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TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

HOUSING AND HOME FINANCE AGENCY

Effective upon publication in the FEDERAL REGISTER, subparagraphs (1) and (2) of § 6.142 (a), subparagraph (1) of § 6.242 (b) are revoked, and subparagraph (13) of § 6.142 (b) is amended as set out below.

§ 6.142 *Housing and Home Finance Agency.* * * *

(b) *Home Loan Bank Board.* * * *

(13) All temporary field positions in the Federal Savings and Loan Insurance Corporation concerned with the work of liquidating the assets of closed insured institutions, or the liquidation of loans or the handling of contributions to insured institutions and the purchase of assets therefrom, and all temporary field positions of the Federal Savings and Loan Insurance Corporation the work of which is concerned with paying the depositors of closed insured institutions.

(R. S. 1753, sec. 2, 22 Stat. 403; 5 U. S. C. 631, 633; E. O. 10440, 3 CFR, 1953 Supp. 18 F. R. 1823)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] WM. C. HULL,
Executive Assistant.

[F. R. Doc. 54-4662; Filed, June 17, 1954; 8:51 a. m.]

TITLE 6—AGRICULTURAL CREDIT

Chapter IV—Commodity Stabilization Service and Commodity Credit Corporation, Department of Agriculture

Subchapter B—Loans, Purchases, and Other Operations

[1954 C. C. C. Cotton Bulletin 1]

PART 427—COTTON

SUBPART—1954 COTTON LOAN PROGRAM

1954 COTTON BULLETIN

This bulletin contains the regulations specifying the instructions and requirements with respect to the 1954 Cotton Loan Program of Commodity Credit Corporation (hereinafter referred to as CCC) formulated by CCC and the Commodity Stabilization Service (hereinafter referred to as CSS). Loans will be made available on upland and extra long staple cotton produced in 1954, in accordance with this bulletin.

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427.531 Schedule of premiums and discounts for upland cotton and loan rates for extra long staple cotton.

AUTHORITY: §§ 427.501 to 427.531 issued under sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. 714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 101, 401, 63 Stat. 1051, 1054; 15 U. S. C. 714c, 7 U. S. C. 1441, 1421.

§ 427.501 *Administration.* Under the general direction and supervision of the Executive Vice President, CCC, the Cotton Division and other appropriate Divisions of CSS will carry out the provisions of this subpart. In the field, the program will be administered through the New Orleans CSS Commodity Office, 120 Marais Street, New Orleans 16, Louisiana (hereinafter referred to as the "New Or-

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CODIFICATION GUIDE

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

leans office"), and Agricultural Stabilization and Conservation (hereinafter referred to as "ASC") State and county committees (hereinafter referred to as State committees and county committees, respectively). Forms will be distributed by the New Orleans office and will be available at county ASC offices (hereinafter referred to as county offices) and at approved lending agencies, approved warehouses, and others designated to participate in the loan program. State and county committees and the New Orleans office do not have authority to modify or waive any of the provisions of this subpart or any amendments or supplements hereto.

§ 427.502 *Availability of loans*—(a) *Loans.* Loans will be available to eligible producers on eligible cotton and will be made available through warehouse, farm-stored, and bill of lading loans.

(b) *Area.* Loans on cotton covered by bills of lading will be available in areas specified by the New Orleans office. Warehouse and farm-stored loans will be available on:

(1) Upland cotton wherever produced in the continental United States.

(2) Extra long staple cotton produced in areas designated in this subparagraph:

(i) American-Egyptian cotton produced in Cochise, Graham, Greenlee, Maricopa, Mohave, Pima, Pinal, Santa Cruz, and Yuma Counties, Arizona; Imperial and Riverside Counties, California; Chaves, Dona Ana, Eddy, Grant, Hidalgo, Lea, Luna, Otero, and Sierra Counties, New Mexico; and Brewster, Culberson, El Paso, Hudspeth, Jeff Davis, Loving, Pecos, Presidio, Reeves, Terrell, and Ward Counties, Texas, at the rates shown in § 427.531.

