FEDERAL REGISTER

VOLUME 19 NUMBER 110

Washington, Tuesday, June 8, 1954

TITLE 3—THE PRESIDENT

PROCLAMATION 3057

FLAG DAY, 1954

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS for many years June 14 has been set aside as Flag Day in commemoration of the adoption of our national emblem by the Continental Congress on that day in 1777; and

WHEREAS it is fitting that we should observe the day by solemn rededication to those high principles of integrity which constitute the very foundations of our Republic; and

WHEREAS it is also fitting that we should remember that the Stars and Stripes symbolize our freedom, which we deeply cherish; our strength, which stems from the blessings that Providence has showered upon us; and our unity, which is the bulwark of the Nation; and

WHEREAS the Congress, by a joint resolution approved August 3, 1949 (63 Stat. 492), formally designated June 14 of each year as Flag Day and requested the President to issue annually a proclamation calling for a suitable observance of the day:

NOW, THEREFORE, I, DWIGHT D. EISENHOWER, President of the United States of America, do hereby ask that on Flag Day, June 14, 1954, the people of the Nation honor our colors by displaying them at their homes or other suitable places and by giving prayerful consideration to their duties as well as their privileges as citizens under this glorious banner. I also direct the appropriate officials of the Government to arrange for the display of the flag on all Government buildings on that day.

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

DONE at the City of Washington this third day of June in the year of our Lord nineteen hundred and fifty-four, and of the Independence of the United States of America the one hundred and seventy-eighth.

[SEAL]

DWIGHT D. EISENHOWER

By the President:

JOHN FOSTER DULLES,
Secretary of State.

[F. R. Doc. 54-4392; Filed, June 4, 1954; 4:59 p. m.]

TITLE 7—AGRICULTURE

Chapter I—Agricultural Marketing Service (Standards, Inspections, Marketing Practices), Department of Agriculture

PART 23—UNITED STATES STANDARDS FOR DRY WHEY [1]

On April 17, 1954, notice was published in the FEDERAL REGISTER (F. R. Doc. 54-2913; 19 F. R. 2232-2233) regarding proposed United States Standards for Dry Whey.

After consideration of all relevant matters presented, including the proposals in the aforesaid notice and a request of the cheese industry that a scorched particle requirement for dry whey be included, the following United States Standards for Dry Whey are hereby promulgated pursuant to the authority contained in the Agricultural Marketing Act, 1946 (60 Stat. 1087; 7 U. S. C. 1621 et seq.).

The promulgation of these standards will provide the Department with official standards for this product and will make available official standards for general use by the dairy industry.

The standards are as follows:

DEFINITION

Sec.
23.1 Dry whey.

[1] Compliance with these standards does not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act.

(Continued on next page)

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THE PRESIDENT

EXECUTIVE AGENCIES

FEDERAL REGISTER

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

U. S. GRADE

Sec.
23.2 Nomenclature of the U. S. grade.
23.3 Basis for determination of U. S. grade.
23.4 U. S. Grade.

TEST METHODS

23.5 Test methods.

AUTHORITY: §§ 23.1 to 23.5 issued under 60 Stat. 1090; 7 U. S. C. 1624.

DEFINITION

§ 23.1 *Dry whey.* "Dry whey" is the product resulting by spray drying sweet, fresh cheese whey which has been pasteurized either before or during the process of manufacture at a temperature of 143° F. for 30 minutes or its equivalent in bacterial destruction and to which no alkali or other chemical has been added.

U. S. GRADE

§ 23.2 *Nomenclature of the U. S. grade*—(a) *Nomenclature.* The nomenclature of the U. S. grade is U. S. Extra.

§ 23.3 *Basis for determination of U. S. grade.* The U. S. grade of dry whey is determined under this part on the basis of alkalinity of ash, flavor and odor, physical appearance, bacterial estimate, butterfat content, moisture content, scorched particle content, solubility index and titratable acidity.

§ 23.4 *U. S. Grade*—(a) *U. S. Extra.* U. S. Extra grade dry whey conforms to the following requirements:

(1) Flavor and odor (applies equally to the reliquefied form): Free from non-whey flavors and odors.

(2) Physical appearance: Has a uniform light color; free from lumps that do not break up under moderate pressure; and practically free from brown and black scorched particles.

(3) Alkalinity of ash: Not more than 225 ml. 0.1 *N* HCl per 100 grams.
(4) Bacterial estimate: Not more than 50,000 per gram.
(5) Butterfat content: Not more than 1.25 percent.
(6) Moisture content: Not more than 5.00 percent.
(7) Scorched particle content: Not more than 15.0 mg.
(8) Solubility index: Not more than 1.25 ml.
(9) Titratable acidity: Not more than 0.16 percent.

TEST METHODS

§ 23.5 *Test methods.* (a) (1) The test methods contained in Methods of Laboratory Analyses for Dry Whole Milk and Nonfat Dry Milk Solids, United States Department of Agriculture, May 1951 (Mimeo.), obtained from Dairy Division, Agricultural Marketing Service, are used to determine bacterial estimate, butterfat content, moisture content, scorched particle content, solubility index, and titratable acidity. Where applicable, the reconstituted basis shall be 6.5 g. dry whey to 100 ml. water.

(2) If in the determination of the scorched particle content of the spray process dry whey the sample is difficult to filter, the procedure outlined in the aforesaid publication for roller process nonfat dry milk solids shall be used on a 25 gram sample of the dry whey.

(b) The test method for dry skim milk contained in paragraph 15.97, page 251, of the publication "Official Methods of Analysis fo the Association of Official Agricultural Chemists" 7th Edition, 1950, published by the Association of Official Agricultural Chemists, Post Office Box 540, Benjamin Franklin Station, Washington 4, D. C., is used to determine the alkalinity of ash.

Done at Washington, D. C., this 2d day of June 1954, to become effective 30 days after publication in the FEDERAL REGISTER.

[SEAL] ROY W. LENNARTSON,
Deputy Administrator,
Agricultural Marketing Service.

[F. R. Doc. 54-4362; Filed, June 7, 1954; 8:51 a. m.]

Chapter IX—Agricultural Marketing Service (Marketing Agreements and Orders), Department of Agriculture

PART 913—MILK IN THE GREATER KANSAS CITY MARKETING AREA

ORDER SUSPENDING CERTAIN PROVISION

Pursuant to the applicable provisions of 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. 1940 ed. 601 et seq.), hereinafter referred to as the "act," and of the order, as amended, regulating the handling of milk in the Greater Kansas City marketing area, hereinafter referred to as the "order" it is hereby found and determined that the provisions of § 913.71 (c) of the order do not tend to effectuate the declared policy of the act with respect to all milk subject to the provisions of the order for the delivery period of June 1954.

It is hereby found and determined that notice of proposed rule making and public procedure thereon in connection with the issuance hereof is impracticable, unnecessary and contrary to the public interest, in that the (1) information upon which this action is based did not become available in sufficient time for such compliance; (2) the issuance of this suspension order effective as set forth below is necessary to reflect current marketing conditions and to facilitate, promote and maintain the orderly marketing of milk produced for the said marketing area; and (3) this action will affect only seasonality of returns to producers and will in no way affect the obligations of handlers subject to the order. The changes caused by this suspension order do not require of persons affected any preparation prior to its effective date.

It is therefore ordered, That the following provision of the order be and it is hereby suspended with respect to all milk subject to the provisions of the order for the delivery period of June 1954: § 913.71 (c) in its entirety.

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

Done at Washington, D. C., this 2d day of June 1954 to be effective upon date of publication in the FEDERAL REGISTER.

[SEAL] JOHN H. DAVIS,
Assistant Secretary.

[F. R. Doc. 54-4334; Filed, June 7, 1954; 8:46 a. m.]

[Elberta Peach Order 1]

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

REGULATION BY GRADE AND SIZES

§ 936.475 *Elberta Peach Order 1*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 36, as amended (7 CFR Part 936; 18 F. R. 712), regulating the handling of fresh Bartlett pears, plums, and Elberta peaches grown in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the Elberta Peach Commodity 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 Elberta peaches, 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.) in that, as hereinafter set forth, 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 June 10, 1954. A reasonable determination as to the supply of, and the demand for, such peaches must await the development of the crop and adequate information thereon was not available to the Elberta Peach Commodity Committee until May 21, 1954; recommendation as to the need for, and the extent of, regulation of shipments of such peaches was made at the meeting of said committee on May 21, 1954, after consideration of all available information relative to the supply and demand conditions for such peaches, at which time the recommendation and supporting information was submitted to the Department; necessary supplemental data for consideration in connection with the specification of the provisions of this section were not available until June 1, 1954; shipments of the current crop of such peaches are expected to begin on or about June 15, 1954, and this section should be applicable to all shipments of such peaches in order to effectuate the declared policy of the act; and compliance with the provisions of this section will not require of handlers any preparation therefor 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., June 10, 1954, and ending at 12:01 a. m., P. s. t., November 1, 1954, no shipper shall ship:

(i) Any package or container of Elberta peaches containing peaches which are not well matured (as such term is defined in subparagraph (2) of this paragraph), with a tolerance of five (5) percent, by count, for peaches which are mature but not well matured in addition to any tolerance for immature peaches allowed by the U. S. No. 1 grade;

(ii) Any package or container of Elberta peaches containing peaches which are smaller than a size that will pack 72 peaches of the size known commercially as size 70 in a No. 12B California peach box in accordance with the requirements prescribed for a standard pack: *Provided*, That, for the purpose of determining whether ripe Elberta peaches meet the aforesaid minimum size requirement, such peaches shall be fairly tightly packed rather than tightly packed, as prescribed for a standard pack; and the aforesaid size known commercially as size 70 is defined more specifically in subparagraph (3) of this paragraph; or

(iii) Any package or container of Elberta peaches containing peaches which do not meet the requirements of the U. S. No. 1 grade: *Provided*, That (*a*) with respect to ripe Elberta peaches which are not smaller than size 70, as aforesaid, the requirements of such grade shall not include freedom from damage, other than serious damage, caused by bruises; and (*b*) with respect to Elberta peaches

which are not smaller than the size known commercially as size 55, a tolerance of 5 percent for defects not causing serious damage shall be allowed in addition to the tolerances provided for such grade; and the aforesaid size known commercially as size 55 is defined more specifically in subparagraph (4) of this paragraph.

(2) "Peaches which are well matured" means peaches which, at the time of picking: (i) Are not hard; (ii) have shoulders and sutures well filled out; (iii) when ring cut, have flesh that separates from the pit readily and cleanly, and is red colored next to the pit; and (iv) have skin and flesh yellowish green to yellow in color. "Peaches which are not hard" yield to moderate pressure at least slightly at the suture and tip and at least very slightly elsewhere.

(3) As used in this section, the size of Elberta peaches known commercially as size 70 is defined more specifically as being the size that will pack the aforesaid California peach box in accordance with the aforesaid standard pack specifications with two tiers having six rows of six peaches each with not more than 10 percent, by count, of such peaches small enough to pass through, without using pressure, a rigid ring of inside diameter of 2⅜ inches.

