereof, who are authorized to conduct such examinations.

(c) All reports of physical examinations of Reservists shall be reviewed by the Chief Medical Officer, together with the medical history of the Reservist on file at Headquarters.

4. Section 8.1405 is amended to read as follows:

§ 8.1405 *Persons required to take physical examinations.* (a) All applicants for appointment or enlistment in the Reserve are required to take a physical examination prior to becoming a member thereof and must be found physically qualified or must have physical defects waived.

(b) All Reservists are required to take a physical examination at the times specified in § 8.1406.

5. Section 8.1406 is amended to read as follows:

§ 8.1406 *When physical examinations are required.* (a) Except for members of the Retired Reserve and members whose names are carried on a retired list, all Reservists not on active duty shall be required to take a physical examination only at the following times:

(1) *Quadrennially.* At least once during each 4 year period, a physical examination must be accomplished. Such 4 year period shall be considered as having commenced on the day following the date upon which the last complete physical examination was conducted. District Commanders will ascertain when Reservists under their jurisdiction will become due for quadrennial physical examination. They will notify Reservists concerned at least 60 days in advance of the dates on which they will become due for such examination.

(2) *Upon notification of promotion.* This subparagraph applies only to Reserve officers. In the event the officer concerned has taken and passed a complete physical examination approved by the Commandant within one year prior to notification, the Commandant may waive physical examination and require instead submission of the certificate of physical condition provided for in § 8.1408.

(3) *Prior to or upon reporting for active duty in excess of 7 days.* This physical examination will not be accomplished prior to 30 days in advance of the reporting date.

(4) *Upon release from active duty in excess of 7 days.*

(5) *Upon reenlistment or extension of enlistment.* The District Commander concerned may waive this requirement. However, in such cases, a physical examination shall be accomplished as soon after reenlistment or extension of enlistment as is practicable and in any event must be accomplished within the 4 year period prescribed in subparagraph (1) of this paragraph.

(6) *Annually or biannually for pilots.* A Reserve pilot authorized to perform duty involving actual control of aircraft shall have satisfactorily passed a flight physical examination within 12 months immediately preceding the actual control of aircraft if he is a member of an organized unit under the jurisdiction of the Chief of Naval Air Reserve Training, or is a member of an organized unit training at a Coast Guard Air Station; otherwise the interval between flight physical examinations shall be 6 months.

(7) *When indicated under § 8.1404 (a).*

(8) *Upon special notification.* Special examinations and examinations by boards of medical survey may be ordered by the Commandant as required or at the request of a Reservist to determine his physical fitness.

(b) Reservists on active duty shall undergo physical examinations in accordance with requirements for personnel of the Regular Coast Guard.

6. A new § 8.1407 is hereby added as follows:

§ 8.1407 *Completeness of physical examinations.* (a) Except as provided in paragraph (b) of this section, all physical examinations of Reservists shall be complete in every respect and required reports shall be submitted to the Commandant.

(b) Physical examinations conducted pursuant to paragraphs (a) (3) and (4) of § 8.1406 need not be extensive provided the period of active duty is not in excess of 30 days and provided the Reservist is found qualified for duty and release therefrom. They shall, however, be sufficient for the medical examiner to determine whether or not the individual is physically qualified to perform duties assigned, and is or is not free from infectious or contagious disease. Each Reservist so examined shall be required to execute a certificate of physical condition at the time each examination is conducted. The results of these examinations need only be entered upon the Reservist's orders and no other report will be required if he is found to be physically qualified. In the event that a Reservist is found not physically qualified or if injury, sickness, or disease was incurred while performing active duty, a complete physical examination shall be accomplished and required reports shall be submitted.

(c) A Reservist whose duties involve flying shall be given a physical examination commensurate with the type of flying duties to be performed.

7. A new § 8.1408 is hereby added as follows:

§ 8.1408 *Certificate of physical condition.* Except for members of the Retired Reserve and members whose names are carried on a retired list, each Reservist not on active duty is required to submit a certificate of physical condition annually in such form and at such time as the Commandant shall determine.

8. A new § 8.1409 is hereby added as follows:

§ 8.1409 *Reports and records of physical examinations.* (a) The results of every complete physical examination shall be entered in the individual's health record and will become a part of his medical history.

(b) Except as provided for in § 8.1407 (b), the results of every physical examination shall be reported to the Commandant on such forms and in such manner as he may require.

(c) A report of physical examination for appointment or enlistment shall accompany each candidate's application.

9. A new § 8.1410 is hereby added as follows:

§ 8.1410 *Disposition of Reservists found not physically qualified.* (a) If, as a result of any physical examination, a Reservist is found not physically qualified and if the defects can be corrected by medical treatment, such Reservist shall be afforded a reasonable length of time, not above one year, in which to have the defects satisfactorily corrected. During the period granted for correction of such defects, the Commandant may restrict such Reservist from engaging in such training activities as he may deem to be in the best interests of the service.

(b) If, as a result of any physical examination, a Reservist is found not physically qualified and if the defects cannot be corrected by medical treatment and are not waived, or if, being correctible, the defects are not corrected within the time allowed, such Reservist shall be afforded an opportunity to request transfer to the Retired Reserve or a retired list, if qualified. If he is found to be qualified and he elects transfer to the Retired Reserve or a retired list, he shall be so transferred. If he is not so transferred, the Commandant may institute proceedings to effect discharge.

(c) The report of physical examination in cases under paragraphs (a) and (b) of this section shall be accompanied by recommendation of the District Commander.

(d) Notwithstanding any other provisions of the regulations in this part, a Reserve officer who has been or may hereafter be honorably discharged solely by reason of being found not physically qualified for active service and whose physical condition did not result from his own misconduct may be reappointed within one year from the date of discharge in the same rank or grade in which discharged and with the same date of rank as that previously held provided that the defects which disqualified such officer have been corrected satisfactorily or waived by the Commandant.

10. A new § 8.1411 is hereby added as follows:

§ 8.1411 *Failure to appear for physical examination or to submit information concerning physical condition.* (a) Except as provided in paragraph (b) of this section, failure of Reservists to appear for a physical examination or failure to submit information concerning their physical condition when required may result, in the discretion of the Commandant, in the institution of proceedings to effect discharge.

(b) A Reservist having an unfulfilled service obligation pursuant to section 4 (d) (1) or 4 (d) (3) of the Universal Military Training and Service Act, as amended, and who fails to appear for a physical examination or who fails to submit needed information concerning his physical condition when required, after every reasonable attempt has been made to accomplish the same, may be involuntarily ordered to active duty or active duty for training by the Commandant pursuant to section 233 (c) of the act of July 9, 1952 (66 Stat. 490) during which tour of duty a physical examination shall be accomplished or the needed information secured.

11. A new § 8.1412 is hereby added as follows:

§ 8.1412 *Immunization.* When directed by the Commandant, Reservists shall be immunized against certain diseases in accordance with established practices of the Regular Coast Guard except as may be necessary to adapt the same to the Reserve.

12. A new § 8.1413 is hereby added as follows:

§ 8.1413 *Temporary members of the Reserve.* The provisions of §§ 8.1401 to 8.1413, inclusive, shall not apply to temporary members of the Reserve. The physical examinations and standards for such members shall be as prescribed by the Commandant.

(Sec. 251, 66 Stat. 495)

[SEAL] H. CHAPMAN ROSE,
Acting Secretary of the Treasury.

NOVEMBER 2, 1953.

Concurred in: December 1, 1953.

THOMAS S. GATES, Jr.,
Acting Secretary of the Navy.

[F. R. Doc. 53-10567; Filed, Dec. 18, 1953; 8:52 a. m.]

[CGFR 53-39]

PART 8—REGULATIONS, UNITED STATES COAST GUARD RESERVE

ASSIGNMENT TO RETIRED RESERVE

By virtue of the authority contained in the act of July 9, 1952 (66 Stat. 481), the following amendment is hereby prescribed and shall become effective upon publication in the FEDERAL REGISTER.

A new § 8.4406 is hereby added as follows:

§ 8.4406 *Assignment to Retired Reserve.* (a) Except as provided by paragraph (e) of this section, the following members of the Coast Guard Reserve shall, upon their application, be placed in or transferred to the Retired Reserve by the Commandant and their names shall be placed upon a Coast Guard Reserve Retired List established by § 8.1106 (c):

(1) Reservists who have completed a total of twenty years of honorable service in any component of the Armed Forces or Armed Forces without component including those Reserve components enumerated in section 306 (c) of Title III of the act of June 29, 1948, as amended (62 Stat. 1087).

(2) Reservists who have been found physically disqualified for active duty as a result of a service-connected disability regardless of total years of service and regardless of age. This subparagraph shall be liberally applied and shall be extended to all cases in which there is any reasonable relationship between military service and disability.

(3) Reservists who have been retired or granted retired pay under any provision of law.

(4) Reservists who have attained the age of 62 years regardless of length of service unless retained until age 64 pursuant to law.

(b) Except as provided by paragraph (e) of this section, the following members of the Coast Guard Reserve may, upon their application, be placed in or transferred to the Retired Reserve by the Commandant and if so transferred, their names shall be placed upon a Coast Guard Reserve Retired List established by § 8.1106 (c):

(1) Reservists who, having attained the age of 37 years, have completed a minimum of eight years of satisfactory federal service as defined in section 302 (b) of Title III of the act of June 29, 1948, as amended (62 Stat. 1087).

(2) Reservists who, having attained the age of 37 years, have completed a minimum of eight years of satisfactory federal service as defined in section 306 (b) of Title III of the act of June 29, 1948 as amended (62 Stat. 1087), provided they have served honorably on active duty in time of war or national emergency for at least six months.

(3) Reservists who have been found physically disqualified for active duty or Reserve officers who have attained the years in age and grade as indicated in the following table:

Commander	58
Lieutenant Commander	52
Lieutenant	46
Lieutenant (junior grade)	40
Ensign	40
Commissioned warrant officer	40
Warrant officer	40

Provided they meet one of the following requirements:

(i) Honorable service on active duty between April 6, 1917 and November 11, 1918, or between September 9, 1940 and December 31, 1946, or between December 16, 1950 and a terminal date to be fixed by the Commandant.

(ii) At least ten years of honorable service.

(iii) Hold a combat award.

(iv) Have qualifications that could usefully be employed on active duty in a capacity consistent with the physical disability.

(v) Have other extraordinary considerations which would justify transfer to the Retired Reserve.

(c) Notwithstanding any other provisions of the regulations in this part, the following former members of the Coast Guard Reserve may, upon their application and upon the recommendation of the Commandant, be reappointed or reenlisted in the same rank or rate with the date of rank or rate in which they were previously separated: *Provided,* That simultaneously with the submission of such application they apply for and are found to be qualified for immediate placement in the Retired Reserve. To be found qualified for such placement, they must meet one of the conditions prescribed in paragraphs (a) and (b) of this section as of the date of their last separation from the Reserve. The names of persons so reappointed or reenlisted shall be placed upon a Coast Guard Reserve Retired List established by § 8.1106 (c):

(1) Former members who, because of their failure to meet the prescribed physical standards in effect at the time of separation, were involuntarily separated or not offered reenlistment or reappointment.

(2) Former members whose separation was effected by reason of attainment of the statutory age limit in effect at the time of separation.

(d) Upon placement in or transfer to the Retired Reserve, a Reservist's name shall be placed on a Coast Guard Reserve Retired List in his permanent grade, or in the highest temporary grade in which

he served satisfactorily as determined by the Commandant, unless entitled to be retired in a higher grade according to law.

(e) A member may be discharged in lieu of placement in or transfer to the Retired Reserve even though he meets one or more of the requirements contained in this section if the Commandant determines, upon the recommendation of a board of officers convened pursuant to section 249 of the act of July 9, 1952 (66 Stat. 495), that his separation from the Coast Guard Reserve is desirable and warranted based upon his entire record of service.

(f) Placement in or transfer to the Retired Reserve is a permanent change in status and of itself does not entitle the Reservist to receive retired pay, Once assigned to the Retired Reserve, personnel are not eligible for reassignment to the Ready or Standby Reserve and their retired status may be changed only by resignation, discharge, or dismissal.

(Sec. 251, 66 Stat. 495)

[SEAL] H. CHAPMAN ROSE,
Acting Secretary of the Treasury.

Concurred in: December 1, 1953.

THOMAS S. GATES, Jr.,
Acting Secretary of the Navy.

NOVEMBER 2, 1953.

[F. R. Doc. 53-10568; Filed, Dec. 18, 1953; 8:52 a. m.]

TITLE 46—SHIPPING

Chapter I—Coast Guard, Department of the Treasury

[CGFR 53-56]

Subchapter P—Manning of Vessels

PART 157—MANNING REQUIREMENTS

Subchapter Q—Specifications

PART 160—LIFESAVING EQUIPMENT

MANNING OF VESSELS; SPECIFICATION FOR BUOYANT APPARATUS AND LIFE FLOATS

A notice regarding proposed regulations regarding enforcement of Officers' Competency Certificates Convention, 1936, manning of vessels, and proposed changes in the specification for buoyant apparatus and life floats was published in the FEDERAL REGISTER dated September 9, 1953, 18 F. R. 5432, 5435, as Items III, XXVII, and XXVIII on the agenda to be considered by the Merchant Marine Council, and a public hearing was held by the Merchant Marine Council on September 29, 1953, in Washington, D. C. No comments were received proposing changes in the proposed regulations.

The new regulations designated 46 CFR Subpart 157.18, containing §§ 157.18-1 to 157.18-15, inclusive, provide that every master or person in charge of a vessel subject to R. S. 4438a, as amended (46 U. S. C. 224a), or the Officers' Competency Certificates Convention, 1936, shall file with the Collector of Customs a complete list of the officers employed aboard the vessel upon application for final clearance for a foreign port or for an applicaton for a permit to touch and trade. A vessel subject to other provisions of the shipping laws which submits a crew list on Form CG-710A will not have to submit a separate list setting forth the identification of the officers. The new regulations also describe the vessels subject to these requirements, authorize the Collector of Customs or the Coast Guard District Commander to detain any vessel which he has reason to believe is not in compliance with R. S. 4438a, as amended (46 U. S. C. 224a), or the Officers' Competency Certificates Convention, 1936, and sets forth the procedures for an appeal to the Commandant, United States Coast Guard, whose decision in each case is final in effect. These regulations are based on Item III of the agenda.

The amendment to 46 CFR 157.30-30 clarifies the requirements for licensed operators of motorboats carrying passengers for hire and deletes reference to R. S. 4426, as amended (46 U. S. C. 404). This regulation requires a licensed motorboat operator for every motorboat carrying passengers for hire. This amendment is based on Item XXVII of the agenda.

The amendment to 46 CFR 160.010-7 (e) permits the use of beam loading tests as an alternate to the drop test for balsa wood buoyant apparatus of the peripheral body type. The drop test will still be required in all cases for pre-approval samples and samples from production lots of buoyant apparatus made from materials other than balsa wood. The amendments to 46 CFR 160.027-1 (a) (2), 160.027-4 (a) revise references to military specifications and bring up to date editorially the specification for life floats. The amendment to 46 CFR 160.027-7 (e) permits the use of beam loading tests as an alternate to the drop test for balsa wood life floats. The drop tests will still be required in all cases of pre-approval samples and samples from production lots of life floats made from materials other than balsa wood. These amendments are based on Item XXVIII of the agenda.

By virtue of the authority vested in me as Commandant, United States Coast Guard, by Treasury Department Order No. 120, dated July 31, 1950 (15 F. R. 6521), to promulgate rules and regulations in accordance with the statutes cited with the regulations below, the following amendments to the regulations are prescribed which shall become effective thirty days after publication of this document in the FEDERAL REGISTER.

1. Part 157 is amended by adding a new Subpart 157.18, consisting of §§ 157.18-1 to 157.18-15, inclusive, reading as follows:

SUBPART 157.18—OFFICERS' COMPETENCY CERTIFICATES CONVENTION, 1936

Sec.
157.18-1 Vessels subject to requirements of this subpart.
157.18-5 Detention of vessel.
157.18-10 Right of appeal.
157.18-15 Filing lists of officers with Collector of Customs.

AUTHORITY: §§ 157.18-1 to 157.18-15 issued under R. S. 4405, as amended, 4462, as amended; 46 U. S. C. 375, 416. Interpret or apply R. S. 4438a, as amended; 46 U. S. C. 224a; E. O. 10402, Oct. 30, 1952, 17 F. R. 9917; 3 CFR, 1952 Supp.

§ 157.18-1 *Vessels subject to requirements of this subpart.* (a) Paragraph (1) of R. S. 4438a, as amended (46 U. S. C. 224a), states:

(1) That the Officers' Competency Certificates Convention, 1936 (International Labor Organization Draft Convention Numbered 53, "concerning the minimum requirement of professional capacity for masters and officers on board merchant ships"), as ratified by the President on September 1, 1938, with understandings appended, and this section shall apply to all vessels, however propelled, navigating on the high seas, which are registered, enrolled and licensed, or licensed under the laws of the United States, whether permanently, temporarily, or provisionally, including yachts enrolled and licensed, or licensed, with the exception of—

(a) Ships of war;

(b) Government vessels, or vessels in the service of a public authority, which are not engaged in trade;

(c) Wooden ships of primitive build, such as dhows and junks;

(d) Unrigged vessels;

(e) All vessels of less than two hundred gross tons.

(b) All vessels subject to R. S. 4438a, as amended (46 U. S. C. 224a) are subject to the requirements of this subpart.

(c) Foreign vessels to which the Officers' Competency Certificates Convention, 1936, applies are subject to the requirements in this subpart when within the jurisdiction of the United States.

§ 157.18-5 *Detention of vessel.* (a) The Collector of Customs, or the Coast Guard District Commander, by written order served upon the master or person in charge of a vessel, may detain any vessel which he has reason to believe is not in compliance with the requirements of R. S. 4438a, as amended (46 U. S. C. 224a), until he is satisfied that all officers employed aboard such vessel, who are required to be licensed, either by the Coast Guard (in the case of a vessel of the United States), or by the Officers' Competency Certificates Convention, 1936 (in the case of a vessel of a foreign nation which is signatory to such Convention) are in possession of the required licenses. If a vessel is detained by a written order of a Coast Guard District Commander, he should give immediate notice of such detention to the Collector of Customs from whose port the vessel will either clear or secure a permit to touch and trade in order that clearance or the issuance of a permit to touch and trade may be withheld.

(b) In the case of detention of a foreign vessel to which Officers' Competency Certificates Convention, 1936, applies, the Collector of Customs or the Coast Guard District Commander ordering such detention should immediately notify the Consul of the country in which the offending vessel is registered.

§ 157.18-10 *Right of appeal.* Whenever a vessel is detained, the master may appeal, within five days to the Commandant, U. S. Coast Guard, who may, after investigation, affirm, set aside, or modify the order of detention.

§ 157.18-15 *Filing lists of officers with Collector of Customs.* The master of any vessel of the United States subject

to the provisions of R. S. 4438a, as amended (46 U. S. C. 224a), and any foreign vessel belonging to a nation signatory to the Officers' Competency Certificates Convention, 1936, shall, upon application for final clearance for foreign port or upon application for a permit to touch and trade, file with the Collector of Customs a complete list of the officers employed aboard the vessel and the service number and description of license held by each officer.

2. Section 157.30–30 is amended to read as follows:

§ 157.30–30 *Licensed operators for motorboats.* (a) Every motorboat, as defined by the Motorboat Act of April 25, 1940, as amended (54 Stat. 163, 165, 166; 46 U. S. C. 526, 526f, 526p), while carrying passengers for hire, whether the motorboat is certificated or not, shall be operated or navigated by a person duly licensed for such service by the Coast Guard.

(R. S. 4405, as amended, 4462, as amended; 46 U. S. C. 375, 416. Interpret or apply 54 Stat. 165, 166, as amended; 46 U. S. C. 526f, 526p; E. O. 10402, Oct. 30, 1952, 17 F. R. 9917, 3 CFR 1952 Supp.)

3. Section 160.010–7 (e) is amended to read as follows:

§ 160.010–7 *Methods of sampling, inspections and tests.* * * *

(e) *Strength test.* Drop or launch the complete sample buoyant apparatus into still water from a height of 60 feet. Test all air compartments, if any, in accordance with paragraph (f) of this section. There shall be no damage affecting the serviceability of the apparatus for the purpose intended. Upon application from the manufacturer, consideration will be given to the use of a beam loading test in lieu of the drop test for samples from production lots of balsa wood buoyant apparatus of the peripheral-body type.