(ii) Sea Island and Sealand cotton produced in Atkinson, Berrien, Cook, and Lanier Counties, Georgia; and Alachua, Columbia, Hamilton, Jefferson, Lake, Madison, Marion, Orange, Putnam, Seminole, Sumter, Suwannee, Union, and Volusia Counties, Florida; and Sea Island cotton produced from seed planted in 1954 in Puerto Rico at the rates shown in § 427.531.

(c) *Time.* Loans shall be available from the date rates are announced through April 30, 1955. Notes and chattel mortgages covering farm-stored cotton must be signed by the producer and delivered to the county office on or before April 30, 1955. Note and Loan Agreements covering warehouse-stored cotton must be signed by the producer and delivered to the lending agency on or before such date or postmarked not later than April 30, 1955, if tendered for direct loans to the New Orleans office by mail.

(d) *Source.* Loans will be available from approved lending agencies or from the New Orleans office. Disbursements on loans will be made to producers by approved lending agencies under agreements with CCC, or by the New Orleans office. Disbursement of loans by approved lending agencies will be made not later than April 30, 1955, except where specifically approved by the New Orleans office in each instance. The producer shall not present the loan documents for disbursement unless the cotton is in existence and in good condition. If the cotton is not in existence and in good condition at the time of disbursement, the producer shall promptly refund the proceeds.

§ 427.503 *Approved lending agency.* An approved lending agency shall be any bank, corporation, partnership, association, individual, or other legal entity which has entered into a Lending Agency Agreement-Cotton (CCC Cotton Form D, Rev. June 15, 1954) with CCC. Banks and other agencies desiring to enter into Lending Agency Agreements should make application to the New Orleans Office, which will enter into such agreements on behalf of CCC.

§ 427.504 *Producer.* A producer shall be any individual, partnership, corporation, association, trust, estate, or other legal entity, or a State or political subdivision thereof, or an agency of such State or political subdivision, producing eligible upland or extra long staple cotton in the capacity of landowner, landlord, tenant or sharecropper.

§ 427.505 *Eligible producer.* A producer will be entitled to a loan on eligible upland or extra long staple cotton produced by or for him in 1954 on a farm (as defined for purposes of cotton marketing quotas) for which a 1954 acreage allotment for such kind of cotton has been determined under Title III of the Agricultural Adjustment Act of 1938, as amended and supplemented, if all of the following requirements are met:

(a) The 1954 planted acreage (as determined for purposes of cotton marketing quotas) of such kind of cotton on the farm does not exceed the 1954 cotton acreage allotment for the farm for such kind of cotton. For the purpose of determining eligibility for a loan, the upland or extra long staple cotton acreage on the farm will not be deemed to be in excess of the acreage allotment for such cotton unless such acreage allotment for such kind of cotton is knowingly exceeded. If the producer operating the farm is notified that such acreage allotment has been exceeded and the planted acreage is not adjusted to such acreage allotment within the period allowed under the notice, such acreage allotment shall be deemed to have been knowingly exceeded by the producers having an interest in the cotton.

(b) Where eligible cotton is produced by a landlord and his share tenant or sharecropper, a loan may be obtained only as follows:

(1) If the cotton is divided among the producers entitled to share in such cotton, each landlord, tenant or sharecropper may obtain a loan on his separate share.

(2) If the cotton is not divided, (i) the landlord and one or more of the share tenants or sharecroppers may obtain a joint loan on their shares of such cotton, or (ii) the landlord may obtain a loan on cotton in which both he and one or more share tenants or sharecroppers have an interest if he has the legal right to do so, and in such cases the share tenants or sharecroppers must be paid their pro rata share of the loan proceeds and their pro rata share of any additional proceeds received from the cotton. In no case shall a share tenant or sharecropper obtain a loan individually on cotton in which a landlord has an interest.