(4) As used in this section, the size of Elberta peaches known commercially as size 55 is defined more specifically as being the size that will pack the aforesaid California peach box in accordance with the aforesaid standard pack specifications with two tiers, one tier having two rows of five peaches each and three rows of six peaches each and the other tier having two rows of six peaches each and three rows of five peaches each with not more than 10 percent, by count, of such peaches small enough to pass through, without using pressure, a rigid ring of inside diameter of 2¾ inches.

(5) Section 936.143 of the rules and regulations, as amended (7 CFR 936.100 et seq.; 18 F. R. 712, 2839) sets forth the requirements with respect to the inspection and certification of shipments of Elberta peaches. Such section also prescribes the conditions which must be met if any shipment is to be made without prior inspection and certification. Notwithstanding that shipments may be made without inspection and certification, each shipper shall comply with all grade and size regulations applicable to the respective shipment.

(6) Terms used in the amended marketing agreement and order shall, when used in this section, have the same meaning as given to the respective term in said amended marketing agreement and order; the terms "bruises," "defects," "damage," "serious damage," "standard pack," "tightly packed," "fairly tightly packed" shall have the same meaning as when used in the United States Standards for peaches (§§ 51.1210 to 51.1223 of this title); the term "No. 12B California peach box" shall have the same meaning as set forth in section 828.25 of the Agricultural Code of California.

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

Dated: June 3, 1954.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F. R. Doc. 54-4361; Filed, June 7, 1954; 8:51 a. m.]

PART 980—MILK IN THE TOPEKA, KANSAS, MARKETING AREA

ORDER SUSPENDING A CERTAIN PROVISION

Pursuant to the applicable provisions of 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. 1940 ed. 601 et seq.), hereinafter referred to as the "act", and of the order, as amended, regulating the handling of milk in the Topeka, Kansas, marketing area, hereinafter referred to as the "order" it is hereby found and determined that the provisions of § 980.71 (b) of the order do not tend to effectuate the declared policy of the act with respect to all milk subject to the provisions of the order for the delivery period of June 1954.

It is hereby found and determined that notice of proposed rule making and public procedure thereon in connection with the issuance hereof is impracticable, unnecessary and contrary to the public interest, in that the (1) information upon which this action is based did not become available in sufficient time for such compliance; (2) the issuance of this suspension order effective as set forth below is necessary to reflect current marketing conditions and to facilitate, promote and maintain the orderly marketing of milk produced for the marketing area; and (3) this action will affect only seasonality of returns to producers and will in no way affect the obligations of handlers subject to the order. The changes caused by this suspension order do not require of persons affected any preparation prior to its effective date.

It is therefore ordered, That the following provision of the order be and it is hereby suspended with respect to all milk subject to the provisions of the order for the delivery period of June 1954: § 980.70 (b) in its entirety.

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

Done at Washington, D. C., this 2d day of June 1954 to be effective upon date of publication in the FEDERAL REGISTER.

[SEAL] JOHN H. DAVIS,
Assistant Secretary.

[F. R. Doc. 54-4333; Filed, June 7, 1954; 8:46 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Amdt. 40-7, Civil Air Regulations]

PART 40—SCHEDULED INTERSTATE AIR CARRIER CERTIFICATION AND OPERATION RULES

AUTHORITY OF ADMINISTRATOR TO WAIVE CERTAIN PROVING TEST REQUIREMENTS FOR AIR CARRIERS

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 1st day of June 1954.

Section 40.63 (b) of revised Part 40 states that an air carrier using a type of airplane not previously used by it but previously proved in other operations shall test the airplane for at least 50 hours of which 25 hours shall be over authorized routes. The purpose of this requirement is to insure that an air carrier using a type of airplane not previously used by it or a type which has been greatly modified would acquire experience in the handling of the airplane prior to its use in passenger operation. It is also intended that by requiring a certain number of hours of proving tests to be conducted over authorized routes, personnel along the routes would become accustomed to the handling and servicing of the airplane on the ground.

Prior to using new type airplanes in scheduled passenger operation, air carriers generally conduct a fairly extensive training and familiarization program in the airplane. While the program may accomplish the purpose of familiarizing all personnel involved in the operation and handling of the new airplane, it may not comply with the proving test requirements set forth above. For example, while a new type airplane may have been proved for more than 50 hours and all personnel involved in its operation received adequate training in its handling, these proving tests may not have been conducted over authorized routes. In the past there have been several instances in which an air carrier has conducted rather extensive proving tests prior to using a new type airplane in scheduled passenger operation but under a specific waiver of the Board has not conducted 25 hours of these tests over authorized routes. In such cases it was not felt that the specific hourly requirements of § 40.63 (b) needed to be enforced since the purpose of the requirements would have been fulfilled. Since proving tests of airplanes not previously used are conducted under the surveillance of the Civil Aeronautics Administration, it is felt that the Administrator should be permitted to waive the provisions of § 40.63 (b) in those cases where the purposes of these provisions have been accomplished by the training and indoctrination program conducted by the air carrier.

Interested persons have been afforded an opportunity to participate in the making of this amendment, and due consideration has been given to all relevant

matter presented. Since this amendment imposes no additional burden on any person, it may be made effective on less than thirty days' notice.

In consideration of the foregoing, the Civil Aeronautics Board hereby amends Part 40 (14 CFR Part 40, as amended) of the Civil Air Regulations, effective immediately:

By amending the first sentence of § 40.63 (b) to read "A type of airplane which has been previously proved shall be tested for at least 50 hours, of which at least 25 hours shall be flown over authorized routes, unless deviations are specifically authorized by the Administrator on the ground that the special circumstances of a particular case make a literal observance of the requirements of this paragraph unnecessary for safety, when the airplane:"

(Sec. 205; 52 Stat. 984; 49 U. S. C. 425. Interprets or applies secs. 601, 604; 52 Stat. 1007, 1010, as amended; 49 U. S. C. 551, 554)

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN, *Secretary.*

[F. R. Doc. 54-4356; Filed, June 7, 1954; 8:50 a. m.]

[Amdt. 41-14, Civil Air Regulations]

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

AUTHORITY OF ADMINISTRATOR TO WAIVE CERTAIN PROVING TEST REQUIREMENTS FOR AIR CARRIERS

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 1st day of June 1954.

Section 41.129 (b) states that an air carrier using an aircraft previously proved on which major changes have been made, or using an aircraft on a substantially different operation, shall test the aircraft for at least 50 hours of which 25 hours shall be over authorized routes. The purpose of this requirement is to insure that an air carrier using a type of aircraft which has been greatly modified would acquire experience in the handling of the aircraft prior to its use in passenger operation. It is also intended that by requiring a certain number of hours of proving tests to be conducted over authorized routes, personnel along the routes would become accustomed to the handling and servicing of the aircraft on the ground.

Prior to using such aircraft in scheduled passenger operation, air carriers generally conduct a fairly extensive training and familiarization program in the aircraft. While the program may accomplish the purpose of familiarizing all personnel involved in the operation and handling of the aircraft, it may not comply with the proving test requirements set forth above. For example, while such an aircraft may have been proved for more than 50 hours and all personnel involved in its operation received adequate training in its handling, these proving tests may not have been conducted over authorized routes. In the past there have been several instances in which an air carrier has conducted rather extensive proving tests prior to using such aircraft in scheduled passenger operation but under a specific waiver of the Board has not conducted 25 hours of these tests over authorized routes. In such cases it was not felt that the specific hourly requirements of § 41.129 (b) needed to be enforced since the purpose of the requirements would have been fulfilled. Since proving tests of aircraft on which major changes have been made, or of the same aircraft on a substantially different operation, are conducted under the surveillance of the Civil Aeronautics Administration, it is felt that the Administrator should be permitted to waive the provisions of § 41.129 (b) in those cases where the purposes of these provisions have been accomplished by the training and indoctrination program conducted by the air carrier.

Interested persons have been afforded an opportunity to participate in the making of this amendment, and due consideration has been given to all relevant matter presented. Since this amendment imposes no additional burden on any person, it may be made effective on less than thirty days' notice.

In consideration of the foregoing, the Civil Aeronautics Board hereby amends Part 41 (14 CFR Part 41, as amended) of the Civil Air Regulations, effective immediately:

By amending § 41.129 (b) to read as follows:

§ 41.129 *Aircraft proving tests.* * * *

(b) In a case of major changes on aircraft previously proved, or the use of the same aircraft on a substantially different operation, 50 hours of tests similar to those outlined in paragraph (a) of this section shall be required, of which at least 25 hours shall be flown over authorized routes, unless deviations are specifically authorized by the Administrator on the ground that the special circumstances of a particular case make a literal observance of the requirements of this paragraph unnecessary for safety.

(Sec. 205; 52 Stat. 984; 49 U. S. C. 425. Interprets or applies secs. 601, 604; 52 Stat. 1007, 1010, as amended; 49 U. S. C. 551, 554)

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN, *Secretary.*

[F. R. Doc. 54-4357; Filed, June 7, 1954; 8:50 a. m.]

Chapter II—Civil Aeronautics Administration, Department of Commerce

PART 406—CERTIFICATION PROCEDURES

PART 418—AVIATION SAFETY REPRESENTATIVES

Under section 310 of the Civil Aeronautics Act, as amended, (64 Stat. 1079; 49 U. S. C. 460) the Administrator is authorized to delegate certain power and duties under Title VI of that act to properly qualify private persons not employed by the Civil Aeronautics Administration. The rules prescribing the types of delegations made by the Administrator and the privileges of such delegations have been specified heretofore in the certification procedures of Part 406 (14 CFR 406), which also contains the certification procedures applicable to airman certificates. Since the delegations to private persons do not constitute the issuance of airman certificates, the rules applicable to such delegations have been separated from the airman certification procedures of Part 406 and placed in a new part. Additional types of delegations which have been issued by the Administrator, are also included in this part.

This amendment imposes no additional burden on any person and, therefore, it may be made effective without prior notice.

In consideration of the foregoing, § 406.18 (14 CFR 406.18) is hereby deleted and the following new part adopted to read as follows:

SUBPART A—INTRODUCTION

SUBPART B—CERTIFICATION

SUBPART C—TYPES OF DESIGNATIONS AND PRIVILEGES

AUTHORITY: §§ 418.1 to 418.25 issued under sec. 310, 64 Stat. 1079; 49 U. S. C. 460.

SUBPART A—INTRODUCTION

§ 418.1 *Basis and purpose.* This part prescribes the requirements under section 310 of the act for the issuance of designations to private persons to act in the capacity of CAA Aviation Safety Representatives in the examination, inspection, and testing necessary for the issuance of airman and aircraft certificates by the Administrator. It also delineates the privileges of such persons and establishes basic rules for the exercise of such privileges.