(R. S. 4405, as amended, 4462, as amended; 46 U. S. C. 375, 416. Interpret or apply R. S. 4417a, 4426, 4488, 4491, as amended, 49 Stat. 1544, 54 Stat. 346, sec. 5, 55 Stat. 244, 245, as amended; 46 U. S. C. 391a, 404, 474, 489, 1333; 50 U. S. C. App. 1275; E. O. 10402, Oct. 30, 1952, 17 F. R. 9917, 3 CFR 1952 Supp.)

4. Section 160.027–1 (a) (2) is amended to read as follows:

§ 160.027–1 *Applicable specifications and plans*—(a) *Specifications.* * * *

(2) *Military specification.*

MIL–F–16143A—Floats, life (Balsa Wood).

5. Section 160.027–4 (a) is amended to read as follows:

§ 160.027–4 *Balsa wood body life floats.* (a) Life floats having a balsa wood buoyant body shall be constructed as illustrated by Coast Guard Drawing 160.027–4; or in cases where the dimensions of the body section are suitably increased to provide at least 40 pounds per person buoyancy, they may be constructed as illustrated by Navy Department, Bureau of Ships, Drawings S8200–860050 and S8200–860051 and in accordance with the provisions of section 3 of Specification MIL–F–16143A.

6. Section 160.027–7 (e) is amended to read as follows:

§ 160.027–7 *Methods of sampling, inspections, and tests.* * * *

(e) *Strength test.* Drop or launch the complete sample life float into still water from a height of 60 feet twice, once flat and once endwise. Test all air compartments, if any, in accordance with paragraph (f) of this section. There shall be no damage to the body of the float, or other damage affecting the serviceability of the float for the purpose intended. On samples from production lots of balsa wood body type life floats beam loading tests in accordance with paragraph 4.5.3.2 of Specification MIL–F–16143A will be acceptable as an alternate to the drop tests described in this paragraph.

(R. S. 4405, as amended, 4462, as amended; 46 U. S. C. 375, 416. Interpret or apply R. S. 4417a, 4426, 4481, 4488, 4491, as amended, 49 Stat. 1544, 54 Stat. 346, sec. 5, 55 Stat. 244, 245, as amended; 46 U. S. C. 391a, 404, 474, 481, 489, 1333; 50 U. S. C. App. 1275; E. O. 10402, Oct. 30, 1952, 17 F. R. 9917, 3 CFR, 1952 Supp.)

Dated: December 15, 1953.

[SEAL] MERLIN O'NEILL,
Vice Admiral, U. S. Coast Guard, Commandant.

[F. R. Doc. 53–10570; Filed, Dec. 18, 1953; 8:52 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF THE TREASURY

Internal Revenue Service

[26 CFR Parts 29, 39]

INCOME TAX; TAXABLE YEAR BEGINNING AFTER DECEMBER 31, 1941 AND DECEMBER 31, 1951, RESPECTIVELY

PERSONAL HOLDING COMPANIES

Notice is hereby given, pursuant to the Administrative Procedure Act, approved June 11, 1946, that the regulations set forth in tentative form below are proposed to be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury. Prior to the final adoption of such regulations, consideration will be given to any data, views, or arguments pertaining thereto which are submitted in writing in duplicate to the Commissioner of Internal Revenue, Washington 25, D. C., within the period of 30 days from the date of publication of this notice in the FEDERAL REGISTER. The proposed regulations are to be issued under the authority contained in sections 62 and 3791 of the Internal Revenue Code (53 Stat. 32, 467; 26 U. S. C. 62, 3791).

[SEAL] O. GORDON DELK,
Acting Commissioner of Internal Revenue.

Regulations 111 and 118 are hereby amended by striking therefrom § 29.505–2 (26 CFR 29.505–2) and § 39.505–2 (26 CFR 39.505–2), respectively, constituting an illustration of the computation of subchapter A net income, undistributed subchapter A net income, and surtax, in the case of a personal holding company.

[F. R. Doc. 53–10571; Filed, Dec. 18, 1953; 8:53 a. m.]

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR Part 51]

SHELLED ENGLISH WALNUTS (JUGLANS REGIA)[1]

U. S. STANDARDS

Notice is hereby given that the United States Department of Agriculture is considering the issuance of United States Standards for Shelled English Walnuts (Juglans regia) under the authority contained in the Agricultural Marketing Act of 1946 (60 Stat. 1087; 7 U. S. C. 1621 et seq.) and the Department of Agriculture Appropriation Act, 1954 (Pub. Law 156, 83d Cong., approved July 28, 1953) to supersede United States Standards for Shelled English Walnuts (Juglans regia) effective September 30, 1939.

All persons who desire to submit written data, views or arguments for consideration in connection with the proposed standards should file the same with E. E. Conklin, Chief, Fresh Products Standardization and Inspection Branch, Fruit and Vegetable Division, Agricultural Marketing Service, United States Department of Agriculture, South Building, Washington 25, D. C., not later than 5:30 p. m., e. s. t., on the thirtieth day after the date of publication of this notice in the FEDERAL REGISTER.

The proposed standards are as follows:

GENERAL

Sec.
51.2275 General.

GRADES

51.2276 U. S. No. 1.
51.2277 U. S. Commercial.

UNCLASSIFIED

51.2278 Unclassified.

[1] Packing of the product in conformity with the requirements of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act.

TOLERANCES FOR GRADE DEFECTS

Sec.
51.2279 Tolerances for grade defects.

COLOR REQUIREMENTS

51.2280 Color classifications.
51.2281 Tolerances for color.
51.2282 Off color.

SIZE REQUIREMENTS

51.2283 Size classifications.
51.2284 Tolerances for size.

APPLICATION OF TOLERANCES

51.2285 Application of tolerances.

DEFINITIONS

51.2286 Well dried.
51.2287 Clean.
51.2288 Shell.
51.2289 Insect injury.
51.2290 Rancidity.
51.2291 Damage.
51.2292 Serious damage.
51.2293 Very serious damage.
51.2294 Half kernel.
51.2295 Three-fourths half kernel.

GENERAL

§ 51.2275 *General.* The walnut color chart[2] to which reference is made in §§ 51.2280 and 51.2281 has been prepared by the United States Department of Agriculture as a part of these standards.

GRADES

§ 51.2276 *U. S. No. 1.* U. S. No. 1 consists of portions of walnut kernels which are well dried, clean, free from shell, foreign material, insect injury, decay, rancidity, and free from damage caused by shriveling, mold, discoloration of the meat or other means. (See § 51.2279.)

(a) Color shall be specified in connection with this grade in terms of one of the color classifications. (See §§ 51.2275, 51.2280 and 51.2281.)

(b) Size shall be specified in connection with this grade in terms of one of the size classifications. (See §§ 51.2283 and 51.2284.)

§ 51. 2277 *U. S. Commercial.* U. S. Commercial consists of portions of walnut kernels which meet the requirements of U. S. No. 1 grade, except for increased tolerances. (See § 51.2279.)

(a) Color of walnuts in this grade shall be not darker than "amber" classification, and color need not be specified. However, color may be specified in connection with the grade in terms of one of the color classifications. (See §§ 51.2275, 51.2280 and 51.2281.)

(b) Size shall be specified in connection with this grade in terms of one of the size classifications. (See §§ 51.2283 and 51.2284.)

[2] The walnut color chart was filed with these United States Standards for Shelled English Walnuts and is available for inspection in the Division of the Federal Register or in the Fruit and Vegetable Division, United States Department of Agriculture, South Building, Washington 25, D. C.

UNCLASSIFIED

§ 51.2278 *Unclassified.* Unclassified consists of portions of walnut kernels which have not been classified in accordance with either of the foregoing grades. The term "unclassified" is not a grade within the meaning of these standards, but is provided as a designation to show that no grade has been applied to the lot.

TOLERANCES FOR GRADE DEFECTS

§ 51.2279 *Tolerances for grade defects.* (a) All percentages shall be calculated on the basis of weight.

(b) In order to allow for variations, other than for color and size, incident to proper grading and handling, tolerances shall be permitted for the respective grades as indicated in Table I:

TABLE I

Grade	Tolerances for grade defects			
	Total defects	Serious damage	Very serious damage	Shell and foreign material
	Percent	*Percent*	*Percent*	*Percent*
U. S. No. 1	5	2 (Included in 5 percent total defects.	1 (Included in 2 percent serious damage.	0.05 (Included in 1 percent very serious damage.)
U. S. Commercial	8	4 (Included in 8 percent total defects.)	2 (Included in 4 percent serious damage.)	.05 (Included in 2 percent very serious damage.)

COLOR REQUIREMENTS

§ 51.2280 *Color classifications.* The following classifications are provided to describe the color of any lot: "Extra Light", "Light", "Light Amber" or "Amber". The portions of kernels in the lot shall not be darker than the darkest shades of color permitted in the specified classification as shown on the color chart.

§ 51.2281 *Tolerances for color.* (a) All percentages shall be calculated on the basis of weight.

(b) In order to allow for variations incident to proper grading and handling, tolerances shall be permitted for the respective color classifications as indicated in Table II:

TABLE II

Color classification	Tolerances for color			
	Darker than extra light [1]	Darker than light [1]	Darker than light amber [1]	Darker than amber [1]
	Percent	*Percent*	*Percent*	*Percent*
Extra light	15		2 (Included in 15 percent darker than extra light)	
Light		15	2 (Included in 15 percent darker than light)	
Light amber			15	2 (Included in 15 percent darker than light amber.)
Amber				10

[1] See illustration of this term on color chart.

§ 51.2282 *Off color.* The term "off color" is not a color classification, but shall be applied to any lot which fails to meet the requirements of the "Amber" classification.

SIZE REQUIREMENTS

§ 51.2283 *Size classifications.* The following classifications are provided to describe the size of any lot: "Halves", "Halves and Pieces", "Pieces" or "Small Pieces". The size of portions of kernels in the lot shall conform to the requirements of the specified classification as defined below:

(a) *Halves.* Lot consists of 85 percent or more, by weight, half kernels, and the remainder three-fourths half kernels. (See § 51.2284.)

(b) *Halves and pieces.* Lot consists of 20 percent or more, by weight, half kernels, and the remainder portions of kernels that cannot pass through a sieve with $^{24}/_{64}$ inch round openings. When a lot exceeds this minimum requirement, the actual percentage of halves may be specified. (See § 51.2284.)

(c) *Pieces.* Lot consists of portions of kernels that cannot pass through a sieve with $^{24}/_{64}$ inch round openings. (See § 51.2284.)

(d) *Small pieces.* Lot consists of portions of kernels that pass through a sieve with $^{24}/_{64}$ inch round openings, but that cannot pass through a sieve with $^{8}/_{64}$ inch round openings. When desired, the actual size ranges within such size ranges may be specified. (See § 51.2284.)

§ 51.2284 *Tolerances for size.* (a) All percentages shall be calculated on the basis of weight.

(b) In order to allow for variations incident to proper sizing and handling, tolerances shall be permitted for the respective size classifications as indicated in Table III.

TABLE III

Size classification	Tolerances for size				
	Smaller than three-fourths halves	Will not pass through 24/64 inch round hole	Pass through 24/64 inch round hole	Pass through 16/64 inch round hole	Pass through 8/64 inch round hole
	Percent	*Percent*	*Percent*	*Percent*	*Percent*
Halves	5			1 (Included in 5 percent)	
Halves and pieces [1]			18	3 (Included in 18 percent.)	1 (Included in 3 percent.)
Pieces			25	5 (Included in 25 percent.)	1 (Included in 5 percent.)
Small pieces [2]		10			2

[1] No part of any tolerance shall be used to reduce the percentage of halves required or specified in a lot of "halves and pieces."

[2] The tolerances of 10 percent and 2 percent for "small pieces" classification shall apply, respectively, to any smaller maximum or any larger minimum sizes specified.

APPLICATION OF TOLERANCES

§ 51.2285 *Application of tolerances.* All tolerances for the standards shall be applied to the entire lot, and a composite sample shall be taken for determining the grade. However, any container or group of containers in which the walnuts are found to be substantially inferior to those in the majority of the containers shall be considered as a separate lot.

DEFINITIONS

§ 51.2286 *Well dried.* "Well dried" means that the portion of kernel is firm and crisp, not pliable or leathery.

§ 51.2287 *Clean.* "Clean" means that the appearance of the individual portion of kernel, or of the lot as a whole, is not materially affected by adhering dust, dirt or other foreign material.

§ 51.2288 *Shell.* "Shell" means the outer shell and/or the woody partition from between the halves of the kernel, and any fragments of either.

§ 51.2289 *Insect injury.* "Insect injury" means that the insect, web, frass or other evidence of insects is present on the portion of kernel.

§ 51.2290 *Rancidity.* "Rancidity" means that the portion of kernel is noticeably rancid to the taste. Rancidity should not be confused with a slightly astringent flavor of the pellicle (skin) or with staleness (the stage at which the flavor is flat but not objectionable).

§ 51.2291 *Damage.* "Damage" means any defect, other than color, or any combination of defects which materially affects the appearance, or the edible or shipping quality of the individual portion of kernel, or of the lot as a whole. Any one of the following shall be considered as damage:

(a) Shriveling when more than one-eighth of the portion of kernel is severely shriveled, or a greater area is affected by lesser degrees of shriveling producing an equally objectionable appearance, except that kernels which are thin in in cross-section but which are otherwise normally developed shall not be considered as shriveled;

(b) Mold when plainly visible;

(c) Discoloration of the meat when more than one-eighth of the meat of the portion of kernel is severely discolored, or a greater area of the meat is affected by lesser degrees of discoloration producing an equally objectionable appearance;

(d) Not well dried; and

(e) Not clean.

§ 51.2292 *Serious damage.* "Serious damage" means any defect, other than color, or any combination of defects which seriously affects the appearance, or the edible or shipping quality of the individual portion of kernel or of the lot as a whole. Any one of the following shall be considered as serious damage:

(a) Shriveling when more than one-fourth of the kernel is severely shriveled, or a greater area is affected by lesser degrees of shriveling producing an equally objectionable appearance;

(b) Mold when plainly visible on more than one-eighth of the surface of the kernel in the aggregate; and

(c) Discoloration of the meat when more than one-fourth of the meat of the portion of kernel is severely discolored, or a greater area of the meat is affected by lesser degrees of discoloration producing an equally objectionable appearance.

§ 51.2293 *Very serious damage.* "Very serious damage" means any defect, other than color, or any combination of defects which very seriously affects the appearance, or the edible or shipping quality of the individual portion of kernel or of the lot as a whole. Any one of the following shall be considered as very serious damage:

(a) Shriveling when more than 50 percent of the portion of kernel is severely shriveled;

(b) Mold when plainly visible on more than one-fourth of the surface of the portion of kernel in the aggregate;

(c) Discoloration of the meat when more than 50 percent of the meat of the portion of kernel is severely discolored;

(d) Insect injury;

(e) Rancidity or decay; and

(f) Shell, or any foreign material.

§ 51.2294 *Half kernel.* "Half kernel" means the separated half of a kernel with not more than one-eighth broken off.

§ 51.2295 *Three-fourths half kernel.* "Three-fourths half kernel" means a portion of a half of a kernel which has more than one-eighth but not more than one-fourth broken off.

Done at Washington, D. C., this 15th day of December 1953.

[SEAL] GEORGE A. DICE,
Deputy Assistant Administrator, Production and Marketing Administration.

[F. R. Doc. 53-10550; Filed, Dec. 18, 1953; 8:48 a. m.]

[7 CFR Part 728]

WHEAT

NOTICE OF FORMULATION OF REGULATIONS RELATING TO DETERMINATION OF COUNTY NORMAL YIELDS

Pursuant to the authority contained in the Agricultural Adjustment Act of 1938, as amended, the Secretary of Agriculture is preparing to formulate regulations for determining county normal yields of wheat for the 1954 crop. Section 301 (b) (13) of the act provides for the determination of county normal yields by taking the average yield per acre of wheat for the county during the ten calendar years immediately preceding the year in which such normal yield is determined and adjusting such average yield for abnormal weather conditions and trends in yields. Provision is also made that if for any year of the ten-year period the data are not available or there is no actual yield an appraised yield for such year shall be determined in accordance with regulations issued by the Secretary of Agriculture.

Prior to the issuance of regulations for determining county normal yields, including the appraising of the yields for years for which data are not available or in which there was no actual yield, consideration will be given to data, views, and recommendations pertaining thereto which are submitted in writing to the Director, Grain Branch, Commodity Stabilization Service (formerly Production and Marketing Administration), United States Department of Agriculture, Washington 25, D. C. All written submissions must be postmarked not later than seven days after the date of publication of this notice in the FEDERAL REGISTER.

Issued at Washington, D. C., this 17th day of December 1953.

[SEAL] HOWARD H. GORDON,
Administrator.

[F. R. Doc. 53-10602; Filed, Dec. 18, 1953; 8:55 a. m.]

[7 CFR Part 949]

[Docket No. AO-232-A-2]

HANDLING OF MILK IN SAN ANTONIO, TEXAS, MARKETING AREA

DECISION WITH RESPECT TO PROPOSED AMENDMENTS TO TENTATIVE MARKETING AGREEMENT AND TO ORDER, AS AMENDED

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing pro-

ceedings to formulate marketing agreements and marketing orders (7 CFR Part 900), a public hearing was conducted at San Antonio, Texas, on August 26, 1952, November 5, 1952, and May 21, 1953 (18 F. R. 2860).

Upon the basis of the evidence introduced at the hearing and the record thereof, the Assistant Administrator, Production and Marketing Administration, on August 20, 1953, filed with the Hearing Clerk, United States Department of Agriculture, his recommended decision and opportunity to file written exceptions thereto which was published in the FEDERAL REGISTER on August 26, 1953 (18 F. R. 5088).

Within the period reserved for exceptions the producers' association and certain handlers filed exceptions to certain of the findings, conclusions and actions recommended by the Assistant Administrator. In arriving at the findings, conclusions, and regulatory provisions of this decision, each of such exceptions was carefully and fully considered in conjunction with the record evidence pertaining thereto. Certain of the exceptions referred to situations associated with anticipated conditions. If experience proves any of the provisions herein decided upon to be inadequate to accomplish their intended purposes it will be necessary to review the conditions effective in the market at a subsequent hearing.

To the extent that the findings, conclusions, and actions decided upon herein are at variance with the exceptions, such exceptions are overruled.

The material issues of record are concerned with the following:

1. The establishment of standards which a plant must meet in order to be recognized as a pool plant fully subject to the order.

2. The need for provisions relative to unpriced milk.

3. The extension of the marketing area.

4. The need for price incentives to encourage more uniform production.

5. Miscellaneous changes.

Findings and conclusions. The following findings and conclusions on the material issues are based upon the evidence introduced at the hearing and the record thereof:

1. *Basis of pooling.* A market-wide pooling system, such as is in effect in the San Antonio market for distributing market proceeds from producer milk, is characterized by provisions which require equalization of returns from all sales of regulated milk in the marketing area. Each handler is required to pay for producer milk at the prices applicable to the class in which he uses such milk. Through the equalization process all producers who supply milk to regulated handlers are paid the same minimum blend or uniform price, with proper adjustment for differences in the butterfat tests for milk. A two-fold purpose is served by this method of distributing returns to producers. There is an equal sharing of the higher returns for the total market Class I sales and of the lower returns realized from the disposition of reserve or Class II milk. The uniform price which represents the blend value of all producer milk received and disposed of for all purposes in the market, therefore, depends upon which handlers are included in the pool and the utilization such handlers make of milk received from producers.

Equalization is carried out through a pooling process by which handlers pay for their milk at class prices in accordance with its use. Money so collected is redistributed among handlers to enable them to make uniform payments to producers from whom they have received milk. Involved in the equalization of sales and redistribution of funds is the question as to the appropriate scope of pooling. Since the production of high quality milk required by consumers involves extra care and expense, it is important that the amount of milk produced under Grade A standards be no more than the minimum necessary to supply the market. To encourage more than enough production of such milk would represent an economic waste, since the expenditures incurred in producing Grade A milk not essential to the market supply would result in no value to consumers.

One of the problems, then, under the market-wide pool is to determine the standards for identifying the plants which constitute an essential and regular part of the market supply, so as to assure the sharing of Class I sales among only those producers who furnish their milk to such plants. Class I prices must first be set as nearly as possible at the minimum levels which will encourage the necessary amount of milk production and the resulting returns should be distributed in such a way as to assure the market of the maximum supply of quality milk which can be obtained at these prices. In order to do this, provision should be made that equalization of market sales should be made only to plants meeting reasonable performance standards with respect to supplying their milk to the market.