§ 418.2 *Definitions of terms.* As used in this part:

(a) "Act" shall mean Civil Aeronautics Act of 1938, as amended.

(b) "Administrator" shall mean Administrator of Civil Aeronautics or his authorized representative.

(c) "Agent" shall mean Aviation Safety Agent or Advisor.

(d) "ASDO" shall mean Aviation Safety District Office.

(e) "Board" shall mean Civil Aeronautics Board.

(f) "CAA" shall mean Civil Aeronautics Administration.

(g) "District" shall mean Aviation Safety District over which the local Aviation Safety District Office has jurisdiction.

(h) "Local Aviation Safety Agent" shall mean the agent who has been assigned by the CAA to supervise the person to whom any powers or duties are delegated under this part.

§ 418.3 *Use of forms, etc.* Forms and other documents prescribed in this part which contain references to specific units of organization will not be affected by any changes in the titles of the units. Such forms and documents will continue in use until they have been superseded or revoked.

SUBPART B—CERTIFICATION

§ 418.10 *Selection.*[1] Except for Medical Examiners, Engineering Representatives, and Manufacturing Inspection Representatives, Aviation Safety Designated Representatives are selected by the local Aviation Safety Agent upon a determination by such agent that the need for such designation exists. Medical Examiners are selected by the Chief, Medical Division, CAA, from qualified persons who have submitted application, Form ACA–861. Designated Engineering Representatives and Designated Manufacturing Inspection Representatives are selected by the Chief, Aircraft Engineering Division or his authorized representatives from those qualified persons whose requests for appointment have been initiated by letter accompanied by a Statement of Qualifications, Form ACA–1599.

§ 418.11 *Certificates.* An official "Certificate of Authority," Form ACA–1382, specifying the type or types of designations for which a designee is qualified, is issued for all designations except that, an "Authorized Medical Examiner and Letter of Designation," Form ACA–1668, is issued to Medical Examiners. In addition, all designees are issued a "Designated Aviation Safety Representative Certificate," Form ACA–2001, for display purposes, designating the holder as an Aviation Safety Representative and specifying the particular type of designations for which he is qualified.

§ 418.12 *Duration.* (a) Unless otherwise terminated under the provisions of paragraph (b) of this section a designation as a CAA Aviation Safety Representative shall be effective for one year from the date of issuance. Thereafter it may be renewed for additional periods of one year at the discretion of the Administrator.[2]

(b) A designation shall terminate: (1) At the written request of the designee; (2) at the written request of the employer when the recommendation of such employer is required for issuance of the designation; (3) upon the separation of the designee from the employment of the employer who recommended him for the designation; (4) upon a finding by the Administrator or his authorized representative that the designee has not properly exercised or performed the privileges of such designation; (5) when the assistance of such designee is no longer required by the Administrator; or (6) for any other reason which the Administrator deems appropriate.

§ 418.13 *Reports.* A designee shall submit such reports[3] as are prescribed by the Administrator or his authorized representative.

SUBPART C—TYPES OF DESIGNATIONS AND PRIVILEGES

§ 418.20 *Medical examiners.* (a) A person designated as a medical examiner may accept applications for, and conduct under the general supervision of the Chief, Medical Division, CAA, physical examinations required for the issuance of medical certificates prescribed by the Civil Air Regulations. Such examiners may also issue medical certificates to qualified applicants.

§ 418.21 *Pilot examiners*—(a) *Types.* The types of pilot examiner designations issued by the CAA are: Private Pilot Examiner, Commercial Pilot Examiner, Instrument Rating Examiner, and Airline Transport Pilot Examiner.

(b) *Privileges.* A person designated as a pilot examiner may accept applications for, and conduct under the general supervision of the local Aviation Safety Agent, flight examinations and tests required for the issuance of pilot certificates and ratings prescribed by the Civil Air Regulations. Such examiner may also, at the discretion of the local agent, issue temporary pilot certificates and ratings to qualified applicants.

§ 418.22 *Technical personnel examiners*—(a) *Types.* The types of technical personnel examiner designations issued by CAA are: Mechanic Examiner (Airframe and Powerplant), Parachute Rigger Examiners, Air Traffic Control Tower Operator Examiners, Air Crew Examiners (Flight Radio Operator, Flight Navigator, Flight Engineer), and Aircraft Dispatcher Examiners.

(b) *Privileges*—(1) *Designated mechanic examiners (DME).* A person authorized to act as a DME may accept applications for and conduct mechanic oral and practical examinations required for the issuance of mechanic certificates prescribed by the Civil Air Regulations. Such Examiner may also, at the discretion of the local agent, issue temporary mechanic certificates to qualified applicants.

(2) *Designated parachute rigger examiners (DPRE).* A person authorized to act in the capacity of a DPRE may accept applications for and conduct parachute rigger oral and practical examinations required for the issuance of a parachute rigger certificate prescribed by the Civil Air Regulations. Such examiner may also, at the discretion of the local Aviation Safety Agent, issue temporary parachute rigger certificates to qualified applicants.

(3) *Air traffic control tower operator examiners.* A person designated as an air traffic control tower operator examiner may accept for, and conduct the practical examination applicants for a control tower operator's certificate. Such examiner may also, at the discretion of the local Aviation Safety Agent, process the necessary airman record forms for the issuance of the certificate, but is not authorized to issue the certificate.

(4) *Air crew examiners.* A person designated as an air crew examiner with a specialty of flight radio operator, flight navigator, or flight engineer may accept applications for, and conduct under the general supervision of the local Aviation Safety Agent, examinations and tests required for the issuance of a flight radio operator, flight navigator, or flight engineer certificate, respectively.

(5) *Aircraft dispatcher.* A person designated as an aircraft dispatcher examiner may accept applications for, and conduct under the general supervision of the local Aviation Safety Agent, examinations and tests required for the issuance of an aircraft dispatcher certificate.

§ 418.23 *Designated airworthiness inspection representatives*—(a) *Types.* The types of airworthiness inspection representative designations issued by the CAA are: Aircraft Maintenance Inspector, Air Carrier Maintenance Inspector, and Designated Maintenance Representative.

(b) *Privileges*—(1) *Designated aircraft maintenance inspector (DAMI).* A person authorized to act as a DAMI may accept applications for annual inspections, airworthiness certificates or other special flight permits except export ferry permits and, under the general supervision of the local Aviation Safety Agent, issue such certificates and permits. He may also at the discretion of the local agent, approve major repairs and alterations and conduct such special airworthiness inspections as may be authorized.

(2) *Designated air carrier maintenance inspector (DACMI).* A person authorized to act as a DACMI may accept applications for airworthiness certificates or other special flight permits except export ferry permits and, under the general supervision of the local Aviation Safety Agent, issue such certificates and permits. He may also, at the discretion of the local agent, approve major repairs and alterations and conduct such special airworthiness inspections as may be authorized by such agent.

(3) *Designated maintenance representative (DMR).* A person authorized to act in the capacity of a DMR is limited to the functions authorized and set forth on the CAA approved Repair Station Operation Specifications, Form ACA–390.1, Page 2, which is displayed in the approved repair station for which he is employed.

§ 418.24 *Designated engineering representatives (DER)*—(a) *Types.* The types of engineering representative designations issued by CAA are: structural engineering, power plant engineering, systems and equipment engineering, radio engineering, engine engineering,

[1] Inquiry may be made to any CAA Regional Office or Aviation Safety District Office for information concerning methods of selecting designees.

[2] The "Certificate of Authority," Form ACA–1382, specifies the expiration date for each designation except Medical Examiners. In the case of Medical Examiners, a red and white seal specifying the year in which the certificate is valid is affixed to the Aviation Safety Representative Certificate, Form ACA–2001.

[3] Reports required by the Administrator are prescribed in detail in instructions issued to each designee upon his designation.

propeller engineering, flight analyst and flight test pilot.

(b) *Privileges*—(1) *Structural engineering representative.* A person designated as a structural engineering representative may approve engineering reports, drawings, and data relating to strength, flutter prevention measures, materials and processes used in structural applications, and other related structural considerations. He may also approve structural engineering reports, drawings, drawing lists and data (except basic load analyses, over-all test programs, and flight test reports) pertaining to new and modified models, provided that these items have been determined to comply with pertinent Civil Air Regulations.

(2) *Power plant engineering representative.* A person designated as a power plant engineering representative may approve engineering reports, drawings, and data relating to power plant installations, including all systems and equipment necessary for the proper operation of the power plant. He may also prepare and recommend for approval that portion of the airplane flight manual relating to his responsibilities. In specific cases, he may approve power plant flight test data.

(3) *Systems and equipment engineering representative.* A person designated as a systems and equipment engineering representative may approve engineering reports, drawings and data relating to phases of aircraft design not covered by structural or power plant representatives detailed in subparagraphs (1) and (2) of this paragraph. This includes but is not limited to the installation, functioning and detail design of all equipment and systems other than those of a structural, power plant or radio nature.

(4) *Radio engineering representative.* A person designated as a radio engineering representative may approve engineering reports, drawings, drawing lists, tests and test data relating to the design and operating characteristics of radio equipment being manufactured and/or relating to the installation thereof, provided these items have been determined to comply with the pertinent Civil Air Regulations; inspect prototype and production units submitted for certification and ascertain that their mechanical construction is in accordance with good practice; approve modifications to equipment by following procedures for original certification; spot check mechanical qualities of a given model which has been certificated during the course of production to ascertain that there has been no deterioration in the construction and operation of the unit from that originally certificated.

(5) *Engine engineering representative.* A person designated as an engine engineering representative may approve engineering reports, drawings and data relating to durability, materials and processes employed in engine design, operation and service.

(6) *Propeller engineering representative.* A person designated as a propeller engineering representative may approve engineering reports, drawings and data relating to durability, serviceability, materials and processes employed in propeller design, operation and maintenance.

(7) *Flight analyst representative.* A person designated as a flight analyst representative may prepare and approve performance flight test reports; verify the completeness of pertinent portions of the type inspection reports, airplane flight manual, etc.; verify the accuracy of the data and that compliance with the pertinent Civil Air Regulations has been demonstrated; ascertain that acceptable methods of calculating airplane performance have been used.

(8) *Flight test pilot representative.* A person designated as a flight test pilot representative may conduct certain flight tests and prepare certain flight test data relating to compliance with the Civil Air Regulations. He may also conduct any performance flight tests deemed necessary for the modification or alteration of a certificated aircraft and conduct flight characteristics tests on all aircraft, except helicopters, up to 6,000 pounds maximum weight.

§ 418.25 *Designated manufacturing inspection representative (DMIR).* A person designated as a DMIR may issue original airworthiness and export certificates for aircraft, engines, propellers, and other type certificated products which are found to conform with approved type design data; conduct station and conformity inspections; and make such additional examinations as may be necessary to ascertain that production articles are airworthy and safe for operation. Such authorization is limited to the manfacturing plant in which the designee is employed.

This amendment shall become effective upon publication in the FEDERAL REGISTER.

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

[F. R. Doc. 54-4330; Filed, June 7, 1954; 8:45 a. m.]

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service, Department of the Interior

Subchapter F—Alaska Commercial Fisheries

PART 118—SOUTHEASTERN ALASKA AREA, WESTERN DISTRICT, SALMON FISHERIES

PART 119—SOUTHEASTERN ALASKA AREA, EASTERN DISTRICT, SALMON FISHERIES

CLOSED WATERS, TENAKEE INLET AND FRESHWATER BAY, EXCEPTION; OPEN SEASON, EXCEPTIONS

Basis and purpose. On the basis of observations and reports of field representatives of the Fish and Wildlife Service, it has been determined that the following changes are necessary to achieve proper escapements in the Taku Inlet-Port Snettisham section, and to resolve the present conflict between §§ 118.11 (b) and 118.17 (dd).

Since immediate action is necessary, notice and public procedure on this amendment are impracticable (60 Stat. 237; 5 U. S. C. 1001 et seq.).

These changes shall become effective immediately upon publication in the FEDERAL REGISTER.

1. Paragraph (a) of § 119.3 is amended by deleting the last sentence of text, including the proviso, and substituting in lieu thereof the following: "During this season the weekly closed period is extended to include the period from 6 o'clock postmeridian Wednesday to 6 o'clock antemeridian Monday."

2. Section 118.11 is amended by deleting all of the text of paragraph (b) except the proviso.

(Sec. 1, 43 Stat. 464, as amended; 48 U. S. C. 221)

Dated: June 4, 1954.

JOHN L. FARLEY,
Director.

[F. R. Doc. 54-4387; Filed, June 4, 1954; 4:16 p. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 30]

TOBACCO STOCKS AND STANDARDS

CLASSIFICATION OF LEAF TOBACCO COVERING CLASSES, TYPES, AND GROUPS OF GRADES

Notice is hereby given that the United States Department of Agriculture is considering an amendment to the regulations applicable to the classification of leaf tobacco covering classes, types and groups of grades (7 CFR Part 30) pursuant to the authority contained in section 2 of the Tobacco Stocks and Standards Act, as amended (45 Stat. 1079; 47 Stat. 662; 49 Stat. 893; 7 U. S. C. 501 et seq.).

It is proposed to eliminate the limitation on the classification of tobacco cured in the same manner as Class 1, flue-cured tobacco, but having a nicotine content of not more than eight-tenths of one per centum (8/10 of 1%), oven dry weight. A three-year period was previously fixed for the classification of this tobacco for purposes of observation and study in order to determine the appropriate classification thereof. It is believed that sufficient data has now been obtained to justify the elimination of the present limitation on the classification. Then, too, the current limitation on the classification of this tobacco

and the uncertainties incident thereto work an unnecessary hardship on those interested in making production plans and expenditures for barns and equipment. It is intended to make the proposed amendment, if adopted, effective immediately upon its issuance.

All persons who desire to submit written data, views, or arguments for consideration in connection with the proposed amendment should file the same, in duplicate, with the Director, Tobacco Division, Agricultural Marketing Service, Washington 25, D. C., not later than the close of business on the tenth day after publication of this notice in the FEDERAL REGISTER. The proposed amendment is as follows:

1. Delete the phrase ", for the 1953, 1954 and 1955 crops of such tobacco only," in paragraph (a) of § 30.42 *Class 7; miscellaneous types of domestic tobacco.*

2. Delete the phrase ", for the 1953, 1954 and 1955 crops only," in paragraph (b) of § 30.42 *Class 7; miscellaneous types of domestic tobacco.*

(Sec. 2, 45 Stat. 1079; Sec. 2, 49 Stat. 894; 7 U. S. C. 502)

Done at Washington, D. C., this 2d day of June 1954.

[SEAL] ROY W. LENNARTSON,
Deputy Administrator,
Agricultural Marketing Service.

[F. R. Doc. 54-4358; Filed, June 7, 1954; 8:51 a. m.]

[7 CFR Part 51]

UNITED STATES STANDARDS FOR ORANGES (TEXAS AND STATES OTHER THAN FLORIDA, CALIFORNIA AND ARIZONA)[1]

NOTICE OF PROPOSED RULE MAKING

Notice is hereby given that the United States Department of Agriculture is considering the revision of United States Standards for Oranges (7 CFR Part 51; 18 F. R. 7093) pursuant to the authority contained in the Agricultural Marketing Act of 1946 (60 Stat. 1087 et seq., 7 U. S. C. 1621 et seq.) and the Department of Agriculture Appropriation Act, 1954 (Pub. Law 156, 83d Cong., approved July 28, 1953).

All persons who desire to submit written data, views or arguments for consideration in connection with the proposed standards should file the same with the 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 30 days after publication hereof in the FEDERAL REGISTER.

The proposed standards are as follows:

GENERAL

Sec.
51.680 General.

GRADES

51.681 U. S. Fancy.
51.682 U. S. No. 1.
51.683 U. S. No. 1 Bright.
51.684 U. S. No. 1 Bronze.
51.685 U. S. Combination.
51.686 U. S. No. 2.
51.687 U. S. No. 3.

UNCLASSIFIED

51.688 Unclassified.

TOLERANCES

51.689 Tolerances.
51.690 U. S. Fancy Grade.
51.691 U. S. No. 1 Grade.
51.692 U. S. No. 1 Bright Grade.
51.693 U. S. No. 1 Bronze Grade.
51.694 U. S. Combination Grade.
51.695 U. S. No. 2 Grade.
51.696 U. S. No. 3 Grade.

APPLICATION OF TOLERANCES

51.697 Application of tolerances.

STANDARD PACK

51.698 Standard pack for oranges except Temple variety.

DEFINITIONS

51.699 Similar varietal characteristics.
51.700 Well colored.
51.701 Firm.
51.702 Well formed.
51.703 Smooth texture.
51.704 Injury.
51.705 Discoloration.
51.706 Fairly smooth texture.
51.707 Damage.
51.708 Fairly well colored.
51.709 Reasonably well colored.
51.710 Fairly firm.
51.711 Slightly misshapen.
51.712 Slightly rough texture.
51.713 Serious damage.
51.714 Misshapen.
51.715 Slightly spongy.
51.716 Very serious damage.
51.717 Diameter.

AUTHORITY: §§ 51.680 to 51.717 issued under sec. 205, 60 Stat. 1090, 7 U. S. C. 1624; Pub. Law 156, 83d Cong.

GENERAL

§ 51.680 *General.* These standards apply only to the common or sweet orange group and varieties belonging to the Mandarin group, except tangerines for which separate U. S. Standards are issued.

GRADES

§ 51.681 *U. S. Fancy.* "U. S. Fancy" consists of oranges of similar varietal characteristics which are well colored, firm, well formed, mature, and of smooth texture; free from ammoniation, bird pecks, bruises, buckskin, creasing, cuts which are not healed, decay, growth cracks, scab, split navels, sprayburn, and undeveloped or sunken segments, and free from injury caused by green spots or oil spots, pitting, rough and excessively wide or protruding navels, scale, scars, thorn scratches, and free from damage caused by dirt or other foreign materials, dryness or mushy condition, sprouting, sunburn, riciness or woodiness of the flesh, disease, insects, or mechanical or other means.

(a) In this grade not more than one-tenth of the surface in the aggregate may be affected with discoloration. (See § 51.690.)

§ 51.682 *U. S. No. 1.* "U. S. No. 1" consists of oranges of similar varietal characteristics which are firm, well formed, mature, and of fairly smooth texture; free from bruises, cuts which are not healed, decay, growth cracks, sprayburn, undeveloped or sunken segments, and free from damage caused by ammoniation, bird pecks, buckskin, creasing, dirt or other foreign materials, dryness or mushy condition, green spots or oil spots, pitting, scab, scale, scars, split or rough or protruding navels, sprouting, sunburn, thorn scratches, riciness or woodiness of the flesh, disease, insects, or mechanical or other means.

(a) Oranges of the early and mid-season varieties shall be fairly well colored.

(b) With respect to Valencia and other late varieties, not less than 50 percent, by count, of the oranges shall be fairly well colored and the remainder reasonably well colored.

(c) In this grade not more than one-third of the surface in the aggregate may be affected with discoloration. (See § 51.691.)

§ 51.683 *U. S. No. 1 Bright.* The requirements for this grade are the same as for U. S. No. 1 except that no fruit may have more than one-tenth of its surface in the aggregate affected with discoloration. (See § 51.692.)

§ 51.684 *U. S. No. 1 Bronze.* The requirements for this grade are the same as for U. S. No. 1 except that more than 10 percent but not more than 75 percent, by count, of the fruit shall have in excess of one-third of the surface in the aggregate affected with discoloration: *Provided,* That when the predominating discoloration on each of 75 percent or more, by count, of the fruit is caused by rust mite, all fruit may have in excess of one-third of the surface affected with discoloration. (See § 51.693.)

§ 51.685 *U. S. Combination.* Any lot of oranges may be designated "U. S. Combination" when not less than 50 percent, by count, of the fruit in each container meets the requirements of U. S. No. 1 grade, and each of the remainder of the oranges meets the requirements of U. S. No. 2 grade, except that the fruit shall meet the following requirements for color:

(a) In this grade the U. S. No. 1 oranges shall be fairly well colored and the U. S. No. 2 oranges shall be reasonably well colored. (See § 51.694.)

§ 51.686 *U. S. No. 2.* "U. S. No. 2" consists of oranges of similar varietal characteristics which are mature, fairly firm, not more than slightly misshapen, not more than slightly rough, which are free from bruises, cuts which are not healed, decay, growth cracks, and free from serious damage caused by ammoniation, bird pecks, buckskin, creasing, dirt or other foreign materials, dryness or mushy condition, green spots or oil spots, pitting, scab, scale, scars, split or rough or protruding navels, sprayburn, sprouting, sunburn, thorn scratches, undeveloped or sunken segments, riciness or woodiness of the flesh, disease, insects, or mechanical or other means.

[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.

(a) Each orange of this grade shall be reasonably well colored.

(b) In this grade not more than one-half of the surface in the aggregate may be affected with discoloration. (See § 51.695.)

§ 51.687 *U. S. No. 3.* "U. S. No. 3" consists of oranges of similar varietal characteristics which are mature; which may be misshapen, slightly spongy, rough but not seriously lumpy for the variety or seriously cracked, which are free from cuts which are not healed and from decay, and free from very serious damage caused by bruises, growth cracks, ammoniation, bird pecks, caked melanose, buckskin, creasing, dryness or mushy condition, pitting, scab, scale, split navels, sprayburn, sprouting, sunburn, thorn punctures, riciness or woodiness of the flesh, disease, insects, or mechanical or other means.

(a) Each fruit may be poorly colored but not more than 25 percent of the surface of each fruit may be of a solid dark green color. (See § 51.696.)