Under the present provisions of the order, any person who operates a milk plant, which is approved by the appropriate health authority of the marketing area for the processing of Grade A milk, and from which Grade A milk is disposed of on retail or wholesale routes in the marketing area, is a handler. All handlers, except producer-handlers, who so distribute any quantity of Class I milk are subject to full regulation under the order, and must be and are included in the market-wide pool. If minimum producer prices which a handler must pay are to be fixed, then his sales and producer payments must be equalized with all other handlers for whom such prices are fixed.

Since the market-wide pool results in the payment of producers on the average utilization for the market, the individual handler is relieved of any responsibility for maintaining a high Class I utilization in order to support his pay rates to producers. Whatever utilization of milk a handler may have, his rate of pay to producers will be the same as that of all other handlers in the market. Under the present order, it is possible for any approved plant to make distribution of a small quantity of milk in the marketing area and share in the market-wide pool. Thus, the market-wide pool provides both opportunity and incentive for any distributor, wherever located, to sell a token quantity of milk in the San Antonio market if such distributor had a relatively low percentage utilization as Class I milk in relation to the market average. He would then draw money from the equalization fund of the pool, thereby reducing the price received by regular market producers. This is commonly called "riding the pool." Without some performance standards, such plants may enter the market whenever it is advantageous to do so for the sole purpose of "riding the pool." Such dissipation of returns from the sale of Class I milk would not be in the interest of either producers, handlers, or consumers in the San Antonio market.

Plants selling primarily to other markets or plants shipping milk on an opportunity basis to any market where supplies happen to be short do not represent reliable sources of milk upon which the San Antonio market may depend. If such plants were allowed to sell a token quantity of milk in the San Antonio marketing area whenever their Class I sales were low and then withdraw when their Class I sales were high as compared with receipts, the result would be that the in-and-out handler would be able to gain advantage in paying producers. The San Antonio market would have no compensating gain from the payment of equalization to such a handler. Such a distribution of equalization payments would, in fact, reduce the blend prices to producers regularly supplying the market and thereby have an adverse effect on the milk supplies upon which the market depends. This could result in the need for higher Class I prices than would otherwise be required.

Performance standards should be such that any distributor who has a substantial function in the supplying of milk to the market would pool his sales and share in the market-wide equalization. On the other hand, distributors only casually or incidentally associated with the market should not be subject to complete regulation, nor should they be permitted or required to equalize their sales with all handlers in the San Antonio market. If distributors are to be permitted to share on a pro rata basis the Class I utilization of the entire market because of token shipments without being genuinely associated with the market, then the money paid by users of Class I milk would be subject to dissipation without accomplishing the intended purpose. This might very well happen under the present order since the only qualifications such a plant would be required to meet would be compliance with health department standards of any of the various authorities having jurisdiction in the marketing area. The mere circumstances of having health department approval is not sufficient justification for equalizing sales of such a distributor with the market. Health authorities should not be placed in a position of determining which plants

should share in equalization. There is no reason to assume that a health department would refuse an application for approval because it had determined that the milk from the applicant's plant was not entitled to pool with the market or that such standards as might be applied by the health authority for this purpose would be appropriate to effectuate the declared policy of the act.

For these reasons, provision should be made in the order that a distributor must dispose of not less than 15 percent of his total receipts of approved milk from dairy farmers on retail or wholesale routes in the marketing area in order to be included in the market-wide pool and share in the equalization of market sales. The performance standard herein provided is designed to accomplish the objective as set forth above. On the basis of evidence available, it appears that it should accomplish such objective. If actual operating experience proves it inadequate, the standard should be revised on the basis of such experience. Such a standard should apply uniformly to all milk distributors. Any plant, regardless of its location, should have equal opportunity to comply with the standard and thereby participate in the market-wide pool and have its producers share in Class I sales of the market. Any producer who meets the appropriate health department requirements should be permitted under the order to sell his milk to plants meeting the standard of qualification. Whether or not distributors or producers choose to supply the San Antonio market will depend on the economic circumstances with which they are confronted, such as prices, transportation costs, and alternative outlets.

Evidence in the record indicates that the plants included in the pool under the order during May 1953 may be considered as associated with the market and entitled to pool. A very large percentage of the Class I sales of regulated handlers now goes to outlets in the marketing area. Although the record does not show the exact portion of Class I sales in the marketing area of each handler now included in the pool, it is possible that some handlers may need to watch their operations to insure continued eligibility to pool. It is concluded that to require a handler to dispose of 15 percent of his receipts from approved dairy farmers as Class I sales in the marketing area is the minimum which should be established to achieve the objectives of such a provision and that such a requirement is necessary and reasonable. In order to allow plant operators time for making any adjustments which may be necessary as a result of such an amendment to the order, provision is made that if plants regulated under the order during May 1953 make application to the market administrator for designation as pool plants, such designation will be made for a six-month period after the effective date of any amendment issued pursuant to this decision, provided that such plant continues to distribute Class I milk in the marketing area.

2. *Provisions relative to unpriced milk.* A large volume of milk is customarily purchased by San Antonio handlers from sources other than producers. Such milk comes from plants scattered throughout a wide area. Although much of this milk is assigned to Class I use, it is not priced under the San Antonio order. Aside from the provision of the order requiring prior allocation of producer milk to Class I, the purchase and sale of such milk is not affected by the order program. The handler may obtain such milk whenever and wherever he can. The price he pays and the utilization he makes of the milk are not regulated in any way by the order.

Experience has proven, however, that the operations of handlers in the San Antonio market in obtaining and selling unpriced milk for Class I purposes have, at times, jeopardized the effectiveness of the classification and pricing program of the order. The volume of milk which handlers have accepted from producers has been less each month since the inception of the order than the total Class I disposition. In April 1953, which was the month of lowest imports shown on the record, approximately 6 percent of Class I sales were allocated to other source milk. In spite of this fact, the record discloses that handlers refused, during at least part of the month of April, to accept some of the milk produced by their regular producers or milk offered for sale by other potential producers. Some producers were required to keep part of their milk at home during part of this period and dispose of it as best they could. Some of the producers who had milk refused were informed that the handler to whom they delivered had enough milk for his Class I needs and any increased production above a base period average would not be accepted. The cooperative association of producers, as well as producers themselves, tried unsuccessfully to place this milk with other handlers in the market.

The record discloses, also, that handlers have largely discontinued a long-standing practice of seeking new producers and assisting them in undertaking the production of graded milk. One handler representative testified that it would be possible to secure a substantial number of new producers if conditions were such that it was feasible to take on such producers. Failure to develop new producers could soon result in serious reductions in the flow of producer milk. There is a normal turnover among producers which represents a substantial proportion of the total production.

Evidence in the record indicates that the major reason why producer milk was refused by at least some handlers and why new production was not encouraged even though the market was short was the fact that surplus milk was temporarily available from other fluid markets at a cost less than that for Class I producer milk. Handlers purchasing this other source milk on a short term basis at a saving compared to producer Class I milk are able to underbid handlers using producer milk for contract sales, and to jeopardize generally the position of producer prices and all Class I sales in the market.

The record evidence indicates that a large share, if not all, of the supplemental milk obtained by handlers during several weeks prior to the hearing was seasonal surplus milk from other markets. The evidence indicates that such milk will not be available to the San Antonio market when seasonal shortages again occur. It indicates, also, that the alternative outlet for such milk, if not sold to San Antonio handlers, would be to manufacture Class II products.

The purchase and sale of such milk in the San Antonio market is disrupting the orderly marketing of milk. It is interfering also with the stated purpose of the act, namely, to fix prices which will insure a sufficient quantity of pure and wholesome milk.

The prices fixed under the order clearly cannot be effective in encouraging a production of milk which is appropriate to the needs of the market if handlers can circumvent these prices by purchasing surplus milk from other markets for Class I use. To raise the Class I price would provide additional incentive for handlers to obtain such milk and encourage them to refuse producer milk whenever low priced milk was available from other sources. To lower the Class I price would reduce blend prices and discourage production of milk for the market.

If some handlers purchase unpriced milk for Class I use at a lesser cost than producer milk, then those handlers using producer milk will be placed temporarily at a competitive disadvantage. This tends to be disruptive to the orderly marketing of milk and, in the San Antonio market, has given handlers the incentive to curtail their purchases of producer milk.

It is a well recognized fact that a minimum amount of milk in excess of actual Class I disposition is necessary to operate a fluid milk business. Because of a seasonal fluctuation in production not matched by seasonal changes in consumption, this excess is particularly large in certain months of the year. This excess or reserve milk is surplus to the fluid operation, and can only be marketed in manufactured form in competition with products made from ungraded milk produced in the major low cost dairying areas of the United States. Thus, such reserve milk yields a considerably lower return than is necessary to sustain graded milk production in the San Antonio milkshed. Likewise, it yields a lower price than would be necessary to purchase graded milk on a regular basis in other supply areas and pay the cost of transporting such a bulky and perishable product to San Antonio.

The existence of this reserve Grade A milk, which must be marketed at a lower price, is the primary cause of the instability which affects fluid milk markets. If a handler were able to use milk he purchased at Class II prices for Class I use, he would stand to gain advantage, but in so doing he demoralizes the Class I market price.

One of the paramount reasons why regulation of prices is considered necessary in the San Antonio market is to insure that the position of handlers paying producers a Class I price for fluid milk will not be undermined by others using the market's excess or surplus

producer milk for Class I use. It is equally important that the Class I market be protected from the use of seasonal excess milk from other markets as well as from its own surplus. The order provisions as they now stand permit a handler to curtail purchases of producer milk to their own advantage and secure low cost seasonal supplies from elsewhere for Class I use. These seasonal supplies are easily and cheaply acquired during the months of flush production when surrounding markets are receiving milk greatly in excess of their current fluid needs. If adjacent milksheds try to dump their seasonal surplus on each other's Class I markets, the result would soon be market chaos, particularly in the spring months. Class I prices would be demoralized and the rate of milk production would suffer. The result would be a shortage of milk in both markets at any time in the year when general shortages and high prices prevailed. Such marketing conditions would be contrary to the stated purpose of the act. It is necessary, therefore, in order to insure the effectiveness of the classified pricing program of the order and to promote orderly marketing, that some measure be taken to remove the incentive which handlers have to acquire unpriced milk (milk not paid for in accordance with its utilization) and undermine the Class I pricing structure of the order.

One possible alternative would be to extend price regulation in accordance with order provisions to all milk dealers who supplied milk either directly or indirectly to the San Antonio market. This alternative is both economically and administratively unacceptable in such an order program. It would open the San Antonio market pool to anyone who supplied even a token quantity of milk to handlers serving the marketing area. The objections to such distribution of pooled funds was discussed earlier in connection with the recommendations for standards of pool participation for distributing plants.

Such regulation would have the further disadvantage of being cumbersome, expensive, difficult to enforce, and it would interfere with the acquisition of needed supplemental milk supplies for the San Antonio market. The record discloses that needed supplemental milk is obtained by San Antonio handlers from numerous and widely scattered points. It would not be possible or desirable to limit the number of plants or area from which milk might be purchased. However, in order to bring such plants under regulation, it would be necessary to set up a complete new set of transfer and allocation rules, perhaps with individual tailoring according to the various plant locations, markets and supplies. It would be necessary to follow milk from these plants to its various destinations and uses to determine classification. Also, it would be necessary to ascertain sources of supply other than receipts directly from farmers and determine what priority should be given such supplies in the allocation of Class I milk. In the case of a plant which made an incidental shipment of milk, perhaps at the end of the month, or in the case of such items as storage cream, additional complications would be involved. Earlier inventories as well as sales would have to be ascertained and classified. Classification might depend upon transactions made in the past concerning which adequate records were not kept. Producer prices would be fixed for milk already purchased and sold. Required record keeping and auditing problems would be greatly multiplied with the extension of regulation.

Such extension of regulation would undoubtedly interfere with the acquisition of needed supplemental milk supplies for the San Antonio market. Potential suppliers might be reluctant to sell milk to San Antonio handlers if such sale would mean that they would be subject to producer price fixing and complete regulations provided for the San Antonio market. Also, the terms of the order, such as pooling and equalization, might work to the disadvantage of such a supplier selling primarily to an unregulated Class I market.

If a supply plant became primarily associated with the San Antonio market, there would be need to extend full regulation to such plant. However, there is no evidence of such association of any plant at this time.

It is concluded that it is not feasible to price all milk which may enter the market and that provision is necessary in the order which will insure against the displacement of producer milk by such unpriced milk for the purpose of cost advantage. There is no choice as to what type of provision can be used for this purpose. The only alternative is to levy a charge against unpriced milk used in Class I to the extent it is required for the removal of any advantage there may be in using such milk instead of regulated producer milk.

Several problems are involved in establishing rules for any charge or payment designed to bring about the removal of the advantage of using unregulated milk. The rate of a compensation payment for this purpose must not be so low that it will permit a handler to have temporary or permanent advantage through sale of unpriced milk as Class I in the marketing area. It should not be so high that it will penalize suppliers of unpriced milk who offer milk needed by the market and who are not in a position of gaining an unfair advantage by such sale of milk. The payment must be provided for in a manner which is administratively feasible and which does not bring about unjustified administrative inconvenience or expense.

Several methods were described on the hearing record for determining what rate of payment would be appropriate. One of these is to ascertain the actual cost to the regulated handler of milk which he purchases from unregulated plants and charge as a compensation payment any amount by which the Class I price exceeded the cost of the unregulated milk used in Class I. Such a scheme is not sound from the standpoint of administrative feasibility and it would not necessarily remove the advantage in using unregulated milk even though it were feasible. Rates at which milk sales are billed may not represent actual cost to the purchaser. In the case of a firm which owns or controls pool plants under the San Antonio order as well as unregulated plants, the rate of payment from one plant to another, if any were made, would have little or no significance. If such a provision were to be adopted, the billing rate might be deliberately set in each instance at a level which would avoid any payments without regard to the value of the milk. There are a number of firms which control plants under the San Antonio order as well as unregulated plants.

A handler having no unregulated plants would no doubt find it possible to arrange a billing price on purchased milk which would avoid any compensatory payments. If a handler had the choice of paying money to the marketwide pool or to a person from whom he was buying milk, he would probably choose the latter. A kick-back arrangement or offsetting purchase and sale might readily be arranged, perhaps through a third party. Since the billing price for milk would be a self-serving figure for both parties to the transaction, it would be virtually impossible to ascertain that it represented the true cost to the purchaser.

If the stated purchase price were a true cost, it would still not fulfill the purpose of removing the advantage to unregulated milk to base compensation payments on the difference between such price and the Class I price. The record discloses that sales of priced milk between regulated handlers ordinarily take place at the class price plus a handling charge. This handling charge varies according to circumstances, but represents a payment to the receiver of the milk to offset his purchasing and receiving costs, such as receiving, weighing, testing and cooling the milk, and other costs of doing business. The cost of receiving the milk in bulk form is somewhat less than receiving it from producers. Thus, in order to remove the advantage to unregulated milk, it would be necessary to provide that the cost of bulk unregulated milk be somewhat more than the Class I price. It would be exceedingly difficult to determine what this excess rate should be, particularly in the case of products such as skim milk and cream, where the allocation of additional processing costs among more than one end product is involved. Furthermore, the marketing agreement act does not give the Secretary express authority to enforce prices other than producer prices. This scheme for removing the advantage in using unregulated milk is rejected for these reasons.

Another suggested method is to determine the price actually paid dairy farmers by the unregulated milk dealer who first received the milk, and base the compensation payment thereon. This method has several shortcomings. The various payment plans which are used in paying farmers for milk would make the determination of pay rates to individual farmers a next to impossible task. For example, unregulated milk dealers may use varying rates of butterfat differentials, different types of base rating plans, or payments based on volume of deliveries. Various devices such

as these for paying farmers often make it impossible to determine actual rate of payment per hundredweight of milk. Stated prices are often illusory, since the cost of the milk itself may be modified by unrealistic charges for various items of supplies and services. Whatever payment plan an unregulated milk dealer may use is a matter of his own choice and it can be changed readily. Calculation of compensation payments according to this suggestion would give any affected dealer special incentive to resort to these or other special payment plans for purposes of evading payments.

The further problem of establishing the rate of payment to be required would by itself preclude use of the actual cost of the milk purchased from farmers by unregulated handlers as a basis for calculating the payment to be required. If a payment were to be required on the unregulated milk based on the difference between prices paid farmers and some other price, the unregulated handler could avoid payments by increasing his prices to farmers. This would give an unregulated handler the advantage over regulated handlers in that a regulated handler has no choice as to what he is required to pay producers nor how this money is to be distributed. Likewise, it would enable unregulated suppliers to dispose of Class I milk in the marketing area with no obligation to equalize such sales with other suppliers of the market.

Even though the rate of payment to producers for all milk might be known, it would still be impossible to ascertain the rate of payment on that portion of the milk disposed of in the marketing area. Since milk marketed outside the marketing area would represent most of the total supply in the unregulated plant, it would be necessary to determine payment for milk marketed to the various outlets. As pointed out subsequently in this decision, all handlers have both surplus as well as Class I milk in their plants and it is not realistic to assume that the purchase price for milk for each use is the same.

It has been suggested that in order to overcome this objection the plant of the unregulated handler be subject to audit and that the rate of compensation payment be based on the difference between the average utilization value at order prices in the unregulated plant and the average rate of payment to producers. This method would not recover the entire advantage of selling surplus milk as Class I in the marketing area. This method has not only the disadvantages associated with other schemes based on actual pay rates to producers, but it would involve, in the case of the San Antonio market, an extremely complicated and administratively impracticable system of accounting and determination in such plants. The unregulated plants from which the San Antonio handlers obtain supplemental milk are numerous and widely scattered. Determination of utilization value in these plants would involve the same complications and administrative expense and difficulties as discussed earlier which would be involved in complete regulation of such plants. To make the detailed accounting necessary to establish classification, such unregulated dealers would need to maintain the same detailed records as wholly regulated handlers.

An alternative method for determining the rate of compensation payments would be to base the rate of payment on the difference between blend prices prevailing in an area and the Class I price. This method has been suggested because it is assumed that unregulated handlers will be forced by competition to pay farmers approximately average blend prices. This assumption is not valid to the degree that a payment based on the difference between such prices could be expected to insure that unregulated milk would not be used to displace regulated milk for cost reasons at all times throughout the year. Unregulated plants, as well as regulated plants, have some surplus milk at all times and particularly during the seasons of flush production. As a result, prices paid farmers are, in fact, blend prices made up of returns from the sale of milk in Class I outlets, as well as sales to the surplus market. If an unregulated plant were in a position to sell its surplus milk for Class I use in the marketing area and maintain its own Class I outlets, it would have a competitive advantage over regulated handlers who found it necessary to dispose of part of their milk as surplus.

In the absence of a compensation payment, the unregulated plants located anywhere in the potential supplemental supply area might sell milk for Class I use in other markets at substantial handling charges whenever fluid milk tended to be in short supply, and then dispose of milk for Class I use in the San Antonio market to maintain the blend price during the season of flush production when Class I sales elsewhere were difficult to make. A plant which could thus keep its disposition of milk largely as Class I and avoid qualification as a pool plant would be in a position to pay its farmers at a higher rate than that received by producers under the order, or it could retain the extra return as profit. In either case, however, pool milk would be at a disadvantage relative to unregulated milk.

Since none of these suggestions presents an acceptable approach to the problem of compensation payments, it is necessary to resort to a different procedure. The only sound method of dealing with this problem is one based on a recognition of the economics involved as they affect producers and handlers. This approach resolves itself primarily into a question of market values for milk.

Handlers under the order seeking to purchase unregulated milk will naturally resort to the lowest cost source from which suitable milk is available. In fixing the rate of compensation payment, it is necessary, therefore, to determine what the lowest cost source may be and to base the payment on the difference between the cost of such milk and the cost of milk priced under the order for similar use. The record shows that milk supplies are invariably larger in surrounding markets in spring and summer than in fall and winter, and that because of relatively constant sales of fluid milk, the excess increased production must be marketed largely as manufactured products. This outlet represents the opportunity cost of the surplus milk since it is the highest price at which the milk can otherwise be sold. It is this opportunity cost or value of such milk which would be effective in determining the price at which the unregulated plant would sell such milk. The minimum asking price of the unregulated supplier of such milk would be expected to be only the return which he would realize if the milk were disposed of for surplus use.

Since considerable volumes of Grade A milk must be disposed of as surplus by various unregulated plants from which the market may obtain milk, it is evident that handlers under the San Antonio order could obtain such milk at prices reflecting its value as surplus milk. In short, the actual value of this milk is not the blend price paid to dairy farmers but rather the price which can be obtained for it in the market when disposed of as surplus milk.

Therefore, for the months of February through July, during which period surplus milk is likely to be available in substantial volumes to the San Antonio market from non-pool sources, the compensation payment on unpriced other source milk and other source milk products used for Class I should be based on the difference between the minimum price of producer milk used for surplus and the applicable Class I price under the San Antonio order. The Class II price established by the order is a fair and economic measure of the value of milk in surplus uses whether received from producers at regulated plants or from other farmers at non-regulated plants. In calculating the payments on other source milk both the Class I and surplus values must relate to and be fixed as of the point where the milk is received from farmers at the first receiving plant, so as to be properly comparable with minimum class prices which always attach to producer milk at that level of marketing. No allowance should be made for subsequent handling costs and profits in this farm level comparison between producer and other source milk because such costs and profits attach at stages of marketing subsequent to the basing point to which minimum class prices for producer milk refer. They are in no way regulated by the order with respect to producer milk. Neither the act nor the order contemplates, authorizes or provides for the regulation of subsequent handling charges or profits or the establishment of uniform resale prices between handlers, whether the milk be from producers or other sources.

During the months of August through January, when milk supplies tend to be shorter, it is concluded that other source fluid milk will not be available to handlers in the San Antonio market at surplus prices. Evidence in the record indicates that the supply of excess milk available in January and August is much less than during the season of flush production. It is concluded that during these two months the compensation payment should be based on the difference between the Class I and the blend prices under the order. Generally speaking, during these two months the relationship between the supply of milk in the San

Antonio supply area and the demand for such milk will tend to fluctuate considerably from year to year according to production conditions. It is concluded that these fluctuations will tend to be similar in San Antonio and surrounding milksheds. Thus, the rate of compensation payment based on the difference between Class I and blend prices will adjust itself automatically in these months according to changes in demand for and prices of outside supplies. If supplies of producer milk are relatively plentiful, unpriced milk can be expected to be cheaper, and therefore, the rate of compensation payment should be somewhat higher. On the other hand, as milk supplies in the area tend to be short, it is to be expected that the cost of unregulated milk will increase. Under these circumstances, the rate of compensation payment will be correspondingly less. If producer milk were all assigned to Class I in August or January no compensation payment would be required during such month.

During the remaining months of the year (September through December), no compensation charge should be provided. Evidence in the record indicates that the cost to San Antonio handlers of milk from unpriced sources will be at such levels that there will be no incentive to use such milk to displace producer milk for reasons of cost advantage for this period.

By choosing a rate of compensation payment which reflects the cost of the cheapest milk which may be expected to be available, any advantage to individual handlers relative to others, in obtaining such cheap milk and substituting it for producer milk in Class I, is removed insofar as administratively possible and no handler is given the clear opportunity to gain an unfair advantage which otherwise would exist. Although the unfair advantage of obtaining other source milk is removed by the particular rate of payment herein provided, nevertheless, if other source milk is to be purchased, the incentive for purchasing the cheapest of such milk remains; for the lower the price which a handler pays for other source milk, the lower will be his total cost of purchasing such milk. This follows from the fact that the measure of the compensation payment is an objective one and does not depend upon the particular price which the handler paid for the other source milk.

As pointed out heretofore in connection with material issue number 1, the process of market-wide pooling creates an unnatural incentive for milk to come into the market to gain certain advantages. Such milk would not be associated with the market in the absence of regulation.

The act requires that prices fixed under the order for milk purchased from producers or associations of producers be uniform as to all handlers, subject only to usual adjustments, such as those for butterfat content and location of the milk. The only prices fixed under the order are those for producer milk, and it is hereby determined that they are uniform as required by the act. Class prices for pool milk under the order are for raw milk as received from farmers, f. o. b. the loading platform at the plant where first received.

No valid comparison can be made of prices to farmers with the necessarily higher prices of milk or milk products at any later point in the marketing process. The prices between dealers must necessarily reflect, in addition to such initial farm level cost or price, subsequent handling costs, such as those incurred in receiving, weighing, testing, cooling, hauling between plants, processing, and selling, as well as profits. Consequently, the compensatory charges do not purport to assure that the cost or price of non-pool milk or milk products, as bought and sold from dealer to dealer, will be no higher than the minimum class prices for raw, unassembled pool milk, f. o. b. initial plant. A handler selling pool milk or milk products could not well sell it at levels as low as the minimum class price without loss to himself. Compensatory charges at a rate which would assure a total maximum cost to a handler of only the minimum class price for non-pool milk and milk products received from a non-pool plant would clearly discriminate against pool milk and milk products.

It is concluded that the compensation payments herein provided are not only incidental, but necessary to sustain the classification and pricing of milk according to its use in the market, and that the rates of payment specified are those which are necessary and appropriate to accomplish this purpose.

Testimony in the hearing record concerning availability of milk supplies to San Antonio handlers indicates that the rate of payment recommended here will tend to equalize the competitive position of priced and unpriced milk, and will avoid displacement of producer milk for reasons of cost. However, if experience proves that milk is available to handlers during the fall and winter months at prices lower than those anticipated, or that such payments otherwise interfere with the purposes of the order, then it will be necessary to reconsider the rate of compensation payment on the basis of that experience.

In addition to that other source milk which enters the marketing area through pool plants, some non-pool milk may be distributed within the marketing area from plants which are non-pool plants and the milk from such plants will be non-pool milk. The compensation charges applicable to other source milk disposed of in the marketing area from distributing plants which are non-pool plants should be the same as those applicable to other source milk distributed from pool plants discussed above. It would not be possible to stabilize the market under the classified pricing program if non-pool plants were allowed to distribute unpriced milk in the marketing area without such payments. Such milk should be classified and priced the same through the classification pricing program as unpriced milk distributed through any other channels.

Handlers distributing such unpriced milk in the marketing area from non-pool distributing plants have the same opportunity to buy milk at the opportunity cost level as do the operators of pool plants who purchase other source milk. Such milk may be purchased and distributed in the marketing area. In addition, however, the operator of the non-pool plant in all probability has surplus milk in his own plant which he would want to dispose of on any basis which would yield a higher return than the surplus value. It would be particularly easy to dispose of such milk for Class I use in the marketing area by bidding for large contracts such as hospitals, defense establishments or large institutions. With surplus outlets as the alternative, and no compensation payments to make, the non-pool handlers would have considerable incentive or margin to underbid the seller of priced milk for such sales. A non-pool plant might also use such price advantage in selling his surplus milk to Class I outlets for the purpose of establishing a regular trade on retail or wholesale routes to homes and stores in the marketing area. The non-pool plant might sell up to 15 percent of its milk into the marketing area as Class I without becoming subject to regulation. To allow a non-pool plant to use its surplus milk in this manner for establishing a regular trade in the marketing area without compensation payments would mean that such plant would have a marked competitive advantage over regulated handlers selling priced milk. Such conditions could readily lead to disorderly marketing conditions.

It is considered inappropriate also that a plant distributing a small share of its milk in the marketing area should be subject to full regulation because of that small share of its milk so marketed. Such regulation might place a plant of this kind at a competitive disadvantage with respect to its unregulated competition. In some cases, a non-pool plant may be disposing of a larger share of its milk as Class I than the average utilization for the market. In such cases, the compensation payments herein provided might cost the handler less than the equalization payments such plant would pay if fully regulated as a pool plant. In these instances the sale of small quantities of milk in the marketing area would be more likely to take place under the compensation payment provisions herein provided than if full regulation were extended to all plants.

The rate of compensation payment provided for non-pool plants making distribution directly in the marketing area should be the same as that for pool plants which obtain and use unpriced milk in Class I. The administrative feasibility of any other method of levying compensation payments is substantially the same as that described in the case of unpriced milk distributed in the marketing area by pool plants.

Testimony in the record indicates that no compensation payments should be required on milk classified and priced as Class I under another Federal milk marketing order. The minimum prices for Class I milk under other Federal orders where San Antonio handlers might obtain supplemental supplies approximate or exceed the San Antonio Class I prices, with seasonal adjustment as recom-

mended herein and as adjusted for location of the supplying plants. Since handlers under other Federal orders must pay for producer milk on a utilization basis, they would not be in a position to unload any surplus producer milk into the San Antonio market for Class I use at less than Class I prices. In order that such handlers would not be able to sell any other source milk which they may have to the San Antonio market, provision should be made in the order that the exemption from compensation payment applies only if the Class I producer milk is equal to the total Class I sales of such handler. No distinction should be made with respect to the application of such payments to milk from handlers regulated under other Federal milk marketing orders whether the milk is distributed by the handler from the other order or by a San Antonio handler.

No compensatory payment should be required on milk custom bottled in a non-pool plant. Handlers may transfer bulk milk to non-pool plants for packaging. This packaged milk may be returned to the handler for Class I distribution in the marketing area. Such milk is included in the gross receipts and sales of the pool plant handler upon receipt and transfer in bulk. It is again accounted for when received and disposed of in packaged form. Inasmuch as receipts of milk from non-pool plants are considered as other source milk, it is possible that producer milk transferred to a non-pool plant for custom packaging would become subject to a compensatory payment when this milk is returned in packaged form. Similarly other source milk which is transferred as Class I milk for packaging could be subjected to compensatory payments twice. Provision should be made to preclude this by allocating the packaged milk received from non-pool plants from the gross Class I utilization to the extent that an equivalent amount of bulk milk is transferred to such non-pool plant by the handler and such transfer is classified as Class I milk.

Any funds collected under the compensatory payment provisions should be added to the producer-settlement fund. It is the purpose of the order to insure that a sufficient and dependable supply of quality milk will be available for Class I needs of the market. To the extent that Class I sales are displaced through the disposition of surplus milk from unpriced sources, producers stand to lose income from the sale of milk to the market which they are expected to supply. This loss of income would mean that the prices contemplated under the order would not be realized by producers. As a result, production might suffer, in which case consumers would stand to lose because of the disappearance of milk supplies from the regular and dependable sources which have assumed an obligation of supplying them milk to the market on a year-round basis. Otherwise, Class I prices would have to be increased to offset the loss of income to producers. There is no alternative source of dependable milk supplies which would cost consumers less over a period of time than the milk supplied by regular producers. Thus, there is justification for returning to producers the difference between the value of such milk at its opportunity cost, which would otherwise be its value to the seller, and the Class I price. There is no other alternative disposition of funds from compensation payments under the authority of the act other than that herein provided. In order that the money accruing under this provision should provide the maximum benefit, it is concluded that it should be added to the producer-settlement fund and disbursed to producers through the uniform price during the months of September through December as a further incentive for uniform production. This is the period when local production tends to be lowest and when handlers' requirements for high cost other source milk are at a maximum.

The use of compensation payments was questioned on the hearing record on the basis that they might foster unrealistic class prices. This is not the case. Class prices held in excess of the necessary level for any reason would be self-liquidating under the terms of the order. If base prices were set above the level necessary to encourage appropriate rates of milk production, the supply of milk would increase. Higher prices could be expected to attract additional milk to the market in the form of greater production by old producers or by the addition of new producers and new plants to the pool. The provisions of the order do not preclude any producer from selling his milk to a pool plant. Any plant which cares to do so is eligible to distribute or sell milk in the market and qualify as a pool plant fully subject to the provisions of the order, and assume the responsibility of serving the market.

The increased supplies of milk which so resulted would have the effect of decreasing prices to producers. This would come about since any increase in Class II milk would reduce the blend price, and since the supply-demand provision of the order would automatically decrease the Class I price as producers' milk supplies increased relative to Class I sales. The compensation payment will not discourage association of dependable milk supplies with the market, but, as pointed out heretofore, might be a means to facilitate such association in the case of handlers largely in the fluid milk business.

It is necessary that the order specify the handler obligated to make the compensation payments. If the unpriced milk is distributed in the marketing area from a non-pool plant, the operator of such plant should make the payment. In the case of supplemental milk received at pool plants from unpriced sources, either the buying or selling plant might be assessed. From the standpoint of the economics involved, it would make no difference, since the amount of payment would be the same in both cases.

From the standpoint of administration and enforcement, it would be much easier and simpler for the regulated plant to make the payment. It is the regulated handler with whom the market administrator regularly deals. Such handler would be expected to know and understand the terms and provisions of the order. He is the handler who would be responsible for distributing the milk in the regulated market. Whether or not a compensation payment would be required would depend upon the application of the allocation provisions of the order to the plant of the receiving handler.

The seller, on the other hand, would not be aware until later whether a compensation payment would be required, and might not even know at the time of the sale, particularly if the sale took place through a broker, whether his milk would be moved to a regulated market for disposition. If enforcement proceedings were to be required, it would be more convenient and logical to bring the case to trial in the area of the regulated market where the problem arose.

The compensation payments herein provided will not prohibit the marketing of milk nor limit the marketing of milk products from any production area of the United States. The rate of payment required is uniform except for adjustment by transportation differentials to any plant, regardless of whether it is located in the marketing area or at any distance from the marketing area. The transportation differential herein provided for this purpose is designed to reflect the cost of hauling bulk milk in tank truck lots and is based on the evidence in the hearing record.

The quantity of milk and milk products which may be sold in any regulated market is dependent to a considerable extent upon the price fixed under the order for the particular class of utilization. Such influence should not be construed, however, as a limitation of the type precluded under the act. No price can be fixed without influencing, to some extent, the quantity of milk and milk products which may be sold from either regulated or unregulated sources. No quantitative limitations are imposed under the order on the amounts of unpriced milk which may be disposed of in the marketing area nor do they prohibit such use or any other use of unpriced non-pool milk or milk products. The compensation payment herewith provided will not discriminate against producers by areas, but will provide for equalization of competitive prices by type of transaction with respect to relationship between regulated and unregulated milk.

The payment will not deprive suppliers of unpriced milk of a high priced market which they would otherwise enjoy. The alternative sale value of the unpriced milk is recognized, and this value is returned to these sources when sale is made to the San Antonio market. If marketing facilities and outlets are such that it is advantageous for unpriced sources to dispose of their surplus milk to the San Antonio Class I market, they may be expected to and undoubtedly will do so, and the return they receive will be a full surplus value for such milk.

The compensation payment herewith provided has as its primary purpose the elimination of economic incentives for handlers to use unpriced milk to displace minimum priced milk in Class I sales. The rate of payment found to be appropriate for this purpose is one which recognizes general competitive conditions in

the purchase and sale of regulated and unregulated milk.

It is recognized, however, that general competitive conditions do not prevail in all cases. Each handler is situated differently and each individual transaction is made under different circumstances. It is not possible, however, to adjust prices or payments to individual circumstances or transactions. Such an individual approach would not be administratively or economically feasible. Compensatory payments must therefore be applied at a definite and certain rate applicable to all handlers similarly situated. No single rate of payment can be determined, however, which would result in complete equality of cost to all handlers. Consequently, instances will undoubtedly arise which will appear to indicate that the objectives of the compensatory payment are not being achieved in particular cases. In some cases, the payments required may seem harsh.

It is necessary in seeking an overall solution to problems of this nature to adopt provisions which will be reasonable and as liberal as possible, and at the same time will still guarantee the integrity of regulation. To provide inadequate payments would leave the door open to practices which would render the program ineffective. Commerce in milk is entirely at the option of handlers. They are free to complete only those transactions which are most favorable to themselves. Order provisions must recognize this fact. They must recognize, also, that the varying conditions under which milk transactions occur give rise to great complexity and some doubtful circumstances. Where marginal problems arise, they must be resolved in favor of producers under the order, otherwise the advantage may go to unregulated milk and to dealers and farmers who are not required to abide by any rules of procedure or price making.

3. *Extension of the marketing area.* The proposal to extend the marketing area to include the counties of Comal, Guadalupe, and Hayes should be denied.

The present San Antonio marketing area is composed of all territory within Bexar County. Testimony for the extension of the marketing area was presented on behalf of two handlers whose plants are located in the Comal and Guadalupe counties. Proponents presented no testimony supporting the inclusion of Hayes County. The record indicates that practically all of the milk received by handlers, whose plants are located within the present marketing area, is disposed of in Bexar County. Although the record does not show the proportion of total sales which are made within the present marketing area by the proponents, the testimony indicates that such sales are not a substantial proportion of their fluid sales and represent a very small proportion of total sales in the marketing area. In addition to the proponents, there is only one San Antonio handler who disposes of Class I milk in the proposed extended area. The primarily fluid milk outlets for the proponents are in the city of Austin and in the three proposed counties. A substantial portion of the fluid milk disposed of in these counties is made by six other distributors who are not now subject to the regulation and who are primarily engaged in supplying the Austin market and adjacent territories. Thus, to extend the marketing area would have the result of bringing six additional plants under full or partial regulation which are in no way associated with the San Antonio market. The problem, complained of by proponents, of fringe area competition, thus would be increased several-fold by the extension of the marketing area.

The record indicates that there are substantial differences between the Austin and San Antonio markets with respect to the factors surrounding the production, procurement and distribution of milk.

The purpose of defining marketing area, along with other definitions, is to establish the scope of the regulation. In other words, these definitions determine what persons and what milk is to be subject to the pricing and pooling provisions of the order. As discussed elsewhere in this decision, the regulation should apply to milk which is substantially and regularly associated with the San Antonio market. To extend the marketing area as proposed would bring under regulation handlers and milk of producers which are not closely associated with San Antonio. It is concluded, therefore, that no change should be made in the definition of marketing area at this time.

There may be some objection on the part of proponents to provisions of the order in that prices now are fixed for all producer milk in their plants, even though their Class I disposition is almost entirely to unregulated markets in competition with handlers not subject to price fixing. Provisions found necessary earlier in this decision provide that prices will not be fixed for proponent handlers if this is the case. They will be exempted from full regulation and their Class I sales in the marketing area will be treated the same as Class I milk from any other unpriced source.

4. *Uniform production incentives.* One of the important problems in a fluid milk market is to achieve a proper balance between the seasonal flow of milk from producers and the requirements for such milk in fluid uses. Production of milk tends to increase during the spring pasture season and decline during the fall and winter months, while sales of fluid milk and fluid milk products tend to be fairly stable throughout the year. If a market is adequately supplied during the short production season, burdensome surpluses may prevail during the flush production season. It is essential, therefore, that producers be encouraged to furnish a reasonably uniform quantity of milk from month to month.

Receipts of milk from San Antonio producers have been somewhat more uniform than in many fluid milk markets. The record shows that if the present pattern of production is to be maintained or improved, a greater incentive is needed for uniform production than is now provided by the order. It is important that a safeguard be provided now rather than to wait until such time that uneven production presents a serious marketing problem.

It was proposed by certain handlers that a base rating plan be adopted to distribute to producers the market proceeds of milk. A detailed method of applying such a plan was not proposed at the hearing. However, testimony with respect to a proposed plan considered at the promulgation hearing was incorporated in the record. As indicated in the decision resulting from that hearing, with the year-round deficits of supply, which still prevail in the San Antonio market, it is evident that under the proposed base plan, the uniform price for base milk and for milk in excess of base would be practically the same. The influence of a base rating plan on the seasonal pattern of production depends upon the effect of lower prices for excess milk in reducing the incentive to make deliveries in months of surplus production and the value of a large base in encouraging production in months of normally short production. Since these influences can operate only when the price received for excess milk is lower than that for base milk this plan would be ineffective in the San Antonio market under present conditions.

In view of this situation, an incentive for more uniform production can be best achieved through seasonal variation in the Class I price. A small degree of seasonality has resulted from the application of the supply-demand adjustment under the present Class I pricing formula. Producers testified at the hearing that it was necessary to increase the amount of the seasonal differences in the Class I price. The record evidence supports a decrease in the Class I price during the months of April, May and June, and a corresponding increase in the Class I price during the months of September, October, and November. These appear to be the months of highest and lowest production, respectively, in relation to Class I sales. It was suggested on the record that adjustments of 40 or 50 cents be made. It is concluded that the use of 50 cents or a total difference of $1.00 between the two periods is the minimum which should be adopted. This difference plus the seasonality of prices injected by the supply-demand arrangement should offer a necessary incentive to promote uniform production in this market.

This seasonality in Class I prices will promote a closer relationship among the Class I prices in the San Antonio market and other competing markets particularly during the season of the year when milk supplies in this region are most plentiful and competition for Class I sales from other areas tends to be greatest.