UNCLASSIFIED

§ 51.688 *Unclassified.* "Unclassified" consists of oranges which have not been classified in accordance with any 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

§ 51.689 *Tolerances.* In order to allow for variations incident to proper grading and handling in each of the foregoing grades, the tolerances set forth in §§ 51.690 to 51.696 are provided as specified.

§ 51.690 *U. S. Fancy Grade.* Not more than 10 percent, by count, of the fruits in any lot may be below the requirements of this grade, but not more than one-half of this amount, or 5 percent, shall be allowed for very serious damage, and not more than one-twentieth of the tolerance, or one-half of one percent, shall be allowed for decay at shipping point: *Provided,* That an additional tolerance of 2½ percent, or a total of not more than 3 percent, shall be allowed for decay en route or at destination. None of the foregoing tolerances shall apply to wormy fruit.

§ 51.691 *U. S. No. 1 Grade.* Not more than 10 percent, by count, of the fruits in any lot may be below the requirements of this grade, other than for discoloration, but not more than one-half of this amount, or 5 percent, shall be allowed for very serious damage, and not more than one-twentieth of the tolerance, or one-half of one percent, shall be allowed for decay at shipping point: *Provided,* That an additional tolerance of 2½ percent, or a total of not more than 3 percent, shall be allowed for decay en route or at destination. In addition, not more than 20 percent, by count, of the fruits in any lot may have discoloration in excess of one-third of the fruit surface. None of the foregoing tolerances shall apply to wormy fruit.

§ 51.692 *U. S. No. 1 Bright Grade.* Not more than 10 percent, by count, of the fruits in any lot may be below the requirements of this grade, other than for discoloraton, but not more than one-half of this amount, or 5 percent, shall be allowed for very serious damage, and not more than one-twentieth of the tolerance, or one-half of one percent, shall be allowed for decay at shipping point: *Provided,* That an additional tolerance of 2½ percent, or a total of not more than 3 percent, shall be allowed for decay en route or at destination. In addition, not more than 10 percent, by count, of the fruits in any lot may fail to meet the requirements relating to discoloration. None of the foregoing tolerances shall apply to wormy fruit.

§ 51.693 *U. S. No. 1 Bronze Grade.* Not more than 10 percent, by count, of the fruits in any lot may be below the requirements of this grade, but not more than one-half of this amount, or 5 percent, shall be allowed for very serious damage, and not more than one-twentieth of the tolerance, or one-half of one percent, shall be allowed for decay at shipping point: *Provided,* That an additional tolerance of 2½ percent, or a total of not more than 3 percent, shall be allowed for decay en route or at destination. No part of any tolerance shall be allowed to reduce or to increase the percentage of fruits having in excess of one-third of their surface in the aggregate affected with discoloration which is required in the grade, but individual containers may vary not more than 10 percent from the percentage required: *Provided,* That the entire lot averages within the percentage specified. None of the foregoing tolerances shall apply to wormy fruit.

§ 51.694 *U. S. Combination Grade.* Not more than 10 percent, by count, of the fruits in any lot may be below the requirements of this grade, other than for discoloration, but not more than one-half this amount, or 5 percent, shall be allowed for very serious damage other than that caused by dryness or mushy condition, and not more than one-twentieth of the tolerance, or one-half of one percent, shall be allowed for decay at shipping point: *Provided,* That an additional tolerance of 2½ percent, or a total of not more than 3 percent, shall be allowed for decay en route or at destination. In addition, not more than 10 percent, by count, of the fruits in any lot may have more than the amount of discoloration specified. No part of any tolerance shall be allowed to reduce for the lot as a whole the percentage of U. S. No. 1 required in the combination, but individual containers may have not more than a total of 10 percent less than the percentage of U. S. No. 1 required or specified: *Provided,* That the entire lot averages within the percentage specified. None of the foregoing tolerances shall apply to wormy fruit.

§ 51.695 *U. S. No. 2 Grade.* Not more than 10 percent, by count, of the fruits in any lot may be below the requirements of this grade, other than for discoloration, but not more than one-half of this amount, or 5 percent, shall be allowed for very serious damage other than that caused by dryness or mushy condition, and not more than one-twentieth of the tolerance, or one-half of one percent, shall be allowed for decay at shipping point: *Provided,* That an additional tolerance of 2½ percent, or a total of not more than 3 percent, shall be allowed for decay en route or at destination. In addition, not more than 10 percent, by count, of the fruits in any lot may fail to meet the requirements relating to discoloration. None of the foregoing tolerances shall apply to wormy fruit.

§ 51.696 *U. S. No. 3 Grade.* Not more than 15 percent, by count, of the fruits in any lot may be below the requirements of this grade, but not more than one-third of this amount, or 5 percent, shall be allowed for defects other than dryness or mushy condition, and not more than one-fifth of this amount, or 1 percent, shall be allowed for decay at shipping point: *Provided,* That an additional tolerance of 2 percent, or a total of not more than 3 percent, shall be allowed for decay en route or at destination. None of the foregoing tolerances shall apply to wormy fruit.

APPLICATION OF TOLERANCES

§ 51.697 *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 packages which contain more than 10 pounds, and a tolerance of 10 percent or more is provided, individual packages in any lot shall have not more than one and one-half times the tolerance specified. For packages which contain more than 10 pounds and a tolerance of less than 10 percent is provided, individual packages in any lot shall have not more than double the tolerance specified, except that at least one decayed or very seriously damaged fruit may be permitted in any package.

(2) For packages which contain 10 pounds or less, individual packages in any lot are not restricted as to the percentage of defects: *Provided,* That not more than one orange which is seriously damaged by dryness or mushy condition or very seriously damaged by other means may be permitted in any package, and in addition, en route or at destination, not more than 10 percent of the packages may have more than one decayed fruit.

STANDARD PACK

§ 51.698 *Standard pack for oranges except Temple variety.* (a) Fruit shall be fairly uniform in size, unless specified as uniform in size, and when packed in boxes, shall be arranged according to the approved and recognized methods. Each wrapped fruit shall be fairly well wrapped.

(b) All packages shall be tightly packed and well filled but the contents shall not show excessive or unnecessary bruising because of overfilled packages.

(c) When packed in standard nailed boxes, each container shall show a minimum bulge of 1¼ inches.

(d) "Fairly uniform in size" means that for 1⅗ bushel boxes not more than a total of 10 percent, by count, of the fruits in any container are outside the range of diameters given in the following table for various packs:

TABLE I

[Diameter in inches]

Pack	Minimum	Maximum
96's	3 5/16	3 13/16
125's or 126's	3 1/16	3 9/16
150's	3	3 5/16
175's or 176's	2 15/16	3 1/16
200's	2 13/16	2 15/16
216's	2 9/16	3
252's	2 5/16	2 11/16
288's or 294's	2 1/16	2 5/16
324's	2 1/16	2 5/16

(e) "Uniform in size" means that for 1⅗ bushel boxes not more than 10 percent, by count, of the fruits in any container vary more than the following amounts:

(1) 150 size and smaller—not more than 5/16 inch in diameter; and,

(2) 126 size and larger—not more than 6/16 inch in diameter.

(f) In order to allow for variations, other than sizing, incident to proper packing, not more than 5 percent of the packages in any lot may fail to meet the requirements of standard pack.

DEFINITIONS

§ 51.699 *Similar varietal characteristics.* "Similar varietal characteristics" means that the fruits in any container are similar in color and shape.

§ 51.700 *Well colored.* "Well colored" means that the fruit is yellow or orange in color with practically no trace of green color.

§ 57.701 *Firm.* "Firm" as applied to common oranges, means that the fruit is not soft, or noticably wilted or flabby; as applied to oranges of the Mandarin group (Satsumas, King, Mandarin), means that the fruit is not extremely puffy, although the skin may be slightly loose.

§ 51.702 *Well formed.* "Well formed" means that the fruit has the shape characteristic of the variety.

§ 51.703 *Smooth texture.* "Smooth texture" means that the skin is thin and smooth for the variety and size of the fruit.

§ 51.704 *Injury.* "Injury" means any defect which more than slightly affects the appearance, or the edible or shipping quality of the fruit. 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 injury:

(a) Green spots or oil spots when appreciably affecting the appearance of the individual fruit;

(b) Rough and excessively wide or protruding navels when protruding beyond the general contour of the orange; or when flush with the general contour but with the opening so wide, considering the size of the fruit, and the navel growth so folded and ridged that it detracts noticeably from the appearance of the orange;

(c) Scale when more than a few adjacent to the "button" at the stem end, or when more than 6 scattered on other portions of the fruit;

(d) Scars which are depressed, not smooth, or which detract from the appearance of the fruit to a greater extent than the maximum amount of discoloration allowed in the grade; and,

(e) Thorn scratches when the injury is not slight, not well healed, or more unsightly than discoloration allowed in the grade.

§ 51.705 *Discoloration.* "Discoloration" means russeting of a light shade of golden brown caused by rust mite or other means. Lighter shades of discoloration caused by smooth or fairly smooth, superficial scars or other means may be allowed on a greater area, or darker shades may be allowed on a lesser area, provided no discoloration caused by melanose or other means may affect the appearance of the fruit to a greater extent than the shade and amount of discoloration allowed for the grade.

§ 51.706 *Fairly smooth texture.* "Fairly smooth texture" means that the skin is not materially rough or coarse and that the skin is not thick for the variety.

§ 51.707 *Damage.* "Damage" means any defect which materially affects the appearance, or the edible or shipping quality of the fruit. 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) Ammoniation when not occurring as light speck type similar to melanose;

(b) Creasing when causing the skin to be materially weakened;

(c) Dryness or mushy condition when affecting all segments of common oranges more than one-fourth inch at the stem end, or all segments of varieties of the Mandarin group more than one-eighth inch at the stem end, or more than the equivalent of these respective amounts, by volume, when occurring in other portions of the fruit;

(d) Green spots or oil spots when the aggregate area exceeds the area of a circle seven-eighths inch in diameter on an orange of 200-size. Smaller sizes shall have lesser areas of green spots or oil spots and larger sizes may have greater areas: *Provided,* That the appearance of the orange is not affected to a greater extent than the area permitted on a 200-size orange;

(e) Scab when it cannot be classed as discoloration, or appreciably affects shape or texture;

(f) Scale when the appearance of the fruit is affected to a greater extent than that of a 200-size orange which has a blotch the area of a circle five-eighths inch in diameter;

(g) Scarring which exceeds the following aggregate areas of different types of scars, or a combination of two or more types of scars, the seriousness of which exceeds the maximum allowed for any one type:

(1) Scars when the appearance of the fruit is affected to a greater extent than that of a 200-size orange which has a deep, rough or hard scar aggregating the area of a circle one-fourth inch in diameter;

(2) Scars when the appearance of the fruit is affected to a greater extent than that of a 200-size orange which has a slightly rough scar with slight depth aggregating the area of a circle seven-eighths inch in diameter;

(3) Scars when the appearance of the fruit is affected to a greater extent than that of a 200-size orange which has a smooth or fairly smooth scar with slight depth aggregating the area of a circle 1¼ inches in diameter;

(4) Scars which are smooth or fairly smooth with no depth and affect the appearance of the orange to a greater extent than the amount of discoloration permitted (Smooth or fairly smooth scars with no depth shall be scored against the discoloration tolerance);

(h) Split, rough or protruding navels when there are more than three splits, or when any split is unhealed or more than one-fourth inch in length; or when any navel opening is so wide or navel growth so folded or ridged that it materially affects the appearance of the fruit; or when the navel flares, bulges or protrudes beyond the general contour of the orange to the extent that it is subject to mechanical injury in the process of proper grading, packing and handling;

(i) Sunburn when the area affected exceeds 25 percent of the fruit surface, or when the skin is appreciably flattened, dry, darkened or hard;

(j) Thorn scratches when the injury is not well healed, or concentrated light colored thorn injury which has caused the skin to become hard and the aggregate area exceeds the area of a circle one-fourth inch in diameter, or slight scratches when light colored and concentrated and the aggregate area exceeds the area of a circle 1 inch in diameter, or dark or scattered thorn injury which detracts from the appearance of the fruit to a greater extent than the amounts specified above; and,

(k) Riciness or woodiness when the flesh of the fruit is so ricey or woody that excessive pressure by hand is required to extract the juice.