5. *Miscellaneous changes.* (a) The definitions of producer and handler should be modified so as to include in the pool any milk sold by producer-handlers and milk caused to be diverted by cooperative associations from pool plants to nonpool plants.

The present definition of a producer-handler includes a person who operates an approved plant and sells milk of his

own production on routes or plant stores within the marketing area, but who receives no milk from other producers. The production and sales of producer-handlers are not pooled. Any milk which a producer-handler disposes of to another handler is considered other source milk. Under the allocation provisions of the order such milk, which is delivered in bottles or packages and disposed of by the handler under the label of the producer-handler, is assigned to Class I milk and bulk milk is assigned to the lowest priced available utilization in the receiving handlers' plant.

The record shows that there is at present only one such producer-handler in the San Antonio market. He operates an approved plant at his farm located in Bexar County for the bottling of milk for distribution in the marketing area. Approximately two-thirds of his total production is bottled and delivered to other handlers for distribution by them. A plant store is operated at the farm from which sales of bottled milk are also made. The balance of his milk is disposed of in bulk form also to a regulated handler. This producer-handler proposed that the definition of producer be changed so that his milk would be considered as producer milk. He testified that he desired to have his production and sales of both bottled and bulk milk pooled along with all producers in the market. It is concluded that inasmuch as the proponents entire production is regularly disposed of in the marketing area and the major portion of which is supplied to other handlers, the request to permit such pooling is reasonable. This result may best be accomplished by considering this type of an operation as a pool plant under the order. Own-production of a handler is considered as producer milk under the order. Because sales of milk are made directly to consumers, it is necessary that such persons be identified as handlers in order that they will be subject to the necessary record keeping, reporting and auditing requirements of the order. Milk disposed of to other handlers will be subject to the inter-handler transfer provisions of the order. Administrative assessment charges should apply to own-production of handlers. The record shows that there are no other persons operating as producer-handlers in the marketing area, therefore, there is no necessity for retaining the producer-handler definition and all references to a producer-handler should be deleted from the order. In the event a producer-handler, as identified heretofore, should enter the market, he would become a handler under the order.

Situations have arisen in the market where handlers have temporarily refused to accept all of the milk production of their regular producers. Inasmuch as other outlets were not available in the market, individual producers had to dispose of the milk refused, by separating the cream and using the skim milk for feed or else dumping it. Such milk which is not received at a pool plant cannot share in the market-wide pool. One of the functions of a market-wide pool is to spread the financial burden of carrying temporary or seasonal reserve supplies equally among all producers. The producers' association proposed that a cooperative association should be recognized as a pool-handler with respect to milk of its members which is diverted by it to a non-pool plant. Proponents stated that if the association were to be recognized as a pool-handler, with respect to diverted milk, it would be possible for the association to arrange for assembling any excess milk of its members and disposing of it to other outlets. It could thereby perform a useful service to its members and the market. Such milk would then be pooled and return to producers the market-wide uniform price. The monetary returns of the cutback producer would be maintained on a par with other producers. This would assist him in maintaining his dairy enterprise and supply milk to the market when it is later urgently needed for Class I uses. Appropriate changes should be made in the definitions of producer and handler so that a cooperative will be considered as a pool-handler with respect to milk diverted from a pool plant to a nonpool plant for its account. The producers of such milk will thereby be enabled to share in the market-wide pool on their total milk deliveries.

(b) Minor changes shauld be made in the provisions relating to the announcement of Class I and Class II prices.

The market administrator is required to announce Class I prices on or before the 10th of the month based on data which are available on the 28th day of the preceding month. The record shows that by the first few days of the month more current figures for certain items included in the formula are available, but which he is precluded from using under the present order language. The use of figures available through the 5th of the month, therefore, will make possible the use of more current data in establishing the Class I price and the order should be amended accordingly. Over a period of time the use of this later date will not affect the cost of Class I milk or returns to producers. Also, 2 of the 18 condenseries specified in § 949.51 of the Class I pricing provisions of the order should be deleted since such plants are no longer operating. Official notice is hereby taken of the fact that such plants have discontinued operations. Interested parties may take exception to such official notice if they so desire.

The present order provides for rounding of the Class I price to the nearest full cent. No such provision has been made for Class II prices. The market administrator is announcing the Class II price based on the nearest full cent and the order should be clarified accordingly.

(c) It was proposed that methods employed in classifying and accounting for inventories be changed. Presently, plus or minus variations in inventory between the beginning of the month and the end of the month are classified as Class II milk. Because other source milk is received during most delivery periods by some handlers, it has been necessary for the market administrator to maintain separate inventory accounts for producer milk and other source milk for such handlers. This has been necessary in order to determine reclassification charges on producer milk which is assigned as inventory to Class II milk and later disposed of as Class I milk.

Most of the milk which is carried in inventory by handlers in this market will be disposed of as Class I milk. Therefore, the amount of milk which would be subject to reclassification would be reduced to a minimum by classifying inventory as Class I milk. Classification of inventory variations as Class I milk would also simplify the accounting procedure. Any reclassification of milk from inventory allocated to Class II milk would be made through the regular monthly classification procedure.

In accordance with the proposal to clarify the accounting procedure, inventories of bulk milk and cream and other products included in Class I milk which are on hand at the end of each month should be classified as Class I milk. The beginning inventory should be considered as a current month milk receipt and subtracted from Class I milk in the allocation provisions. These changes will eliminate negative inventory variation figures which have caused some confusion. Over a period of time, the proposed changes will have very minor, if any, effect on the cost of milk to handlers or the returns to producers.

The total gross Class I sales will be increased by classifiying ending inventory as Class I milk. Therefor, in calculating the supply-demand utilization percentage pursuant to § 949.51 (f), the ending inventory as defined in § 949.41 (a) (2) should be excluded.

(d) The provisions of the order dealing with inter-handler transfers of milk, skim milk, and cream, should be changed so that producer milk is not displaced in available Class I usage by other source milk. The order now provides that inter-handler transfers cannot be classified as Class II milk if this results in producer milk being allocated to Class II milk and other source milk to Class I milk in the plant of the transferee handler. It is possible, however, under some circumstances, that a transfer of milk as Class I milk will result in producer milk being classified as Class II milk in the transferring handlers' plant at the same time other source milk is allocated to Class I milk in the transferee handlers' plant. This may happen when the transferring plant receives other source milk in excess of its utilization of Class II milk while the transferee handler buys other source milk in a lesser quantity than his net Class II utilization after subtraction of Class II milk from other pool plants. One of the purposes of the order is to allocate producer milk to the highest priced available classification. The transfer provisions should be changed to provide that if either or both pool plants have received other source milk, the skim milk or butterfat so transferred shall be classified so as to allocate the greatest possible Class I utilization to producer milk at both plants.

(e) The order is silent, with respect to the allocation of products other than

milk, skim milk or cream received by a handler from a pool plant. Such transfers may be in the form of Class I products other than milk, skim milk or cream or products included in Class II milk. It is concluded that skim milk and butterfat in such products received from other handlers should be classified in conformance with the regular classification provisions of the order and subtracted from the respective class utilizations as the second step in the allocation procedure.

(f) Under the reporting provisions of the order, handlers are not required to report other source milk receipts of Class II products which are disposed of in the same form as received without further processing and packaging. Experience in this market has shown that the reporting of such receipts facilitates the checking of handlers' monthly reports and the auditing program of the market administrator. Handlers have cooperated in furnishing this information. It is concluded that the order should be changed to require handlers to report total receipts of products disposed of in the form received.

(g) It was proposed that the order be clarified with respect to classification of skim milk and butterfat used to produce products other than dairy products by handlers or by processors to whom handlers may dispose of milk. The record shows that ungraded milk may be used by the processors of soup, candy and most other manufactured food products. It is concluded, therefore, that provision should be made to classify skim milk and butterfat transferred or disposed of in bulk to wholesale manufacturers of such products as Class II milk. Skim milk and butterfat used by handlers for products not classified in Class I milk likewise should be Class II.

(h) A proposal was made to include dumped skim milk in Class II milk. Under the present order dumped skim milk is considered along with shrinkage as milk not specifically accounted for as Class II milk. Plant loss in excess of 2 percent of receipts of producers, is classified as Class I milk. The testimony shows that very few handlers have dumped skim milk and the necessity for dumping such milk has been very infrequent. Skim milk may be disposed of for livestock feed and classified as Class II milk. Other changes recommended herein provide additional outlets for skim milk at a Class II milk classification. The verification by the market administrator of the quantities of any skim milk which may be dumped presents an administrative problem. In view of these facts, it is concluded that the proposal for including dumped skim milk in Class II milk should be denied.

(i) It was proposed that shrinkage of producer milk should be prorated to Class I milk and Class II milk in accordance with the amount of producer milk, other than shrinkage, which is classified in each class. The record testimony is inconclusive with respect to a need for changing the present method of assigning to Class II milk actual shrinkage up to 2 percent of total producer milk receipts.

(j) The adoption of the several amendments decided upon herein require additions and numerous conforming changes throughout the order. For that reason the entire order should be redrafted and reissued.

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

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

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

Order of the Secretary Directing That a Referendum Be Conducted: Determination of a Representative Period: and Designation of an Agent To Conduct Such Referendum

Pursuant to section 8c (19) of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 608c (19)), it is hereby directed that a referendum be conducted among the producers (as defined in the proposed order as amended, regulating the handling of milk in the San Antonio, Texas, marketing area) who, during the month of September 1953, were engaged in the production of milk for sale in the marketing area specified in the aforesaid order as amended, to determine whether such producers favor the issuance of the order amending the order, as amended, which is filed herewith.

The month of September 1953 is hereby determined to be the representative period for the conduct of such referendum.

Orville A. Jamison is hereby designated agent of the Secretary to conduct such referendum in accordance with the procedure for the conduct of referenda to determine producer approval of milk marketing orders as published in the FEDERAL REGISTER on August 10, 1950 (15 F. R. 5177), such referendum to be completed on or before the 15th day from the date this decision is filed.

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

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

The decision filed at Washington, D. C., this 16th day of December 1953.

[SEAL] JOHN H. DAVIS,
Assistant Secretary of Agriculture.

Order,[1] as Amended, Regulating the Handling of Milk in the San Antonio, Texas, Marketing Area

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949.0 Findings and determinations.

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[1] This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and orders have been met.

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949.65 Rate of payment on unpriced milk.

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949.100 Agents.
949.101 Separability of provisions.

AUTHORITY: §§ 949.1 to 949.101 issued under Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c.

§ 949.0 *Findings and determinations.* The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of each of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon proposed amendments to a tentative marketing agreement and to the order, as amended, regulating the handling of milk in the San Antonio, Texas, marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

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

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

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

Order relative to handling. It is therefore ordered that on and after the effective date hereof the handling of milk in the San Antonio, Texas, marketing area shall be in conformity to and in compliance with the terms and conditions of this order, as amended, and as hereby further amended, and the aforesaid order, as amended, is hereby further amended, as set forth below:

DEFINITIONS

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

§ 949.2 *Secretary.* "Secretary" means the Secretary of Agriculture of the United States or any other officer or employee of the United States authorized to exercise the powers and to perform the duties of the said Secretary of Agriculture.

§ 949.3 *Person.* "Person" means any individual, partnership, corporation, association, or any other business unit.

§ 949.4 *Cooperative association.* "Cooperative association" means any cooperative marketing association of producers which the Secretary determines after application by the association (a) to have its entire activities under the control of its members, (b) to have full authority in the sale of milk of its members, and (c) to be qualified under the provisions of the act of Congress of February 18, 1922, as amended, known as the "Capper-Volstead Act."

§ 949.5 *San Antonio, Texas, marketing area.* "San Antonio, Texas, marketing area" hereinafter called the "marketing area" means all the territory including all municipal corporations and all Federal military reservations, facilities and installations located within the boundaries of Bexar County, Texas.

§ 949.6 *Approved plant.* "Approved plant" means any milk plant (a) which is approved by the appropriate health authority of the marketing area for the processing of Grade A milk and from which Class I milk is delivered (including delivery by a vendor, or sale from a plant or plant store) in the marketing area other than to any milk processing plant, or (b) which is supplying Class I milk to a federal institution or base in the marketing area.

§ 949.7 *Pool plant.* "Pool plant" means an approved plant from which the volume of skim milk and butterfat distributed as Class I milk to retail or wholesale outlets (including sales through plant stores) in the marketing area during the delivery period is 15 percent or more of the receipts of milk at such plant during the month from pool plants and from dairy farmers conforming to the requirements of § 949.10 (a) or (b): *Provided*, That, in any event, a plant which was an approved plant during the month of May 1953 shall, upon written application to the market administrator on or before the 10th day after the effective date of this subpart, be designated as a pool plant during each month of the six month period following the effective date hereof, in which Class I milk is disposed of from such plant to retail or wholesale outlets in the marketing area, and such plant has been a pool plant in each of the preceding month(s) of such period.

§ 949.8 *Non-pool plant.* "Non-pool plant" means any milk receiving, manufacturing, or distributing plant other than a pool plant.

§ 949.9 *Handler.* "Handler" means a person in his capacity as the operator of an approved plant(s), or a cooperative association with respect to producer milk diverted for the account of such association pursuant to § 949.10. Milk so diverted shall be deemed to have been received at a pool plant.

§ 949.10 *Producer.* "Producer" means any person who produces milk received directly from the farm at a pool plant or diverted from a pool plant to a non-pool plant for the account of a cooperative association, which milk is (a) produced under a permit or rating for the production of milk to be disposed of for consumption as Grade A milk issued by the appropriate health authority having jurisdiction in the marketing area, or by another health authority whose certification is accepted by such health authority, or (b) is acceptable to an agency of the Federal Government for fluid consumption in its institutions or bases. This definition shall not include any such person with respect to milk received by a handler partially exempt from this subpart pursuant to § 949.60.

§ 949.11 *Producer milk.* "Producer milk" means any skim milk or butterfat contained in milk received directly at the pool plant from producers, or diverted by a cooperative association in accordance with the provisions of § 949.10.

§ 949.12 *Other source milk.* "Other source milk" means all receipts of skim milk or butterfat other than that contained in (a) producer milk, (b) receipts from pool plants, or (c) Class II products disposed of in the form in which received without further processing or packaging by the handler.

MARKET ADMINISTRATOR

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

§ 949.21 *Powers.* The market administrator shall have the following powers with respect to this subpart:

(a) To administer its terms and provisions;

(b) To receive, investigate, and report to the Secretary complaints of violations;

(c) To make rules and regulations to effectuate its terms and provisions; and

(d) To recommend amendments to the Secretary.

§ 949.22 *Duties.* The market administrator shall:

(a) Within 30 days following the date upon which he enters upon his duties, execute and deliver to the Secretary a bond, conditioned upon the faithful performance of his duties, in an amount and with surety thereon satisfactory to the Secretary;

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

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

(d) Pay out of funds provided by § 949.87 the cost of his bond and of the bonds of his employees, his own compensation, and all other expenses (except those incurred under § 949.86) necessarily incurred by him in the maintenance and functioning of his office and in the performance of his duties;

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

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

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

(h) Publicly announce, at his discretion, by posting in a conspicuous place in his office and by such other means as he deems appropriate, the name of any person who, within 10 days after the day upon which he is required to perform such acts has not:

(1) Made reports pursuant to §§ 949.30 to 949.31 inclusive, or

(2) Made payments pursuant to §§ 949.60, 949.61 and §§ 949.80 to 949.87, inclusive.

(i) On or before the twelfth day after the end of each month, report to each cooperative association which so requests the amount and class utilization of milk received by each handler from producers who are members of such cooperative association. For the purpose of this report the milk so received shall be assigned to each class in the proportion that the total producer milk in each class is of the total receipts of producer milk by such handler.

(j) Notify handlers and make announcement by such other means as he deems appropriate of prices as follows:

(1) On or before the tenth day of each month the Class I price for such month computed pursuant to § 949.51 and the Class I butterfat differential computed pursuant to § 949.54;

(2) On or before the fifth day of each month the Class II price for the preceding month computed pursuant to § 949.53 and the Class II butterfat differential computed pursuant to § 949.54; and

(3) On or before the twelfth day of each month for the preceding month the uniform price computed pursuant to § 949.71, and the butterfat differential to producers computed pursuant to § 949.81.

(k) Prepare and publish such statistics and information as he deems advisable and as do not reveal confidential information.

REPORTS, RECORDS, AND FACILITIES

§ 949.30 *Reports of receipts and utilization.* On or before the 7th day after the end of each month, each handler shall report to the market administrator in the detail and on forms prescribed by the market administrator for each of his approved plants as follows:

(a) The quantities of skim milk and butterfat contained in producer milk;

(b) The quantities of skim milk and butterfat contained in (or represented by) receipts from pool plants;

(c) The quantities of skim milk and butterfat contained in receipts of other source milk;

(d) The quantities of skim milk and butterfat contained in receipts of Class II products disposed of in the form in which received without further processing or packaging by the handler;

(e) The utilization of all skim milk and butterfat required to be reported pursuant to this section; and

(f) Such other information with respect to the receipt and utilization of skim milk and butterfat as the market administrator may prescribe.

§ 949.31 *Reports of payments to producers.* On or before the 20th day after the end of each month, each handler who received milk from producers shall submit to the market administrator his producer payroll for the month, which shall show for each producer:

(a) His total deliveries of milk.

(b) The average butterfat content of such milk, and

(c) The net amount of such handler's payments to such producer with the prices, deductions, and charges involved.

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

(a) The receipts and utilization of all skim milk and butterfat received from any source;

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

(c) Payments to producers and cooperative associations; and

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

§ 949.33 *Retention of records.* All books and records required under this subpart to be made available to the market administrator shall be retained by the handler for a period of three years to begin at the end of the month to which such books and records pertain: *Provided,* That if, within such three-year period, the market administrator notifies the handler in writing that the retention of such books and records, or of specified books and records, is necessary in connection with a proceeding under section 8c (15) (A) of the act or a court action specified in such notice, the handler shall retain such books and records, or specified books and records, until further written notification from the market administrator. In either case, the market administrator shall give further written notification to the handler promptly, upon determination of the litigation or where the records are no longer necessary in connection therewith.

CLASSIFICATION

§ 949.40 *Skim milk and butterfat to be classified.* All skim milk and butterfat received within the month at a pool plant in the form of producer milk, other source milk, or receipts from other pool plants shall be classified by the market administrator pursuant to the provisions of §§ 949.41 to 949.46, inclusive.

§ 949.41 *Classes of utilization.* Subject to the conditions set forth in §§ 949.43 and 949.44, the classes of utilization shall be as follows:

(a) Class I milk shall be all skim milk (including reconstituted skim milk) and butterfat (1) disposed of in the form of milk, skim milk, buttermilk, flavored milk, flavored milk drinks, cream, cultured sour cream, any mixture (except eggnog and bulk ice cream and frozen dairy product mixes) of cream and milk or skim milk; (2) contained in inventories of products designated as Class I pursuant to subparagraph (1) of this paragraph on hand at the end of the month, and (3) all other skim milk and butterfat not specifically accounted for as Class II milk;

(b) Class II milk shall be all skim milk and butterfat:

(1) Used to produce any product other than those designated as Class I in paragraph (a) of this section;

(2) Disposed of for livestock feed;

(3) In shrinkage up to 2 percent of receipts from producers; and

(4) In shrinkage of other source milk.

§ 949.42 *Shrinkage.* The market administrator shall allocate shrinkage to a handler's receipts at pool plants as follows:

(a) Compute the total shrinkage of skim milk and butterfat; and

(b) Prorate the resulting amounts between the receipts of skim milk and butterfat in producer milk and other source milk.

§ 949.43 *Responsibility of handlers and reclassification of milk.* (a) All skim milk and butterfat shall be Class I

milk unless the handler who first receives such skim milk or butterfat can prove to the market administrator that such skim milk or butterfat should be classified otherwise.

(b) Any skim milk or butterfat classified as Class II milk shall be reclassified if such skim milk or butterfat is later disposed of (whether in original or other form) as Class I milk.

§ 949.44 *Transfers.* Skim milk or butterfat transferred from a pool plant in the form of milk, skim milk, or cream shall be classified:

(a) As Class I milk, if transferred to the pool plant of another handler, unless utilization as Class II milk is mutually reported in writing to the market administrator by both handlers on or before the 7th day after the end of the month within which such transfer occurred, and the amount of skim milk or butterfat so assigned to Class II does not exceed the amount of skim milk or butterfat, respectively, remaining in Class II utilization by the transferee handler after the subtraction of other source milk pursuant to § 949.46: *Provided,* That the skim milk and butterfat so transferred shall be classified so as to result in a maximum assignment of producer milk to Class I milk.

(b) As Class I milk, if transferred or diverted to a non-pool plant except as:

(1) The transferring or diverting handler claims utilization as Class II milk;

(2) The operator of the non-pool plant maintains books and records showing the receipts and utilization of all skim milk and butterfat at such plant which are made available if requested by the market administrator for the purpose of verification, and

(3) The Class I utilization of skim milk and butterfat respectively at such plant is less than the total of skim milk and butterfat so transferred plus receipts at such plant of skim milk and butterfat in milk from dairy farmers who the market administrator determines constitute the regular source of supply for fluid usage of such non-pool plant.

(c) As Class II milk if transferred subject to verification by the market administrator to a wholesale food manufacturing establishment which has no Class I disposition of skim milk or butterfat.

§ 949.45 *Computation of skim milk and butterfat in each class.* For each month, the market administrator shall correct for mathematical and for other obvious errors the report submitted by each handler and shall compute the pounds of skim milk and butterfat in Class I milk and Class II milk for such handler.

§ 949.46 *Allocation of skim milk and butterfat classified.* (a) The pounds of skim milk remaining in each class after making the following computations for each handler for each month shall be the pounds of skim milk in such class allocated to producer milk received by such handler during such month.

(1) Subtract from the total pounds of skim milk in Class I the pounds of skim milk in Class I products which were on hand at the beginning of the month;

(2) Subtract from the pounds of skim milk in each class the pounds of skim milk received from pool plants of other handlers in a form other than milk, skim milk, or cream according to its classification pursuant to § 949.41;

(3) Subtract from the pounds of skim milk remaining in Class II milk the plant shrinkage of skim milk in producer milk classified as Class II milk pursuant to § 949.41 (b) (3);

(4) Subtract from the pounds of skim milk in Class I milk the pounds of skim milk received from a non-pool plant in the form of packaged fluid milk which is not in excess of the volume of skim milk transferred in the form of bulk milk to such plant by such handler and classified as Class I milk;

(5) Subtract from the pounds of skim milk remaining in Class II milk the pounds of skim milk in other source milk which were not subject to the Class I pricing provisions of another order issued pursuant to the act, less the skim milk subtracted pursuant to subparagraph 4 of this paragraph: *Provided,* That if the pounds of skim milk to be subtracted are greater than the remaining pounds of skim milk in Class II, the balance shall be subtracted from the pounds of skim milk in Class I;

(6) Subtract from the pounds of skim milk remaining in Class II the pounds of skim milk in other source milk which were subject to the Class I pricing provisions of another order issued pursuant to the act: *Provided,* That if the pounds of skim milk to be subtracted are greater than the remaining pounds of skim milk in Class II, the balance shall be subtracted from the pounds of skim milk in Class I;

(7) Subtract the pounds of skim milk in milk, skim milk, or cream received from pool plants of other handlers from the pounds of skim milk remaining in the class to which assigned, pursuant to § 949.44 (a);

(8) Add to the pounds of skim milk remaining in Class II milk the pounds of skim milk subtracted pursuant to subparagraph (3) of this paragraph and if the pounds of skim milk remaining in all classes exceed the pounds of skim milk in milk received from producers, subtract such excess from the pounds of skim milk remaining in the various classes in series beginning with the lowest price class.

(b) Determine the pounds of butterfat in each class to be allocated to producer milk in the same manner prescribed for skim milk in paragraph (a) of this section.

(c) Determine the weighted average butterfat content in Class I and Class II milk computed pursuant to paragraphs (a) and (b) of this section.

MINIMUM PRICES

§ 949.50 *Minimum prices.* Subject to the appropriate butterfat differential computed pursuant to § 949.54 each handler shall pay in the manner set forth in §§ 949.70 through 949.85 for milk received at his pool plant from producers at no less than the prices per hundredweight set forth in §§ 949.51 and 949.53.

§ 949.51 *Class I milk.* The Class I price shall be an amount calculated as follows:

(a) Multiply the formula index computed pursuant to § 949.52 by $5.99, and divide by 100.

(b) Adjust the price calculated pursuant to paragraph (a) of this section so that it does not exceed the price calculated pursuant to paragraph (e) of this section by less than $2.00 or more than $3.00.

(c) For the months of April through June subtract and for the months of September through November add 50 cents.

(d) To the foregoing price add 3 cents for each percentage point which the utilization percentage calculated pursuant to paragraph (f) of this section is less than 100 or subtract 3 cents for each percentage point which such utilization percentage is more than 110 provided that in no case shall more than 60 cents be added to or subtracted from the price because of the provisions of this paragraph. The resulting amount rounded to the nearest full cent shall be the Class I price.

(e) The average of the basic or field prices per hundredweight reported to have been paid or to be paid for milk of 3.5 percent butterfat content received from farmers during the preceding month at the following plants or places for which prices have been reported to the market administrator or to the United States Department of Agriculture, divided by 3.5 and multiplied by 4.0:

Present Operator and Location

Borden Co., Mount Pleasant, Mich.
Carnation Co., Sparta, Mich.
Pet Milk Co., Hudson, Mich.
Pet Milk Co., Wayland, Mich.
Pet Milk Co., Coopersville, Mich.
Borden Co., Black Creek, Wis.
Borden Co., Orfordville, Wis.
Borden Co., New London, Wis.
Carnation Co., Chilton, Wis.
Carnation Co., Berlin, Wis.
Carnation Co., Richland Center, Wis.
Carnation Co., Oconomowoc, Wis.
Pet Milk Co., New Glarus, Wis.
Pet Milk Co., Belleville, Wis.
White House Milk Co., Manitowoc, Wis.
White House Milk Co., West Bend, Wis.

(f) The percentage calculated from receipts and utilization for the first and second preceding months as follows shall be known as the utilization percentage;

(1) From the total gross pounds of Class I milk determined pursuant to § 949.40 for all pool plants subtract the following:

(i) Inventories as defined in § 949.41 (a) (2);

(ii) The pounds of skim milk and butterfat subtracted pursuant to § 949.46 (a) (4) and the corresponding step of (b);

(iii) The pounds of skim milk and butterfat subtracted pursuant to § 949.46 (a) (7) and the corresponding step of (b);

(2) Add the Class I milk disposed of in the marketing area by non-pool plants, except those partially exempted from the provisions of this part pursuant to § 949.60.

(3) Divide the total pounds of producer milk received during such period by

the total net Class I sales determined pursuant to this paragraph and multiply by 100. Round the result to the nearest whole percentage point.

§ 949.52 *Formula index.* Based on the latest data published not later than the 5th day of each month, the market administrator shall calculate a formula index for the current month as follows:

(a) Divide the monthly wholesale price index for all commodities as announced by the Bureau of Labor Statistics, U. S. Department of Labor, by the average of such index for the years 1948 through 1950 and multiply by 100.

(b) Divide by 3.586 the average of the three latest monthly indexes of retail sales of non-durable goods as announced by the Department of Business of the University of Texas, Austin, Texas.

(c) Compute a labor-feed index as follows:

(1) Divide by 0.0485 the daily farm wage rate without board or room for the State of Texas as reported by the U. S. Department of Agriculture and multiply by 0.3;

(2) Divide by 0.03971 the average price paid per hundredweight for all mixed dairy feed in the State of Texas as reported by the U. S. Department of Agriculture and multiply by 0.7;

(3) Add together the amounts determined pursuant to subparagraphs (1) and (2) of this paragraph.

(d) Add the amounts determined pursuant to paragraphs (a), (b), and (c) of this section, divide by 3 and round to the nearest one-tenth.

§ 949.53 *Class II milk.* The prices for Class II milk shall be determined according to the following computations:

(a) From the simple average as computed by the market administrator of the daily wholesale selling prices (using the midpoint of any price range as one price) of Grade A (92-score) bulk creamery butter per pound at Chicago as reported by the U. S. Department of Agriculture during the month, subtract 3 cents, add 20 percent thereof and multiply by 4.0;

(b) From the average of the carlot prices per pound of nonfat dry milk solids for human consumption, spray process, f. o. b. manufacturing plants in the Chicago area as reported by the U. S. Department of Agriculture for the period from the 26th day of the preceding month through the 25th day of the current month, subtract 5 cents, multiply by 8.16; and

(c) Add together the amounts computed pursuant to paragraphs (a) and (b) of this section and round to the nearest full cent.

§ 949.54 *Butterfat differentials to handlers.* If the average butterfat content of the milk of any handler allocated to any class pursuant to § 949.46 is more or less than 4.0 percent, there shall be added to the respective class price, computed pursuant to §§ 949.51 and 949.53 for each one-tenth of 1 percent that the average butterfat content of such milk is above 4.0 percent, or subtracted for each one-tenth of 1 percent that such average butterfat content is below 4.0 percent, an amount equal to the butterfat differential computed by multiplying the simple average, as computed by the market administrator, of the daily wholesale prices per pound (using the midpoint of any price range as one price) of Grade A (92-score) bulk creamery butter at Chicago as reported by the United States Department of Agriculture during the appropriate month by the applicable factor listed below:

(a) *Class I milk.* Multiply such price for the preceding month by 0.125;

(b) *Class II milk.* Multiply such price for the current month by 0.120.

§ 949.55 *Use of equivalent factors in formulas.* If for any reason a price, index, or wage rate, specified in this part for use in computing class prices and for other purposes is not reported or published in the manner described in this part, the market administrator shall use a price, index, or wage rate, determined by the Secretary to be equivalent to or comparable with the factor specified.

APPLICATION OF PROVISIONS

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

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

(b) The handler shall pay on or before the 13th day after the end of the month to the market administrator for deposit into the producer-settlement fund an amount determined as follows:

(1) Compute the total skim milk and butterfat disposed of by such handler during the month as Class I milk on retail or wholesale routes (including sales through vendors) in the marketing area;

(2) From such handler's total Class I sales, pursuant to the order regulating the pricing of milk at such handler's plant, subtract the total quantity of skim milk and butterfat received from producers pursuant to such order and allocated to Class I milk;

(3) Multiply the hundredweight computed pursuant to subparagraph (1) or (2) of this paragraph, whichever is less, by the rate determined pursuant to § 949.65.

§ 949.61 *Handlers operating non-pool plants.* None of the provisions from §§ 949.44 through 949.55, inclusive, or from §§ 949.70 through 949.84, inclusive, shall apply in the case of a handler in his capacity as the operator of a non-pool plant, except that such handler shall, on or before the 13th day after the end of each month, pay to the market administrator for deposit into the producer-settlement fund pursuant to § 949.82 an amount calculated by multiplying the total hundredweight of butterfat and skim milk disposed of as Class I milk from such plant to retail or wholesale outlets (including sales by vendors and plant stores) in the marketing area during the month, by the rate determined pursuant to § 949.65.

UNPRICED MILK

§ 949.65 *Rate of payment on unpriced milk.* The rate of payment per hundredweight to be made by handlers on unpriced Class I milk shall be any plus amount calculated as follows:

(a) During the months of February through July:

(1) Subtract the Class II price, adjusted by the Class II butterfat differential, from the Class I price, adjusted by the Class I butterfat differential;

(2) From such difference subtract 10 cents and an amount calculated by multiplying 0.16 cent by the miles (shortest highway distance) from the edge of the marketing area to the plant at which the unpriced milk originates.

(b) During the months of January and August, subtract from the Class I price, adjusted by the Class I butterfat differential, the uniform price to producers, adjusted by the Class I differential.

DETERMINATION OF UNIFORM PRICES TO PRODUCERS

§ 949.70 *Computation of value of milk for each handler.* For each month the market administrator shall compute the value of milk for each handler as follows:

(a) Multiply the quantity of producer milk in each class computed pursuant to § 949.46 by the applicable Class price and add together the resulting amounts;

(b) Add the amounts computed by multiplying the pounds of overage deducted from each class pursuant to § 949.46 (a) (8) and (b) by the applicable class price, and

(c) For the months of January through August add an amount computed by multiplying the hundredweight of other source skim milk and butterfat subtracted from Class I milk pursuant to § 949.46 (a) (5) and (b) by the rate computed pursuant to § 949.65, applicable at the nearest plants from which an equivalent amount of such other source milk was received.

§ 949.71 *Computation of uniform price for pool milk.* For each month the market administrator shall compute the uniform price for all milk received from producers as follows:

(a) Combine into one total the amounts computed pursuant to § 949.70 (a) and (b) for all handlers who made the reports prescribed in § 949.30 and who are not in default of payments required pursuant to §§ 949.80 and 949.83;

(b) Add an amount representing not less than one-half of the unobligated cash balance in the producer-settlement fund account pursuant to § 949.82 (a);

(c) Add during each of the months of September through December an amount equivalent to one-fourth of the total in payments to the producer-settlement fund for the immediately preceding months of January through August pursuant to § 949.82 (b);

(d) Subtract if the average butterfat content of the producer milk of handlers included in the computations pursuant to paragraph (a) of this section is

greater than 4.0 percent, or add if such average is less than 4 percent, an amount computed by multiplying the amount by which such average butterfat content varies from 4.0 percent by the butterfat differential computed pursuant to § 949.81 and multiply the resulting amount by the hundredweight of such milk;

(e) Divide by the total hundredweight of producer milk of handlers included in the computation pursuant to paragraph (a) of this section;

(f) Subtract not less than 4 cents nor more than 5 cents. The resulting figure shall be the uniform price per hundredweight for all milk of 4.0 percent butterfat content received from producers.

PAYMENT FOR MILK

§ 949.80 *Time and method of payment.* Each handler shall make payment as follows:

(a) On or before the last day of each month to each producer for milk received during the first 15 days of such month at not less than the price per hundredweight for Class II milk for the preceding month.

(b) On or before the 15th day after the end of the month during which the milk was received, to each producer at not less than the uniform price per hundredweight computed for such month pursuant to § 949.71 subject to the following adjustments: (1) The butterfat differential pursuant to § 949.81, (2) the payment made pursuant to paragraph (a) of this section, (3) marketing service deductions pursuant to § 949.86, and (4) proper deductions authorized by the producers: *Provided,* That if by such date such handler has not received full payment pursuant to § 949.84, he may reduce his total payment to all producers pro rata by not more than the amount of reduction in payments from the market administrator; he shall, however, complete such payments pursuant to this paragraph not later than the date for making such payments next following receipt of the balance due from the market administrator.

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

(1) The month for which payment is made and the identity of the handler and of the producer;

(2) The total pounds and average butterfat test of milk received from such producer;

(3) The minimum rate or rates at which payment to such producer is required;

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

(5) The amount or the rate per hundredweight of each deduction claimed by the handler, together with a description of the respective deductions; and

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

§ 949.81 *Producer butterfat differential.* In making payments pursuant to § 949.80 there shall be added to the uniform price for each one-tenth of one percent that the average butterfat content of such milk is above 4.0 percent not less than, or there may be deducted from the uniform price for each one-tenth of one percent that the average butterfat content of such milk is below 4.0 percent not more than, an amount computed as follows: Multiply by 1.1 the simple average computed by the market administrator of the daily wholesale selling prices (using the midpoint of any price range as one price) of Grade A (92-score) bulk creamery butter per pound at Chicago as reported by the United States Department of Agriculture during the month, divide the result by 10 and round to the nearest one-tenth of a cent.

§ 949.82 *Producer-settlement fund.* The market administrator shall establish a separate fund known as the "producer-settlement fund" into which he shall deposit all payments made by handlers, pursuant to §§ 949.60, 949.61, 949.83, and 949.85 and out of which he shall make all payments, pursuant to §§ 949.84 and 949.85. This fund shall be maintained by the market administrator in two separate accounts as follows:

(a) Payments made by handlers pursuant to §§ 949.83 and 949.85 less the amounts determined pursuant to § 949.70 (c).

(b) The payments required pursuant to §§ 949.60, 949.61, and the amounts determined pursuant to § 949.70 (c).

§ 949.83 *Payments to the producer-settlement funds.* On or before the 13th day after the end of the month during which the milk was received, each handler, including a cooperative association which is a handler, shall pay to the market administrator the amount of money if any, by which the value of the milk received by such handler from producers as determined pursuant to § 949.70 is greater than the value of such milk calculated at the uniform price adjusted by the producer butterfat differential.

§ 949.84 *Payments out of the producer-settlement fund.* On or before the 14th day after the end of the month during which the milk was received, the market administrator shall pay to each handler, including a cooperative association which is a handler, the amount, if any, by which the value of the milk received by such handler from producers during the month as determined pursuant to § 949.70 is less than the value of such milk calculated at the uniform price adjusted by the producer butterfat differential. During each of the months of September through December one-fourth of the amount established pursuant to § 949.82 (b) for the immediately preceding months of January through August shall be applied by the market administrators to such payments.

§ 949.85 *Adjustment of accounts.* Whenever audit by the market administrator of any handler's books, reports, records, or accounts discloses errors resulting in money due:

(a) The market administrator from such handler;

(b) Such handler from the market administrator; or

(c) Any producer or cooperative association from such handler, the market administrator shall promptly notify such handler of any amount so due and payment thereof shall be made on or before the next date for making payment set forth in the provisions under which such error occurred.

§ 949.86 *Marketing services*—(a) *Marketing service deduction.* Except as set forth in paragraph (b) of this section each handler, in making payments to producers (other than himself) shall make a deduction of six cents per hundredweight of milk or such lesser deduction as the Secretary from time to time may prescribe. Such deductions shall be paid by the handler to the market administrator on or before the 15th day after the end of the month. Such moneys shall be expended by the market administrator for verification of weights and tests of milk received from such producers and in providing market information to such producers.

(b) *Marketing service deduction with respect to producers who are members of or are marketing through a cooperative association.* In the case of each producer who is a member of, or who has given written authorization for the rendering of marketing services and the taking of a deduction therefor to a cooperative association, which the Secretary as determined is performing the services described in paragraph (a) of this section, such handler, in lieu of the deduction specified under paragraph (a) of this section, shall deduct from the payments to such producer the amount per hundredweight specified by such association which is not in excess of the rate authorized by such producer and shall pay such deduction to the cooperative association entitled to receive it on or before the 15th day after the end of the month during which such milk was received.

§ 949.87 *Payment of administration expense.* As his pro rata share of the expense of administration of this part each handler shall pay to the market administrator on or before the 15th day after the end of the month for such month 4 cents per hundredweight, or such lesser amount as the Secretary may from time to time prescribe, with respect to skim milk and butterfat (a) received from producers, (b) received at a pool plant as other source milk and allocated to Class I milk, or (c) distributed as Class I milk in the marketing area from a non-pool plant.

§ 949.88 *Termination of obligation.* The provisions of this section shall apply to any obligation under this part for the payment of money.

(a) The obligation of any handler to pay money required to be paid under the terms of this part shall, except as provided in paragraphs (b) and (c) of this section, terminate two years after the last day of the calendar month during which the market administrator receives the handler's utilization report on the milk involved in such obligation, unless within such two-year period the market administrator notifies the handler in writing that such money is due and pay-

able. Service of such notice shall be complete upon mailing to the handler's last known address, and it shall contain, but need not be limited to, the following information:

(1) The amount of the obligation;

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

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

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

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

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

EFFECTIVE TIME, SUSPENSION OR TERMINATION

§ 949.90 *Effective time.* The provisions of this part or any amendment to this part shall become effective at such time as the Secretary may declare and shall continue in force until suspended or terminated pursuant to § 949.91.

§ 949.91 *Suspension or termination.* The Secretary may suspend or terminate this part or any provision of this part whenever he finds this part or any provision of this part obstructs or does not tend to effectuate the declared policy of the act. This part shall terminate in any event whenever the provisions of the act authorizing it cease to be in effect.

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

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

MISCELLANEOUS PROVISIONS

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

§ 949.101 *Separability of provisions.* If any provisions of this part, or its application to any person or circumstances, is held invalid, the applications of such provisions and the remaining provisions of this part to other persons or circumstances, shall not be affected thereby.

[F. R. Doc. 53-10577; Filed, Dec. 18, 1953; 8:55 a. m.]