§ 51.708 *Fairly well colored.* "Fairly well colored" means that except for one inch in the aggregate of green color, the yellow or orange color predominates over the green color on that part of the fruit which is not discolored.

§ 51.709 *Reasonably well colored.* "Reasonably well colored" means that the yellow or orange color predominates over the green color on at least two-thirds of the fruit surface in the aggregate which is not discolored.

§ 51.710 *Fairly firm.* "Fairly firm" as applied to common oranges, means that the fruit may be slightly soft, but not bruised; as applied to oranges of the Mandarin group (Satsumas, King, Mandarin), means that the fruit is not extremely puffy or the skin extremely loose.

§ 51.711 *Slightly misshapen.* "Slightly misshapen" means that the fruit is not of the shape characteristic of the variety but is not appreciably elongated or pointed or otherwise deformed.

§ 51.712 *Slight rough texture.* "Slightly rough texture" means that the skin is not smooth or fairly smooth but is not excessively rough or excessively thick, or materially ridged, grooved or wrinkled.

§ 51.713 *Serious damage.* "Serious damage" means any defect which seriously affects the appearance, or the edible or shipping quality of the fruit. 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 serious damage:

(a) Ammoniation when scars are cracked, or when dark and the aggregate area exceeds the area of a circle three-fourths inch in diameter, or when light colored and the aggregate area exceeds the area of a circle 1¼ inches in diameter;

(b) Buckskin when aggregating more than 25 percent of the fruit surface, or when the fruit texture is seriously affected;

(c) Creasing when so deep or extensive that the skin is seriously weakened;

(d) Dryness or mushy condition when affecting all segments of common oranges more than one-half inch at the stem end, or all segments of varieties of the Mandarin group more than one-fourth inch at the stem end, or more than the equivalent of these respective amounts, by volume, when occurring in other portions of the fruit;

(e) Green spots or oil spots when seriously affecting the appearance of the individual fruit;

(f) Scab when it cannot be classed as discoloration, or when materially affecting shape or texture;

(g) Scale when the appearance of the fruit is affected to a greater extent than that of a 200-size orange which has a blotch the area of a circle seven-eighths inch in diameter;

(h) Scarring which exceeds the following aggregate areas of different types of scars, or a combination of two or more types of scars, the seriousness of which exceeds the maximum allowed for any one type;

(1) Scars when the appearance of the fruit is affected to a greater extent than that of a 200-size orange which has a deep or rough scar aggregating the area of a circle one-half inch in diameter;

(2) Scars when the appearance of the fruit is affected to a greater extent than that of a 200-size orange which has a slightly rough scar with slight depth aggregating the area of a circle 1¼ inches in diameter;

(3) Scars which are slightly rough, smooth or fairly smooth with no depth and affect the appearance of the orange to a greater extent than the amount of discoloration permitted. (Slightly rough, smooth or fairly smooth scars with no depth shall be scored against the discoloration tolerance);

(i) Split, rough or protruding navels when there are more than four splits, or when any split is unhealed or more than one-half inch in length, or when the aggregate lengths of all splits exceed one inch; or when any navel opening is so wide or navel growth so badly folded or ridged that it seriously affects the appearance of the fruit; or when the navel protrudes beyond the general contour of the orange to the extent that it is subject to mechanical injury in the process of proper grading, packing or handling;

(j) Sprayburn which seriously affects the appearance of the fruit, or is hard, or when light brown in color and the aggregate area exceeds the area of a circle 1¼ inches in diameter;

(k) Sunburn which affects more than one-third of the fruit surface, or is hard, or the fruit is decidedly one-sided, or when light brown in color and the aggregate area exceeds the area of a circle 1¼ inches in diameter;

(l) Thorn scratches when the injury is not well healed, or concentrated light colored thorn injury which has caused the skin to become hard and the aggregate area exceeds the area of a circle one-half inch in diameter, or slight scratches, when light colored and concentrated and the aggregate area exceeds the area of a circle 1½ inches in diameter, or dark or scattered thorn injury which detracts from the appearance of the fruit to a greater extent than the amounts specified above;

(m) Undeveloped or sunken segments, in navel oranges, when such segments are so sunken or undeveloped that they are readily noticeable; and,

(n) Riciness or woodiness when the flesh of the fruit is so ricey or woody that excessive pressure by hand is required to extract the juice.

§ 51.714 *Misshapen.* "Misshapen" means that the fruit is decidedly elongated, pointed or flat-sided.

§ 51.715 *Slightly spongy.* "Slightly spongy" means that the fruit is puffy or slightly wilted but not flabby.

§ 51.716 *Very serious damage.* "Very serious damage" means any defect which very seriously affects the appearance, or the edible or shipping quality of the fruit. 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 very serious damage:

(a) Growth cracks that are seriously weakened, gummy or not healed;

(b) Ammoniation when aggregating more than the area of a circle 2 inches in diameter, or which has caused serious cracks;

(c) Bird pecks when not healed;

(d) Caked melanose when more than 25 percent in the aggregate of the surface of the fruit is caked;

(e) Buckskin when rough and aggregating more than 50 percent of the surface of the fruit;

(f) Creasing when so deep or extensive that the skin is very seriously weakened;

(g) Dryness or mushy condition when affecting all segments of common oranges more than one-half inch at the stem end, or all segments of varieties of the Mandarin group more than one-fourth inch at the stem end, or more than the equivalent of these respective amounts, by volume, when occurring in other portions of the fruit;

(h) Scab when aggregating more than 25 percent of the surface of the fruit;

(i) Scale when covering more than 25 percent of the surface of the fruit;

(j) Split navels when not healed or the fruit is seriously weakened;

(k) Sprayburn when seriously affecting more than one-third of the fruit surface;

(l) Sunburn when seriously affecting more than one-third of the fruit surface;

(m) Thorn punctures when not healed or the fruit is seriously weakened; and,

(n) Riciness or woodiness when the flesh of the fruit is so ricey or woody that excessive pressure by hand is required to extract the juice.

§ 51.717 *Diameter.* "Diameter" means the greatest dimension measured at right angles to a line from stem to blossom end of the fruit.

Dated: June 2, 1954.

[SEAL] ROY W. LENNARTSON,
Deputy Administrator,
Marketing Services.

[F. R. Doc. 54-4359; Filed, June 7, 1954; 8:51 a. m.]

DEPARTMENT OF COMMERCE

Civil Aeronautics Administration

[14 CFR 40]

AIR CARRIER OPERATING CERTIFICATION

AIRPLANE PERFORMANCE LIMITATIONS NONTRANSPORT CATEGORY

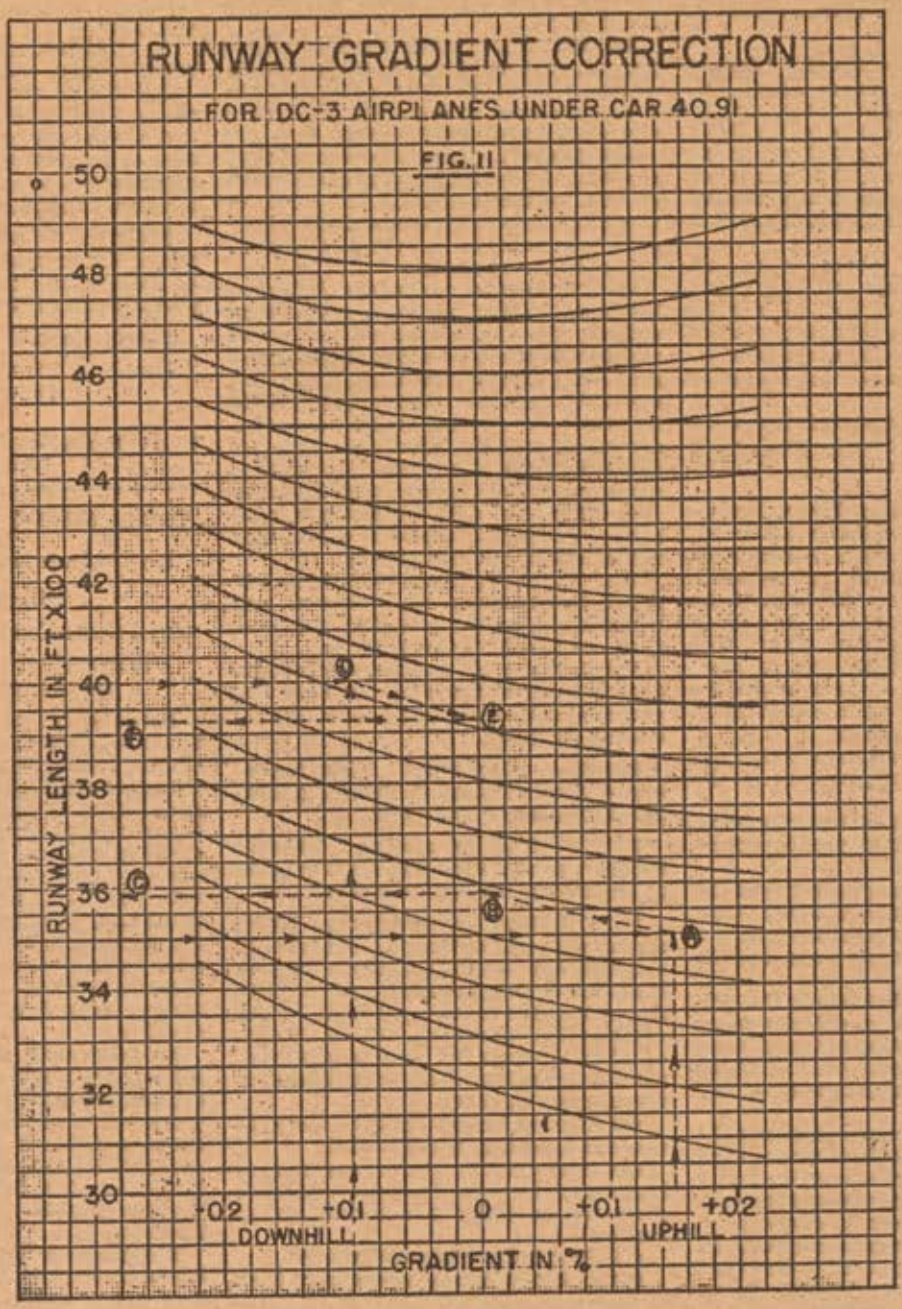
Notice is hereby given that the Administrator contemplates the adoption of the following rules respecting performance data for nontransport category airplanes operated under Part 40. These rules propose a new § 40.94–1 prescribing landing distance performance data at alternate airports under § 40.94 (19 F. R. 1455) as recently adopted by the Board. A change is also proposed in the performance data for takeoff limitations as prescribed in § 40.91–1 (18 F. R. 8679) in order to correct the procedures used in computing the effects of runway gradient.

All interested persons who desire to submit comments and suggestions for consideration in connection with these proposed rules shall send them to the Director, Office of Aviation Safety, Civil Aeronautics Administration, Washington 25, D. C., within 30 days after publication of this notice in the FEDERAL REGISTER.

1. Section 40.91–1 (a) and (b) as published in 18 F. R. 8679 on December 24, 1953, are revised to read as follows:

§ 40.91–1 *Takeoff limitations (CAA rules which apply to § 40.91).* (a) Figures 1, 2, 3, 4, 8, 9 and 10 shall be used in determining takeoff limitations. The weight of de-icing equipment, when installed, must be included in the computations of allowable takeoff weights.

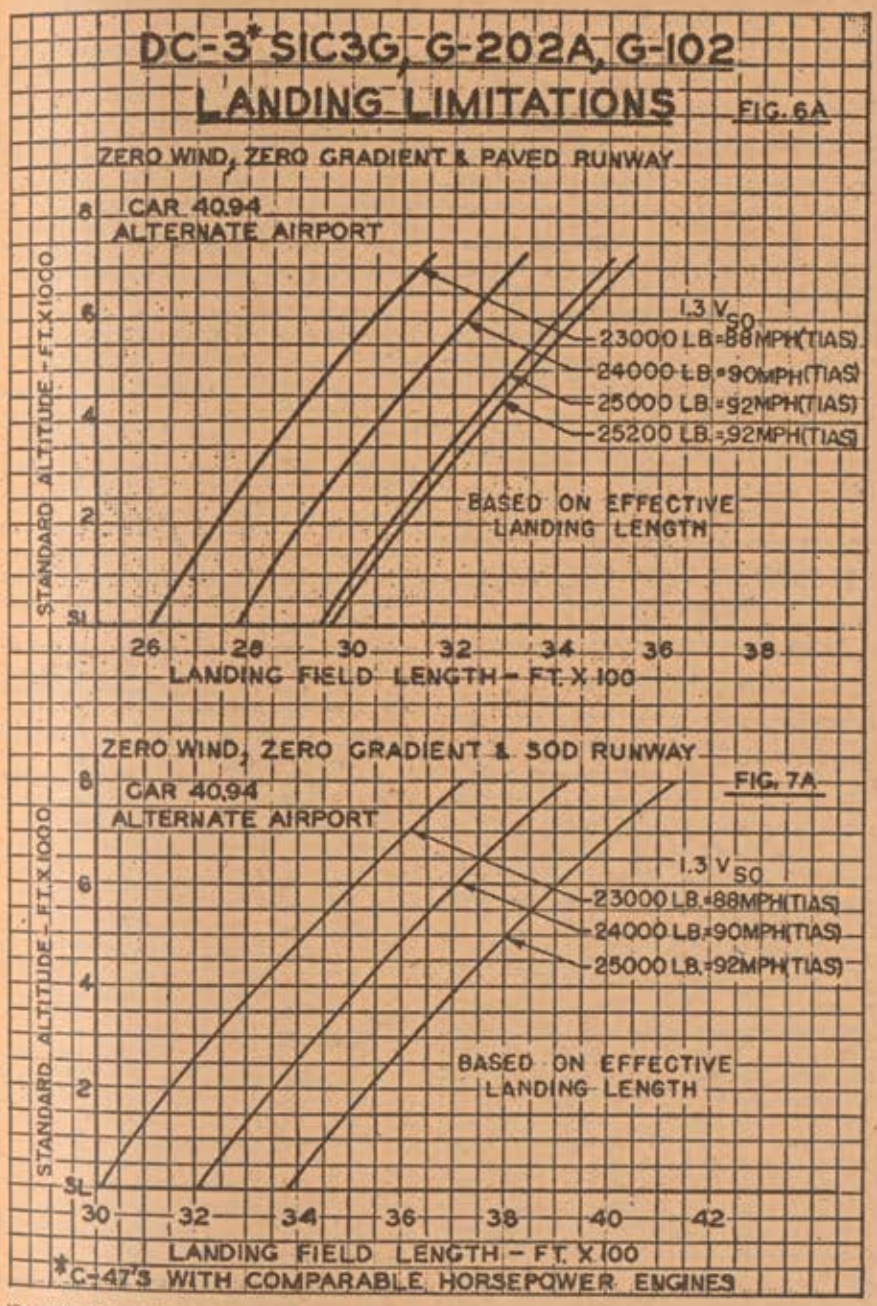
(b) If the gradient of the runway exceeds ½ percent, the effect of the total average gradient shall be accounted for. The effect of gradient shall be calculated as shown in figure 11.


RUNWAY GRADIENT CORRECTION
FOR DC-3 AIRPLANES UNDER CAR 40.91
FIG. 11
RUNWAY LENGTH IN FT X 100
50
48
46
44
42
40
38
36
34
32
30
-0.2
-0.1
0
+0.1
+0.2
DOWNHILL
UPHILL
GRADIENT IN %

2. The following new section is added:

§ 40.94–1 *Landing distance limitations; alternate airports (CAA rules which apply to § 40.94).* (a) Figures 6A, 8, 9 and 10 shall be used in determining landing distance limitations on paved runways.

(b) Figures 7A, 8, 9 and 10 shall be used in determining landing distance limitations on sod runways.



(Secs. 205, 601, 52 Stat. 1007; 49 U. S. C. 425, 551)

[SEAL]

F. B. LEE,
Administrator of Civil Aeronautics.

[F. R. Doc. 54–4320; Filed, June 7, 1954; 8:45 a. m.]

NOTICES

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Order 541, Amdt. 3]

REDELEGATIONS OF AUTHORITIES CONCERNED WITH LANDS AND RESOURCES

AUTHORITY TO REDELEGATE

JUNE 2, 1954.

Sections 1.1 (1), 2.1 (1) and 4.1 (1), respectively, of Order No. 541 are hereby amended by striking from the second line of each of said subsections the words "and publication".

EDWARD WOOZLEY,
Director.

[F. R. Doc. 54–4341; Filed, June 7, 1954; 8:48 a. m.]

GENERAL SERVICES ADMINISTRATION

SECRETARY OF THE INTERIOR

DELEGATION OF AUTHORITY WITH RESPECT TO LEASE OF SPACE AND FACILITIES BY BUREAU OF INDIAN AFFAIRS

1. Pursuant to authority vested in me by the Federal Property and Administrative Services Act of 1949, as amended, I hereby authorize the Secretary of the Interior to procure by lease for terms not in excess of five years, in accordance with section 3 of the act of August 27, 1935, as amended (40 U. S. C. 304c), the necessary space and facilities in the towns and cities of Arizona, Colorado, New Mexico, and Utah surrounding the Navajo reservation in order to enable the Department of the Interior to carry out its responsibilities under the act of April 19, 1950, Public Law 474, 81st Congress, 64 Stat. 44, in connection with the schooling of Navajo children.

2. Any such leases shall be executed by December 31, 1956 and may be amended or renewed from time to time but any single renewal for longer than one year shall require approval of the Administrator of General Services.

3. The Secretary of the Interior may redelegate this authority to any officer or employee of the Department of the Interior.

4. This delegation of authority is effective immediately.

Dated: June 3, 1954.

EDMUND F. MANSURE,
Administrator.

[F. R. Doc. 54–4386; Filed, June 4, 1954; 4:58 p. m.]

FEDERAL POWER COMMISSION

[Docket Nos. G-1277, G-1335, G-1407, G-1411]

TRANSCONTINENTAL GAS PIPE LINE CORP. ET AL.

NOTICE OF ORDER MODIFYING AND AMENDING ORDERS ISSUING CERTIFICATES OF PUBLIC CONVENIENCE AND NECCESSITY

JUNE 2, 1954.

In the matters of Transcontinental Gas Pipe Line Corporation, Docket Nos. G-1277, G-1411; Carolina Natural Gas Corporation, Docket No. G-1335; Public Service Company of North Carolina, Inc., Docket No. G-1407.

Notice is hereby given that on May 28, 1954, the Federal Power Commission issued its order adopted May 26, 1954, modifying and amending orders issuing certificates of public convenience and necessity in the above-entitled matters.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 54-4335; Filed, June 7, 1954; 8:46 a. m.]

[Docket Nos. G-1815, G-2053, G-2277]

COMMONWEALTH NATURAL GAS CORP.

NOTICE OF ORDER ACCEPTING PROPOSED SETTLEMENT AND TERMINATING PROCEEDINGS

JUNE 2, 1954.

Notice is hereby given that on May 28, 1954, the Federal Power Commission issued its order adopted May 26, 1954, accepting proposed settlement and terminating proceedings in the above-entitled matters.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 54-4336; Filed, June 7, 1954; 8:47 a. m.]

[Docket Nos. G-2363, G-2393]

EL PASO NATURAL GAS CO. AND TRUNKLINE GAS CO.

NOTICE OF FINDINGS AND ORDERS

JUNE 2, 1954.

Notice is hereby given that on May 27, 1954, the Federal Power Commission issued its orders adopted May 26, 1954, issuing certificates of public convenience and necessity in the above-entitled matters.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 54-4337; Filed, June 7, 1954; 8:47 a. m.]

[Docket No. ID-1214]

J. M. GASQUE

NOTICE OF ORDER AUTHORIZING APPLICANT TO HOLD CERTAIN POSITIONS

JUNE 2, 1954.

Notice is hereby given that on May 27, 1954, the Federal Power Commission issued its order adopted May 26, 1954, authorizing applicant to hold certain positions pursuant to section 305 (b) of the Federal Power Act in the above-entitled matter.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 54-4338; Filed, June 7, 1954; 8:47 a. m.]

[Docket No. IT-5460]

MONTANA-DAKOTA UTILITIES CO.