CIVIL AERONAUTICS BOARD

[14 CFR Parts 40, 41, 42, 60]

AMENDMENT OF CIVIL AIR REGULATIONS TO PERMIT USE OF NAUTICAL UNITS IN CONTROL OF AIR TRAFFIC AND TO REQUIRE THEIR USE IN AIR CARRIER OPERATIONS

EXTENSION OF TIME FOR FILING COMMENTS

On November 27, 1953, the Board circulated Draft Release No. 53-30 and published as a notice of proposed rule making in the FEDERAL REGISTER on December 2, 1953 (18 F. R. 7659) proposed amendments to the Civil Air Regulations to permit the use of nautical units in the control of air traffic and to require their use in air carrier operations. Reference is made to the notice published December 2, 1953, and Draft Release No. 53-30 for a full explanation of the purpose and background of the proposed rules.

In the notice published December 2, 1953, the Board indicated that it would give consideration to all comment submitted before January 4, 1954, before taking final action on the proposed rule. Meanwhile, interested persons have requested additional time for the submission of comment in order to permit further analysis of the effect of the proposed rule.

In view of the foregoing, the time for submission of comment on the proposed rule is being extended and written comment submitted prior to February 1, 1954, will be considered by the Board before taking final action on the proposed rule. Comments should be submitted in duplicate addressed to the Civil Aeronautics Board, attention of the Bureau of Safety Regulation, Washington 25, D. C. and will be available after February 3, 1954, for examination by interested persons at the Docket Section of the Board, Room 5412, Department of Commerce Building, Washington, D. C.

(Sec. 205, 52 Stat. 984; 49 U. S. C. 425. Interpret or apply secs. 601-610, 52 Stat. 1007-1012, as amended; 49 U. S. C. 551-560)

Dated: December 16, 1953, at Washington, D. C.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN, *Secretary.*

[F. R. Doc. 53-10572; Filed, Dec. 18, 1953; 8:53 a. m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 135]

[Docket No. FDC-60]

COLOR CERTIFICATION

NOTICE OF HEARING TO AMEND REGULATIONS

In the matter of amending §§ 135.3 and 135.11 of the color certification regulations:

Upon the initiative of the Secretary of Health, Education, and Welfare and in accordance with the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 406 (b), 504, 604, 701, 52 Stat. 1049, 1052, 1055; 21 U. S. C. 346 (b), 354, 364, 371; 67 Stat. 18), notice is hereby given that a public hearing will be held commencing at 10 o'clock in the morning of January 19, 1954, in Room G-747A, Health, Education, and Welfare Building, 330 Independence Avenue SW., Washington, D. C., for the purpose of receiving evidence upon the basis of which to amend the regulations for the certification of coal-tar colors (21 CFR Part 135, as amended 21 CFR, 1952 Supp.) in the following respects:

1. It is proposed to amend § 135.3 *List of straight colors and specifications for their certification for use in foods, drugs, and cosmetics* by deleting the names of the following straight colors and the respective specifications therefor:

FD&C Red No. 32.
FD&C Orange No. 1.
FD&C Orange No. 2.

2. It is proposed to amend § 135.11 (d) (2) to read as follows:

§ 135.11 *Labeling.* * * *

(d) No batch of a mixture shall be certified under this part if:

* * * * *

(2) The name of such mixture is the same as or simulates the name of a previously certified batch of a mixture containing a different substance, or a different percentage of a pure dye; but this provision shall not apply if:

(i) The person who requests certification of such batch is the owner of such name and has given 3 months' written notice to the Food and Drug Administration specifying the change to be made in the composition of such mixture; or

(ii) Such change results from removal of a color from the listings in §§ 135.3, 135.4, or § 135.5.

At the hearing, evidence will be restricted to testimony and exhibits relevant and material to these proposals. The hearing will be conducted in accordance with the rules of practice provided therefor. Mr. Leonard D. Hardy is hereby designated as presiding officer to conduct the hearing in the place of the Secretary, with full authority to administer oaths and affirmations and to do all other things appropriate to the conduct of the hearing. The presiding officer is required to certify the entire record of the proceedings to the Secretary for initial decision. The proposed amendment for consideration at the hearing is subject to adoption, rejection, or modification by the Secretary as the evidence adduced at the hearing may require.

Dated: December 15, 1953.

[SEAL] OVETA CULP HOBBY, *Secretary.*

[F. R. Doc. 53-10563; Filed, Dec. 18, 1953; 8:51 a. m.]

HOUSING AND HOME FINANCE AGENCY

Home Loan Bank Board

[24 CFR Part 145]

[No. 26672]

FEDERAL SAVINGS AND LOAN SYSTEM OPERATIONS

APPROVAL OF BRANCH OFFICES AND AGENCIES

DECEMBER 15, 1953.

Resolved that, pursuant to § 142.1 of the rules and regulations for the Federal Savings and Loan System (24 CFR 142.1) and Part 108 of the general regulations of the Home Loan Bank Board (24 CFR Part 108), it is hereby proposed to amend §§ 145.14 and 145.15 of the rules and regulations for the Federal Savings and Loan System (24 CFR 145.14, 145.15) as follows:

1. Section 145.14 to read as follows:

§ 145.14 *Branch offices*—(a) *Establishment.* No Federal association may establish or maintain a branch office without the prior written approval of the Board. Each application by a Federal association for permission to establish or maintain a branch office shall state the need for such branch office; the functions to be performed; the personnel and office facilities to be provided and the estimated annual volume of business, income, and expenses of such branch office. No application for the establishment by a Federal association of a branch office will be approved unless in the judgment of the Board a necessity exists for such branch in the community to be served, nor unless there is a reasonable probability of its usefulness and success, nor unless the same can be established without undue injury to properly conducted existing local thrift and home-financing institutions. No application to establish a branch office will be approved by the Board where the location of such branch office, or the number of branches which the applicant would have if such application were approved, would not be permitted by law or practice in the State, district, or Territory in which the home office of the applicant is located with respect to branches or branch offices of any one or more types of financial institutions located in such State, district, or Territory, authorized to provide savings, thrift, or home-financing facilities to the public: *Provided,* That the Board may approve, for a Federal association, as branch offices, any or all existing offices of two or more associations involved in any merger into such Federal association where any one or more types of financial institutions located in the State, district, or Territory, authorized to provide savings, thrift, or home-financing facilities to the public, could be permitted to do the same: *And provided further,* That, for the purpose of determining practice in any State, district, or Territory within the meaning of this section the operation of chain, group or affiliated financial institutions shall be regarded as the operation of branch offices, and the term branch office, for the purposes of this section, shall include any office of a financial institution at which savings may be received. The approval of the establishment or maintenance of a branch office shall not in any manner enlarge the lending powers of any Federal association as provided by law and the rules and regulations in this part.

(b) *Operation.* Any business of a Federal association, except the approval of loans, may be transacted at a branch office, as authorized by its board of directors. A detailed record of all transactions of any branch office of a Federal association shall be maintained at such office and such control records as may be necessary for the proper conduct of such association's business shall be furnished by such branch office to its home office.

2. The proviso at the end of the first sentence of § 145.15 to read as follows: "*Provided,* That no loans may be approved and no savings account business may be transacted at any agency of a Federal association which is authorized to be established or maintained after."

3. The following provisions to be substituted for the third sentence of § 145.-15: "A Federal association may, without approval by the Board, establish or maintain any agency, the functions of which are limited to the servicing of loans and contracts, or to the management or sale of real estate owned, or to any combination of such functions, if such agency is located within its regular lending area, as defined in § 145.6-6, or located elsewhere, provided (a) the association has received express authority from the Federal Savings and Loan Insurance Corporation to originate loans in such locality on the security of improved real estate other than insured or guaranteed loans or (b) the agency is an institution which is insured by the Federal Savings and Loan Insurance Corporation or by the Federal Deposit Insurance Corporation. A Federal association may, without prior approval by the Board, establish or maintain temporary or incidental agencies for individual transactions or for special temporary purposes."

Resolved further, that a hearing will be held on February 1, 1954, at 10 o'clock in the forenoon in Room 827, Federal Home Loan Bank Board Building, 101 Indiana Avenue, NW., Washington, D. C., before the Home Loan Bank Board, a member thereof, or a Hearing Officer designated by the Board, for the purpose of receiving evidence, oral views and arguments on said proposed amendments of the rules and regulations for the Federal Savings and Loan System, if written notice of intention to appear at said hearing is received by the Secretary to the Home Loan Bank Board at least five days before said date. If no such written notice of intention to appear has been received by the Secretary to the Board at least five days before the date set for the hearing, the hearing will be dispensed with. Whether or not a hearing is held, written data, views or arguments on said proposed amendments which are received by the Secretary to the Home Loan Bank Board on or before January 27, 1954, or prior to the conclusion of the hearing, if held, will be considered by the Home Loan Bank Board in connection with its consideration of the proposed amendments of the said rules and regulations.

(Sec. 5, 48 Stat. 132, as amended; 12 U. S. C. 1464 and Supp.)

By the Home Loan Bank Board.

[SEAL] J. FRANCIS MOORE, *Secretary.*

[F. R. Doc. 53-10565; Filed, Dec. 18, 1953; 8:52 a. m.]

[24 CFR Parts 161, 163]

[No. 6656]

FEDERAL SAVINGS AND LOAN INSURANCE CORPORATION OPERATIONS

DEFINITION OF TERM "PRINCIPAL OFFICE"; ADVERTISING BY BRANCH OFFICES

DECEMBER 15, 1953.

Resolved that, pursuant to Part 108 of the general regulations of the Home Loan Bank Board (24 CFR Part 108) and § 167.1 of the rules and regulations for Insurance of Accounts (24 CFR 167.1), it is hereby proposed that the rules and regulations for Insurance of Accounts (24 CFR, Chapter I, Subchapter D) be amended in the following particulars:

a. A new § 161.7 (24 CFR 161.7) immediately following § 161.6 be added, reading as follows:

§ 161.7 *Principal office.* The term "principal office" means the home office

of an institution established as such in conformity with the laws under which the insured institution is organized.

b. Section 163.27 (24 CFR 163.27) be amended to read as follows:

§ 163.27 *Advertising must be accurate.* No insured institution shall use advertising (whether printed, radio, display, or of any other nature) or make any representation which is inaccurate in any particular or which in any way misrepresents its services, contracts, investments, or financial condition. When an insured institution is operating a branch office or offices outside of the municipality in which its principal office is located, all advertising of, or by, any such branch office, shall state clearly the location of the principal office of such insured institution.

Resolved further, that a hearing will be held on February 1, 1954 at 10 o'clock in the forenoon in Room 827, Federal Home Loan Bank Board Building, 101 Indiana Avenue, NW., Washington, D. C., before the Home Loan Bank Board, a member thereof, or a Hearing Officer designated by the Board, for the purpose of receiving evidence, oral views and arguments on said proposed amendments of the rules and regulations for Insurance of Accounts, if written notice of intention to appear at said hearing is received by the Secretary to the Home Loan Bank Board at least five days before said date. If no such written notice of intention to appear has been received by the Secretary to the Board at least five days before the date set for the hearing, the hearing will be dispensed with. Whether or not a hearing is held, written data, views or arguments on said proposed amendments which are received by the Secretary to the Home Loan Bank Board on or before January 27, 1954, or prior to the conclusion of the hearing, if held, will be considered by the Home Loan Bank Board in connection with its consideration of the proposed amendments of the said rules and regulations.

(Sec. 402, 48 Stat. 1256; 12 U. S. C. 1725)

By the Home Loan Bank Board.

[SEAL] J. FRANCIS MOORE, *Secretary.*

[F. R. Doc. 53-10566; Filed, Dec. 18, 1953; 8:52 a. m.]

NOTICES

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

UPLAND COTTON AND EXTRA LONG STAPLE COTTON

NOTICE OF REDELEGATION OF FINAL AUTHORITY OF STATE PRODUCTION AND MARKETING ADMINISTRATION COMMITTEES

Section 722.529 (b) of the "Marketing Quota Regulations Relating to Apportionment of the National Acreage Allotment for the 1954 Crop of Upland Cotton to States, Counties, and Farms" (18 F. R. 7527) and § 722.1127 (b) of the "Marketing Quota Regulations Relating to Apportionment of the National Acreage Allotment for the 1954 Crop of Extra Long Staple Cotton to States, Counties, and Farms" (18 F. R. 7883), issued pursuant to the marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended (7 U. S. C. 1301-1376), provide that any authority delegated to a State Production and Marketing Administration Committee by such regulations may be redelegated by the State committee. In accordance with section 3 (a) (1) of the Administrative Procedure Act (5 U. S. C. 1002 (a)) which requires delegations of final authority to be published in the FEDERAL REGISTER, there are set out herein the redelegations of final authority which have been made by State Production and Marketing Administration Committees of authority vested in such committees by the Secretary of Agriculture in the regulations referred to above. Shown below are the sections of the regulations in which such authority appears and the persons to whom the authority has been redelegated:

ALABAMA

Section 722.517 (b)—B. L. Collins, State Administrative Officer.

Section 722.529 (a)—B. L. Collins, State Administrative Officer; and the following ASC Farmer Fieldmen: Gerald Fowler, H. H. Edmondson, Curtis A. Hicks and M. H. Lane.

ARKANSAS

Section 722.517 (b)—N. A. McGhee, Acting State Administrative Officer; M. E. Finn, Assistant Chief, Administrative Division; and Rex A. Owens, Program Specialist (Production Adjustment).

Section 722.529 (a)—N. A. McGhee, Acting State Administrative Officer; M. E. Finn, Assistant Chief, Administrative Division; Rex A. Owens, Program Specialist (Production Adjustment); the following ASC Farmer Fieldmen: Hoyte N. Rowland, Coy E. Scifres, Burle E. McMahen, and Maurice J. Mills; and the following County ASC Auditors: Walter W. Sumner, Robert E. Golden, Joe A. Parr and Erie W. Collier.

CALIFORNIA

Sections 722.529 (a) and 722.1127 (a)—J. T. Moody, Program Specialist; and Wesley Schlotzhauer, Program Specialist.

FLORIDA

Sections 722.529 (a) and 722.1127 (a)—R. S. Dennis, State Administrative Officer; O. P. McArthur, Program Specialist; and to the following ASC Farmer Fieldmen: F. M. Vickery, Jr., A. E. Raines, A. E. Dunscombe, Guy Cox and R. O. Bell.

GEORGIA

Sections 722.529 (a) and 722.1127 (a)—T. R. Breedlove, Chairman, State Committee; W. H. Booth, Member, State Committee; C. F. Fleming, Administrative Assistant to State Committee; R. H. Patat, Chief, Audit and Statistical Division; and the following ASC Farmer Fieldmen: E. R. Leake, P. M. Hardman, J. B. Bilderback, P. M. Mix, W. B. Suddeth, Robert E. Bolton, G. W. Rountree, and William M. Phillips.

ILLINOIS

Sections 722.516, 722.517 and 722.529 (a)—Winstead R. Davie, ASC Farmer Fieldman; and Arnold A. Allan, Program Specialist.

KENTUCKY

Sections 722.516 and 722.517—Clarence L. Miller, Chairman, State Committee; James R. Rash, Jr., Member, State Committee; Walker R. Reynolds, Member, State Committee; W. L. Rouse, State Administrative Officer; Roger Karrick, Program Specialist; and Homer Yonts, Program Specialist.

Section 722.529 (a)—Clarence L. Miller, Chairman, State Committee; James R. Rash, Jr., Member, State Committee; Walker R. Reynolds, Member, State Committee; W. L. Rouse, State Administrative Officer; Roger Karrick, Program Specialist; Homer Yonts, Program Specialist; Kenneth Grogan, ASC Farmer Fieldman and Carlos Thompson, ASC Farmer Fieldman.

LOUISIANA

Section 722.529 (a)—C. E. Slack, State Administrative Officer; J. R. Bath, Program Specialist; R. W. May, Administrative Assistant; Leyton Hawthorne, Administrative Assistant; R. C. Smith, County ASC Auditor; and the following ASC Farmer Fieldmen: H. F. Spencer, Don L. Rockett, L. L. Sanders and C. J. Clayton.

MISSISSIPPI

Sections 722.517 (d) (3) (ii) and 722.518—State Administrative Officer.

Section 722.528—State Administrative Officer; Chief, Program Division; and Administrative Assistant for Marketing Quotas.

Section 722.529 (a)—State Administrative Officer; Chief, Program Division; Administrative Assistant for Marketing Quotas; all ASC Farmer Fieldmen; and all County ASC Auditors.

MISSOURI

Sections 722.516, 722.517 and 722.529 (a)—Harry E. Campbell, Member, State Committee; Claude Bowles, Program Specialist; and Elmer Kinkade, ASC Farmer Fieldman.

NEW MEXICO

Sections 722.517 (b) and 722.1117 (b)—Donald W. Vance, Administrative Assistant; and W. C. Hutchins, Jr., Administrative Assistant.

Sections 722.529 (a) and 722.1127 (a)—Donald W. Vance, Administrative Assistant; W. C. Hutchins, Jr., Administrative Assistant; and the following ASC Farmer Fieldmen: Samuel G. Cotton, Clarence E. Habiger, and Rolland D. Lloyd.

NEVADA

Sections 722.517 (b) and 722.529 (a)—Ervin H. Christensen, Administrative Assistant.

NORTH CAROLINA

Section 722.516 (c) (3)—H. D. Godfrey, State Administrative Officer.

Section 722.529 (a)—A. P. Hassell, Jr., Chief, Administrative Division; all of the ASC Farmer Fieldmen.

OKLAHOMA

Section 722.529 (a)—H. P. Moffitt, State Administrative Officer; Fred E. Percy, Chief

of Programs Division; Samuel A. Shelby, Program Specialist; and the following ASC Farmer Fieldmen: Russell D. Cocanougher, Orth L. Costley, Lee I. Garrett, Roger P. Bush, Jr., S. L. Clifton and Byron Daniel.

PUERTO RICO

Sections 722.1116 and 722.1117—G. Laguardia, Director Caribbean Area ASC Office.

TENNESSEE

Section 722.517 (b)—Joe D. Ramsey, Program Specialist; John E. Hudson, Assistant Program Specialist.

Section 722.529 (a)—Joe D. Ramsey, Program Specialist; John E. Hudson, Assistant Program Specialist; the following ASC Farmer Fieldmen: James G. Barrett, Clarence W. Baumgardner, Foster E. Bradshaw, John R. Collier, Levie W. Dickerson, Alvis A. Johnson and Ray E. Wilkinson.

TEXAS

Sections 722.517 (b) and 722.1117 (b)—A committee consisting of Ralph T. Price, State Administrative Officer; Edwin F. Rollins, Program Specialist; and Henry H. Marshall, Administrative Officer.

Sections 722.529 (a) and 722.1127 (a)—Henry H. Marshall, Administrative Officer; Charles H. Galloway, Administrative Assistant; Paul H. Johnson, Program Specialist; Edwin F. Rollins, Program Specialist; and the following ASC Farmer Fieldmen: Wortham H. Seale, Dale Carter, Ward M. Taylor, Thomas E. Rattan, Allan J. McMillan, John W. Gamble, R. C. Flatt, Irvin H. Lloyd, W. I. Chenault, Ralph Griffin, V. M. Dziewas and Robert F. Spreen.

VIRGINIA

Section 722.528—W. T. Powers, State Administrative Officer; J. S. Shackleton, Jr., Program Specialist; J. Parker Lambeth, Jr., Marketing Quota Specialist.

Section 722.529 (a)—W. T. Powers, State Administrative Officer; J. S. Shackleton, Jr., Program Specialist; J. Parker Lambeth, Jr., Marketing Quota Specialist; and the following ASC Farmer Fieldmen: L. E. Beale, Jr., L. L. Snead, Thomas W. Ragsdale.

(Sec. 375, 52 Stat. 66, as amended; 7 U. S. C. 1375. Interpret or apply secs. 301, 342-347, 361-368, 373-374, 52 Stat. 38, 56-59, 62-65; 7 U. S. C. 1301, 1342-1347, 1361-1368, 1373-1374)

Issued at Washington, D. C., this 15th day of December 1953.

[SEAL] HOWARD H. GORDON, *Administrator.*

[F. R. Doc. 53-10576; Filed, Dec. 18, 1953; 8:54 a. m.]

FEDERAL POWER COMMISSION

[Docket Nos. G-1277, G-2015, G-2114]

TRANSCONTINENTAL GAS PIPE LINE CORP. ET AL.

NOTICE OF ORDER MODIFYING AND AFFIRMING AS MODIFIED PRESIDING EXAMINER'S DECISION

DECEMBER 15, 1953.

In the matters of Transcontinental Gas Pipe Line Corporation, Docket No. G-1277; Mid-Georgia Natural Gas Co., Docket No. G-2015; City of Covington, Georgia, Docket No. G-2114.

Notice is hereby given that on December 11, 1953, the Federal Power Commission issued its order adopted December 10, 1953, modifying and affirming as modified the Presiding Examiner's Decision issued October 26, 1953, in the above-entitled matters.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 53-10559; Filed, Dec. 18, 1953; 8:50 a. m.]

[Docket No. G-1883]

NEVADA NATURAL GAS PIPE LINE CO.

NOTICE OF EXTENSION OF TIME

DECEMBER 14, 1953.

Upon consideration of the request of the Nevada Natural Gas Pipe Line Co., filed November 30, 1953, for an extension of time for completing the construction and operation of the facilities authorized by the Commission's order issued June 23, 1952, in the above-designated matter;

Notice is hereby given that an extension of time is granted to and including April 30, 1954, in which Nevada Natural Gas Pipe Line Company shall complete the construction of the facilities authorized by said order. Paragraph (K) of said order is amended accordingly.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 53-10560; Filed, Dec. 18, 1953; 8:51 a. m.]

[Docket No. G-1995]

MISSISSIPPI RIVER FUEL CORP.

NOTICE OF ORDER REVERSING OPINION AND ORDER AND ISSUING CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

DECEMBER 15, 1953.

Notice is hereby given that on December 14, 1953, the Federal Power Commission issued its order adopted December 9, 1953, reversing Opinion No. 250 and order issued on May 11, 1953 (18 F. R. 2869), and issuing certificate of public convenience and necessity in the above-entitled matter.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 53-10561; Filed, Dec. 18, 1953; 8:51 a. m.]

[Docket No. G-2083]

NATURAL GAS PIPELINE COMPANY OF AMERICA

NOTICE OF ORDER TERMINATING PROCEEDING

DECEMBER 15, 1953.

Notice is hereby given that on December 14, 1953, the Federal Power Commission issued its order adopted December 9, 1953, terminating proceeding in the above-entitled matter.

LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 53-10562; Filed, Dec. 18, 1953; 8:51 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Doc. 16, Region II]

CALIFORNIA

RESTORATION ORDER UNDER FEDERAL POWER ACT

DECEMBER 14, 1953.

Pursuant to the following listed determinations of the Federal Power Commission and in accordance with Order No. 427, section 2.22 (a) (4) of the Director, Bureau of Land Management, approved August 16, 1950 (15 F. R. 5641), it is ordered as follows:

Subject to valid existing rights and the provisions of existing withdrawals, the lands hereinafter described, so far as they are withdrawn or reserved for power purposes, are hereby opened to disposition under the public land laws as provided below, subject to the provisions of section 24 of the Federal Power Act of June 10, 1920 (41 Stat. 1075; 16 U. S. C. 818), as amended, and as to DA-666, DA-732 and DA-791 subject to the stipulation that, if and when the lands are required wholly or in part for purposes of power development, any structures, machinery or improvements placed thereon which shall be found to interfere with such development shall be removed or relocated as may be necessary to eliminate interference with the power development without expense to the United States or its permittees or licensees, including with respect to DA-732 such relocation and reconstruction of California State Highway No. 65 as may be made necessary by reason of such power development; as to DA-765 subject to the stipulation that:

(a) The right of the United States, its permittees or licensees to use the land for power purposes shall be specifically reserved;

(b) That no use shall be made by others which will in any way interfere or be inconsistent with the use of the land by the United States, its permittees or licensees for power purposes;

(c) That any structures, machinery or improvements placed thereon shall be found to interfere with power development shall be removed or relocated as may be necessary to eliminate interference with such development without expense to the United States, its permittees or licensees;

(d) And that the United States, its permittes or licensees shall not be held liable for any damage to structures, machinery or improvements placed thereon resulting from the construction, operation or maintenance of hydroelectric facilities authorized by the United States;

And as to DA-789 subject to the stipulation that:

(a) If and when the lands are required, wholly or in part, for any purpose or purposes incident to power development, including the location of roads, power lines and conduits under or across said land, that all structures, machinery

or improvements placed thereon, which shall be found to interfere with such development, shall be removed or relocated so as to eliminate interference with power development, without cost or expense to the United States or its permittees or licensees; and

(b) That the United States or its permittees or licensees shall not be subject to any suit or claim for damages to any mining operations, structures, machinery or improvements placed thereon resulting from the construction, operation or maintenance of any power development authorized by the United States;

And as to DA–803 subject to the stipulation that the United States or its licensees or permittees shall not be liable for any damages resulting from the operation and maintenance of the canal or conduit on the lands described in the determination.

Determination No.	Dates and types of withdrawal	Type of restoration	Description of lands
DA-661—California	Reservoir-site reserve No. 17 of June 8, 1926; powersite classification No. 266 of Mar. 8, 1932; powersite reserve No. 710 of Aug. 22, 1919.	Under applicable public land laws.	California: T. 1 S., R. 15 E., M. D. M., sec. 27, that part of the NE¼SW¼ lying northeast of a diagonal line drawn from the northwest corner to the southeast corner.
DA-666—California	In secs. 1, 2 and 12 powersite reserve No. 655 of Sept. 25, 1917; in sec. 11 power-site classification No. 45 of July 7, 1922.	For mining purposes only.	California: T. 27 S., R. 32 E., M. D. M., sec. 1, SW¼SW¼; sec. 2, S½SE¼; sec. 11, N½NE¼, NE¼NW¼; sec. 12, NW¼NW¼. Sec. 11 in Sequoia National Forest.
DA-732—California	Power-site reserve No. 416 of Jan. 24, 1914; in sec. 15 NE¼SE¼ first form reclamation withdrawal of Jan. 15, 1942.	Under applicable public land laws.	California: T. 8 N., R. 10 E., M. D. M., sec. 15, N½SE¼; sec. 22, S½NW¼ (sec. 15 NE¼SE¼ in reclamation withdrawal).
DA-743—California	Power-site reserve No. 201 of Aug. 30, 1911; first form reclamation withdrawal of Feb. 19, 1952.	None	California: T. 14 N., R. 9 E., M. D. M., sec. 1, lot 4 (in reclamation withdrawal).
DA-765—California	Power-site reserve No. 87 of July 2, 1910; project No. 137 of June 26, 1925, as amended; project No. 525 of Aug. 6, 1924; project No. 707 of Mar. 26, 1927.	Under applicable public land laws.	California: T. 7 N., R. 13 E., M. D. M., sec. 33, NW¼.
DA-769—California	Power-site reserve No. 87 of July 2, 1910.	do	California: T. 6 N., R. 13 E., M. D. M., sec. 17, NE¼NE¼SE¼.
DA-770 and DA-779—California.	do	do	California: T. 6 N., R. 13 E., M. D. M., sec. 9, NW¼SW¼.
DA-771—California	Power-site reserve No. 261 of May 2, 1912.	do	California: T. 6 N., R. 13 E., M. D. M., sec. 2, lot 10.
DA-789—California	Power-site classification No. 183 of July 9, 1927; project No. 187 of Mar. 14, 1921.	For mining purposes only.	California: T. 19 N., R. 8 E., M. D. M., sec. 8, S½NE¼NE¼, S½SW¼NE¼; sec. 9, S½NW¼NW¼, SW¼NW¼.
DA-791—California	Power-site reserve No. 115 of Sept. 21, 1925.	do	California: T. 6 N., R. 6 E., H. M., sec. 28, S½NE¼SE¼NE¼, N½SE¼SE¼NE¼. In Six Rivers National Forest.
DA-803—California	Power-site reserve No. 655 of Sept. 25, 1917; project No. 382 of Apr. 10, 1922.	Under applicable public land laws.	California: T. 27 S., R. 33 E., M. D. M., sec. 6, SE¼NE¼, NE¼SE¼, S½SE¼.

The character of the above described lands, other than that within national forests, is rough and mountainous non-agricultural land which is primarily suitable for grazing or hunting purposes, except as to DA–661 which contains some evidence of being mineral in character, and as to DA–803 which may be suitable for airport purposes. It is unlikely that any of the above described lands will be classified as suitable for homestead, desert-land or small tract use.

The lands described shall be subject to application by the State of California for a period of ninety days from the date of publication of this order in the FEDERAL REGISTER for rights-of-way for public highways or as a source of material for the construction and maintenance of such highways, as provided by section 24 of the Federal Power Act as amended.

This order shall not otherwise become effective to change the status of such land until 10:00 a. m. P. s. t., on the 91st day after the date of publication. At that time the said lands shall become subject to application, petition, location and selection, subject to valid existing rights, the provisions of existing withdrawals, the requirements of applicable laws and the 90-day preference-right filing period for veterans and others entitled to preference under the act of September 27, 1944 (58 Stat. 747; 43 U. S. C. 279–284), as amended.

L. T. HOFFMAN,
Regional Administrator.

[F. R. Doc. 53-10542; Filed, Dec. 18, 1953; 8:45 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70–3125]

UNION ELECTRIC COMPANY OF MISSOURI

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

DECEMBER 15, 1953.

Union Electric Company of Missouri ("Union"), a registered holding company and also a subsidiary company of The North American Company, likewise a registered holding company, having filed an application-declaration pursuant to sections 6, 7 and 10 of the Public Utility Holding Company Act of 1935, and Rule U-50 and Rule U-62 promulgated thereunder, regarding certain proposed transactions, which are summarized as follows:

Union proposes to acquire the common stock of Missouri Edison Company ("Missouri Edison") from the holders thereof by offering in exchange therefor 7/10ths of one share of Union common stock of $10 par value for each share of Missouri Edison common stock of $5 par value, except that no fractional shares of Union's common stock will be issued to stockholders of Missouri Edison. The maximum number of shares of Union's common stock which would be issuable upon such exchange is 87,500. In lieu of fractional shares to which Missouri Edison stockholders would otherwise be entitled by virtue of the exchange, Union will issue to The Boatmen's National Bank of St. Louis, as agent for Missouri Edison stockholders who make the exchange, such number of full shares of Union common stock of $10 par value as shall equal the total of the fractional shares which would otherwise be issued to the Missouri Edison stockholders. The Boatmen's National Bank of St. Louis will then sell such full shares in the open market and distribute the proceeds to the Missouri Edison stockholders in proportion to their respective fractional interests in the full shares.

The consummation of the exchange is subject to certain conditions which are embodied in an agreement between Union and Missouri Edison including, among others, the condition that there shall have been deposited for exchange at least 85 percent of the 125,000 shares of Missouri Edison common stock and that Union shall have listed the additional shares of its common stock on the New York Stock Exchange, and registered the same under the Securities Exchange Act of 1934. Union requests exemption from the competitive bidding requirements of Rule U-50. Union also proposes to send certain solicitation material to the stockholders of Missouri Edison relating to the exchange.

A public hearing having been held after appropriate notice, the Commission having examined the record herein and having made and filed its findings and opinion herein:

It is ordered, That said application-declaration be, and the same hereby is, granted and permitted to become effective forthwith, subject to the terms and conditions contained in Rule U-24 and subject also to the following additional term and condition:

That jurisdiction be, and hereby is, generally reserved to the Commission to determine the retainability, indirectly by Union and directly by Missouri Edison, of Missouri Edison's gas utility system, and to entertain such further proceedings, make such supplemental findings and take such further action as the Commission may deem appropriate in connection therewith to effectuate the provisions of section 11 (b) of the act.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 53-10546; Filed, Dec. 18, 1953; 8:46 a. m.]

[File No. 70-3152]

NORTH CONTINENT UTILITIES CORP.

ORDER REGARDING PROPOSED LIQUIDATION AND DISSOLUTION OF REGISTERED HOLDING COMPANY AND PAYMENT OF LIQUIDATING DIVIDEND

DECEMBER 15, 1953.

An application-declaration having been filed with this Commission, pursuant to sections 11 and 12 (c) of the Public Utility Holding Company Act of 1935 ("act") and Rules U-24 and U-46 promulgated thereunder, by North Continent Utilities Corporation ("North Continent"), a registered holding company, with respect to proposed transactions which are summarized as follows:

The Commission has heretofore directed North Continent in proceedings under section 11 (b) of the act to liquidate and dissolve (North Continent Utilities Corporation, File Nos. 54-74 and 59-69).

Pursuant to prior authorization of the Commission under Rule U-44 (c), North Continent, under date of October 20, 1953, entered into a contract with Alberta Consolidated Gas Utilities Limited, a non-affiliate, whereby the latter agreed to purchase North Continent's entire interest in Great Northern Gas Company, Limited, at a price of $533,639, plus an amount equal to interest on certain notes and advances from August 1, 1953, to the closing date. The sale was consummated on November 30, 1953. North Continent now has as its sole asset approximately $659,000 in cash and current receivables. Pursuant to section 275 of the General Corporation Law of Delaware, the Board of Directors has adopted a resolution to the effect that it is advisable and to the best interests of the Corporation to dissolve the Corporation, and has called a special meeting of stockholders to be held on December 15, 1953 to vote on the question of dissolution. Proxy solicitation material for said meeting has been mailed to stockholders pursuant to authorization of the Commission by order dated November 17, 1953.

The Board of Directors has also tentatively approved a Plan of Liquidation and Dissolution, said Plan providing in substance for (1) an initial liquidating dividend of $8.50 per share, payable immediately to all holders of capital stock of the corporation upon surrender of their respective certificates for cancellation, and (2) a further liquidating dividend or dividends until all available assets shall have been distributed to stockholders. The application-declaration states that at the present time it is impossible to state definitely in what amounts, or at what times, such further liquidating dividend or dividends may be distributed, and that after payment of the initial liquidating dividend of $8.50 per share the Corporation will have on hand approximately $110,000, which (together with such further assets as may accrue to the Corporation in connection with expiration of rights of holders of old securities of the Corporation under the Supplemental Plan of 1950) is considered by the Board of Directors to be an ample reserve for all present or future liabilities, including taxes for the current year, any possible deficiency assessments of taxes for prior years, fees and expenses in connection with the aforementioned sale of Great Northern Gas Company, Limited, and fees and expenses of all types which may be incurred in completing the dissolution program. As and when it can be determined definitely that the aforesaid items will not exhaust the entire reserved amount, the balance will be available to be paid out in a further liquidating dividend or dividends.

Fees and expenses in connection with the proposed transactions (including the sale by North Continent of its interest in Great Northern Gas Company, Limited) are estimated at $27,000, including legal fees of $15,000 to Dallstream, Schiff, Stern & Hardin, counsel for North Continent.

Applicant-declarant requests that the application-declaration be granted and permitted to become effective forthwith upon issuance.

Due notice having been given of the filing of the application-declaration, and a hearing not having been requested or ordered by the Commission; and the Commission finding that the applicable provisions of the act and the rules promulgated thereunder are satisfied and that no adverse findings are necessary; and deeming it appropriate in the public interest and in the interest of investors and consumers that said application-declaration be granted and permitted to become effective forthwith, without the imposition of terms and conditions other than those prescribed in Rule U-24:

It is ordered, Pursuant to the applicable provisions of the act, that said application-declaration be granted and permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 53-10545; Filed, Dec. 18, 1953; 8:46 a. m.]

[File No. 70-3165]

APPALACHIAN ELECTRIC POWER CO.

NOTICE OF FILING REGARDING SALE OF PRINCIPAL AMOUNT OF FIRST MORTGAGE BONDS AT COMPETITIVE BIDDING

DECEMBER 15, 1953.

Notice is hereby given that Appalachian Electric Power Company ("Appalachian"), a public-utility subsidiary of American Gas and Electric Company, a registered holding company, has filed an application pursuant to the Public Utility Holding Company Act of 1935 ("act"). Applicant has designated section 6 (b) of the act and Rules U-42 (b) (2) and U-50 thereunder as applicable to the proposed transactions which are summarized as follows:

Appalachian proposes to issue and sell, pursuant to the competitive bidding requirements of Rule U-50, $20,000,000 principal amount of its first mortgage bonds, __ percent series due 1983. The bonds are to be issued under an indenture dated as of December 1, 1940, as heretofore supplemented, between Appalachian and Bankers Trust Company as Trustee, and an indenture supplemental to said indenture to be dated as of December 1, 1953. The price of the bonds shall be not less than 100 percent or more than 102¾ percent of the principal amount thereof and the interest rate (which shall be a multiple of ⅛ of 1 percent) will be determined by competitive bidding.

The proceeds from the sale of Appalachian's first mortgage bonds will be applied, in part, to the prepayment, without premium, of all notes payable to banks at the time outstanding. The amount of such notes presently outstanding is $17,000,000 and it is expected that not to exceed $2,000,000 principal amount of additional notes payable to banks will be issued prior to the time of the issuance of the bonds, making an aggregate amount of not to exceed $19,000,000 of such notes to be repaid. The balance of the proceeds from the sale of the said bonds will be added to Appalachian's treasury funds and will be applied to the payment of the costs of extensions, additions and improvements to its properties.

Appalachian is organized and doing business in the State of Virginia and also does business in the States of Tennessee and West Virginia. Appalachian represents that the sale of its bonds will be expressly authorized by the Virginia State Corporation Commission and by the Tennessee Railroad and Public Utilities Commission. Copies of the orders of those State Commissions are to be supplied by amendment.

The expenses to be incurred in connection with the issue and sale of its bonds, including legal fees of counsel for the company in the amount of $20,250 and legal fees of counsel for the underwriters of $7,500, are estimated by Appalachian to amount to $121,065.

Appalachian requests that the period for inviting bids be shortened to not less than six days. Appalachian also requests that the Commission's order herein be issued on or before January 4, 1954, waives the 30-day waiting period and requests that the Commission's order become effective upon issuance.

Notice is further given that any interested person may, not later than December 29, 1953, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reason or reasons 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. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after said date, the application, as filed or as amended, may be granted 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.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 53-10544; Filed, Dec. 18, 1953; 8:46 a. m.]

[File No. 70-3167]

CITIES SERVICE CO. ET AL.

NOTICE OF FILING REGARDING SALE BY PARENT OF SUBSIDIARY'S COMMON STOCK, REQUEST FOR EXEMPTION FROM COMPETITIVE BIDDING, AND REQUEST FOR RECITALS

DECEMBER 14, 1953.

In the matter of Cities Service Company, The Gas Service Company, Gas Advisers, Inc.; File No. 70-3167.

Notice is hereby given that Cities Service Company ("Cities"), a registered holding company, The Gas Service Company ("Gas Service"), a wholly-owned public utility subsidiary of Cities, and Gas Advisers, Inc. ("Gas Advisers"), a mutual service company owned by various subsidiaries in the Cities system which are served by said service company, have filed a joint application-declaration, pursuant to the Public Utility Holding Company Act of 1935 ("act"). Applicants-declarants have designated sections 11 (b), 12 (c), 12 (d), and 12 (f) and Rules U-42, U-43, U-44 and U-50 promulgated thereunder as applicable to the proposed transactions.

Notice is further given that any interested person may, not later than December 28, 1953, at 5:30 p. m., e. s. t., request the 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-declaration which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after December 28, 1953, said 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 (a) and U-100 thereof.

All interested persons are referred to said 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:

Cities proposes to sell to selected underwriters for public offering 1,500,000 shares of common stock of $10 par value each of Gas Service.

Subject to, and on the date of, consummation by Cities of the sale of said 1,500,000 shares of common stock, Gas Service proposes to sell and Gas Advisers proposes to purchase for retirement the 270 shares of its capital stock ($100 par value per share) now owned by Gas Service for a purchase price of $27,000, and concurrently therewith the service contract dated January 1, 1938 between Gas Service and Gas Advisers will be terminated.

Cities requests that the Commission issue an order exempting from Rule U-50 its proposed sale of 1,500,000 shares of common stock of Gas Service and alleges (among other things), as reasons for such request, that the stock of Gas Service has been owned in its entirety by Cities since the formation of Gas Service and that there is not now nor has there ever been any market in it and no familiarity therewith on the part of prospective investors; and that the size of the offering is such as to preclude the possibility of having many bidders, to increase the hazards of an unsuccessful effort, and to require an intensive and nation-wide effort to develop investor interest.

The application-declaration states that Cities will use the net proceeds from the sale of its holdings of common stock of Gas Service, estimated by Cities at approximately $33,000,000, to purchase additional common stock of its wholly-owned subsidiary, Empire Gas and Fuel Company.

It is requested that the Commission's order herein make the necessary findings and contain the recitals required by Supplement R and section 1808 (f) of the Internal Revenue Code, as amended, and that the Commission's order become effective upon its issuance.

By the Commission.

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

[F. R. Doc. 53-10543; Filed, Dec. 18, 1953; 8:45 a. m.]