NOTICE OF ORDER AUTHORIZING TRANSMISSION OF ELECTRIC ENERGY TO CANADA

JUNE 2, 1954.

Notice is hereby given that on May 28, 1954, the Federal Power Commission issued its order adopted May 26, 1954, authorizing transmission of electric energy to Canada and superseding previous authorization (18 F. R. 89-90) in the above-entitled matter.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 54-4339; Filed, June 7, 1954; 8:47 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File Nos. 54-196, 59-97, 70-2681]

MISSION OIL CO. ET AL.

ORDER RELEASING JURISDICTION OVER FEES AND EXPENSES

JUNE 2, 1954.

In the matter of the Mission Oil Company, Southwestern Development Company, and Subsidiaries, and Sinclair Oil Corporation, File Nos. 54-196, 59-97, In the matter of Albert R. Jones, et al., File No. 70-2681.

The Commission having issued its order dated December 21, 1951 approving a plan filed pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 ("act") by The Mission Oil Company ("Mission"), a registered holding company, and its registered holding company subsidiary, Southwestern Development Company ("Southwestern"), and their subsidiaries, and joined in by Sinclair Oil Corporation ("Sinclair"), providing for the liquidation of Mission, the divestment by Sinclair of all its interest in Southwestern and its subsidiaries, and the merger of and divestment by Southwestern of two of its non-public-utility subsidiary companies, Colorado Interstate Gas Company ("Colorado") and Canadian River Gas Company; and

The Commission in said order having reserved jurisdiction, inter alia, to determine, allow, and allocate the fees and expenses, and other remuneration incurred, or to be incurred, and paid or to be paid in connection with the plan and the transactions incident thereto, and to enter such further orders as are deemed appropriate to secure full compliance with the act; and

The distributions of portfolio securities to be made by Mission, and the distributions and other transactions to be accomplished by Southwestern, having been consummated, and Sinclair having disposed of its interest in Colorado, and the Commission having granted Sinclair an extension of time within which to effectuate the other divestments to be made by it; and

Mission, Southwestern, Sinclair, Colorado, and Albert R. Jones, on behalf of himself, members of his family and certain corporate associates ("Jones"), having filed a joint application requesting approval of the payment and allocation of fees and expenses, aggregating $104,791.94 and $3,152.40, respectively, incurred and paid or to be paid in connection with said plan, the proceedings in respect thereof, and the consummation of the various transactions incident thereto, which fees and expenses applicants propose be allocated as follows:

	Fees	Expenses
Mission	$17,491.94	$907.36
Southwestern	62,880.00	1,824.51
Colorado	10,920.00	364.49
Sinclair	12,500.00	330.94
Jones	1,000.00	25.10
Total	104,791.94	3,152.40

The details of the fees and expenses requested, and the proposed allocation thereof, are as follows:

	Fee requested	Expenses requested
Counsel fees and expenses:		
Root, Ballantine, Harlan, Bushby & Palmer:		
Mission	$11,750.00	$292.38
Southwestern	43,680.00	1,457.96
Colorado	10,920.00	364.49
Sinclair	8,000.00	74.95
Jones	1,000.00	25.10
	75,350.00	2,214.88
Purcell & Nelson:		
Mission	4,000.00	116.92
Southwestern	9,200.00	360.55
Sinclair	4,500.00	255.99
	17,700.00	733.46
Accountant's fees and expenses:		
Arthur Young & Co.:		
Mission	1,741.94	198.66
Southwestern	10,000.00	
	11,741.94	198.66
Total	104,791.94	3,152.40

Due notice having been given of the filing of the joint application, and a hearing not having been requested of or ordered by the Commission; and the Commission having considered said joint application and finding that the foregoing fees and expenses, and the proposed allocation thereof, if not in excess of the amounts set forth above, are not unreasonable, and that an order should be entered approving the payment of said fees and expenses:

It is ordered, That the joint application for allowance of fees and expenses, and the allocation thereof, in the amounts not in excess of those set forth above, be and the same hereby is approved.

It is further ordered, That the jurisdiction reserved over all fees and expenses, and the allocation thereof, set forth in the Commission's order dated December 21, 1951 be, and the same hereby is released.

By the Commission.

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

[F. R. Doc. 54-4331; Filed, June 7, 1954; 8:46 a. m.]

UNITED STATES TARIFF COMMISSION

[List No. 14-7]

LATAMA CUTLERY, INC.

COMPLAINT RECEIVED FOR INVESTIGATION

JUNE 2, 1954.

Complaint as listed below has been filed with the Tariff Commission for investigation under the provisions of section 337 of the Tariff Act of 1930.

Name of article	Purpose of request	Date received	Name and address of complainant
Pocket combination tool.....	Exclusion from entry.....	May 20, 1954	Latama Cutlery, Inc., 256 W. 55th St., New York 19, N. Y.

The complaint listed above is available for public inspection at the office of the Secretary, Tariff Commission Building, Eighth and E Streets NW., Washington, D. C., and also in the New York Office of the Tariff Commission, located in Room 437 of the Custom House, where it may be read and copied by persons interested.

[SEAL] DONN N. BRENT, *Secretary.*

[F. R. Doc. 54-4340; Filed, June 7, 1954; 8:47 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 29310]

DENATURED ALCOHOL AND RELATED ARTICLES FROM ARKANSAS, LOUISIANA, OKLAHOMA AND TEXAS TO VEE, OHIO

APPLICATION FOR RELIEF

JUNE 3, 1954.

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

Filed by: F. C. Kratzmeir, Agent, for carriers parties to schedule listed below.

Commodities involved: Denatured alcohol and related articles, carloads.

From: Points in Arkansas, Louisiana, Oklahoma and Texas.

To: Vee, Ohio.

Grounds for relief: Competition with rail carriers, circuitous routes, market competition, to maintain grouping and additional destination.

Schedules filed containing proposed rates: F. C. Kratzmeir, Agent, I. C. C. No. 4064, supp. 30.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

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

[F. R. Doc. 54-4343; Filed, June 7, 1954; 8:48 a. m.]

[4th Sec. Application 29312]

IRON AND STEEL ARTICLES FROM CENTRALIA AND KANSAS CITY, MO., AND MINNEQUA, COLO., TO SOUTHERN TERRITORY

APPLICATION FOR RELIEF

JUNE 3, 1954.

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

Filed by: W. J. Prueter, Agent, for carriers parties to schedule listed below.

Commodities involved: Iron and steel articles, carloads.

From: Centralia and Kansas City, Mo., and Minnequa, Colo.

To: Points in southern territory.

Grounds for relief: Rail competition, circuity, market competition, and to apply rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: W. J. Prueter, Agent, I. C. C. No. A-3973, supp. 39.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

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

[F. R. Doc. 54-4345; Filed, June 7, 1954; 8:48 a. m.]

[4th Sec. Application 29313]

PROPORTIONAL GRAIN RATES FROM LOUISVILLE, KY., TO MEMPHIS, TENN.

APPLICATION FOR RELIEF

JUNE 3, 1954.

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

Filed by: The Southern Railway Company for itself and on behalf of the Cincinnati, New Orleans & Texas Pacific Railway Company.

Commodities involved: Grain, grain products, and related articles, carloads.

From: Louisville, Ky.

To: Memphis, Tenn.

Grounds for relief: Competition with rail carriers, and circuitous routes.

Schedules filed containing proposed rates: C. A. Spaninger, Agent, I. C. C. No. 1353, supp. 28.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

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

[F. R. Doc. 54-4346; Filed, June 7, 1954; 8:48 a. m.]

[4th Sec. Application 29314]

ASPHALT FILLER FROM CHATSWORTH, GA., TO NEW JERSEY AND MASSACHUSETTS

APPLICATION FOR RELIEF

JUNE 3, 1954.

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

Filed by: R. E. Boyle, Jr., Agent, for carriers parties to schedules listed below.

Commodities involved: Asphalt filler, consisting of pulverized soapstone, talc, tailings, slate and slate dust, carloads.

From: Chatsworth, Ga.

To: Brooksville, Ind., Kearny, Harrison and Seaboard, N. J., and Waltham, Mass.

Grounds for relief: Rail competition, circuity, to apply rates constructed on the basis of the short line distance formula, and additional destinations.

Schedules filed containing proposed rates: C. A. Spaninger, Agent, I. C. C. No. 1351, supp. 77; C. A. Spaninger, Agent, I. C. C. No. 1324, supp. 78.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

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

[F. R. Doc. 54-4347; Filed, June 7, 1954; 8:49 a. m.]

[4th Sec. Application 29316]

PAPER ARTICLES FROM KALAMAZOO, MICH., TO JACKSON AND MERIDIAN, MISS., AND TUSCALOOSA, ALA.

APPLICATION FOR RELIEF

JUNE 3, 1954.

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

Filed by: H. R. Hinsch, Agent, for carriers parties to his tariff I. C. C. No. 4510, pursuant to fourth-section order No. 17220.

Commodities involved: Paper articles, viz.: napkins or tablecloths, papers, printed or imprinted, or not printed or imprinted, carloads.

From: Kalamazoo, Mich.

To: Jackson and Meridian, Miss., and Tuscaloosa, Ala.

Grounds for relief: Competition with rail carriers, and circuitous routes.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

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

[F. R. Doc. 54-4349; Filed, June 7, 1954; 8:49 a. m.]

[4th Sec. Application 29317]

CHIMNEY PARTS FROM BUDA, ILL., TO POINTS IN CENTRAL, TRUNK-LINE AND NEW ENGLAND TERRITORIES

APPLICATION FOR RELIEF

JUNE 3, 1954.

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

Filed by: H. R. Hinsch and W. J. Prueter, Agents, for carriers parties to schedules listed below.

Commodities involved: Chimney parts, made of tile, concrete and cement asbestos, carloads.

From: Buda, Ill.

To: Points in central, trunk-line and New England territories.

Grounds for relief: Rail competition, circuity, and to apply rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: H. R. Hinsch, Agent, I. C. C. No. 4542, supp. 60. W. J. Prueter, Agent, I. C. C. No. A-3723, supp. 89.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

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

[F. R. Doc. 54-4350; Filed, June 7, 1954; 8:49 a. m.]

[4th Sec. Application 29318]

MOTOR-RAIL-MOTOR RATES BETWEEN KANSAS CITY, KANS., AND OKLAHOMA CITY, OKLA.

APPLICATION FOR RELIEF

JUNE 3, 1954.

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

Filed by: Middlewest Motor Freight Bureau, Agent, for the Missouri-Kansas-Texas Railroad Company and motor carriers parties to schedule listed below.

Commodities involved: Highway trailers, loaded or empty, on flat cars.

Between: Kansas City, Kans., and Oklahoma City, Okla.

Grounds for relief: Competition with motor carriers.

Schedules filed containing proposed rates: Middlewest Motor Freight Bureau, Agent, MF-I. C. C. No. 223, supp. 9.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

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

[F. R. Doc. 54-4351; Filed, June 7, 1954; 8:49 a. m.]