§ 427.506 *Eligible cotton.* Eligible cotton shall be upland cotton produced in the United States in 1954 or extra long staple cotton planted in 1954 and produced in areas designated under § 427.502, which meets the following requirements:

(a) Such cotton must be of a grade and staple length specified in § 427.531.

(b) Such cotton must not be false packed, waterpacked, mixed-packed, reginned, or repacked; upland cotton must not have been reduced in grade because gin-cut, or because of grass, sand, oil, dust, other extraneous matter, whole seeds, parts of seeds, motes or bark; extra long staple cotton must have been ginned on a roller gin, shall be of normal character, and must not have been reduced in grade or staple on account of irregularities or defects.

(c) Such cotton must not be compressed to high density.

(d) Such cotton must have been produced by the person tendering it for a loan and such person must have the legal right to pledge or mortgage it as a security for a loan.

(e) If the person tendering such cotton is a landlord or landowner, the cotton must not have been acquired by such landlord or landowner directly or indirectly from a share tenant or sharecropper and must not have been received in payment of fixed or standing rent; and if it was produced by him in the capacity of landlord, share tenant or sharecropper, it must be his separate share of the crop, unless he is a landlord and is tendering cotton in which both he and one or more share tenants or sharecroppers have an interest.

(f) The person or association tendering such cotton must not have previously sold and repurchased such cotton.

(g) Each bale of such cotton must weight at least 300 pounds, gross weight, and must be packaged in merchantable bales.

§ 427.507 *Forms.* The following documents must be delivered by producers in connection with every loan except loans made pursuant to §§ 427.523 and 427.529:

(a) *Warehouse-stored loans.* (1) Cotton Producer's Note and Loan Agreement (CCC Cotton Form A, hereinafter referred to as "Form A").

(2) Warehouse receipts complying with the provisions of § 427.519.

(3) Producer's Letter of Transmittal (CCC Cotton Form B, hereinafter referred to as "Form B") if the loan is obtained direct from the New Orleans office.

(b) *Farm-stored loans.* (1) Cotton Producer's Note (CCC Cotton Form E, hereinafter referred to as "Form E").

(2) Cotton Chattel Mortgage (CCC Cotton Form F, hereinafter referred to as "Form F") and Cotton Mortgage Supplement (CCC Cotton Form FF, hereinafter referred to as "Form FF") covering the cotton tendered as security for a loan.

(3) Form B if the loan is obtained direct from the New Orleans office.

(c) *Cotton represented by order bills of lading.* (1) Form A executed within the area and during the period such loans are available.

(2) Order bill of lading in a form acceptable to CCC and representing the cotton tendered as security for the loan.

(3) If the Receiving Agency is not a warehouseman, Weight and Condition Certificates complying with the provisions of § 427.522 and a Receiving Agent's Certificate.

(4) Form B if the loan is obtained direct from the New Orleans office.

(d) Loan documents executed by an administrator, executor or trustee will

be acceptable only where valid in law and must be accompanied by documentary evidence of the authority of the person executing the form or by a repurchase agreement of the lending agency. Copies of this agreement may be obtained from the New Orleans office. State documentary revenue stamps shall be affixed to loan documents where required by law. A producer who desires to appoint an attorney-in-fact to act in his place and stead in obtaining loans shall use Power of Attorney (CCC Cotton Form 18) which must be filed with the New Orleans office.

§ 427.508 *Approved storage.* Loans will be made only on cotton in approved storage.

(a) *Warehouses.* Cotton will be accepted as security for loans only if stored by warehouses approved by CCC. Warehousemen desiring approval of their facilities should communicate with the New Orleans office. The names of approved warehouses may be obtained from the New Orleans office or State or county offices.

(b) *Farm storage.* Cotton in farm storage will be accepted as security for loans only if stored in a structure approved by the county committee for the county in which the cotton is stored. Such structures may be on or off the farm and must afford safe storage and protection against weather damage, poultry and livestock, and reasonable protection against fire and theft. If the producer does not own the premises where the cotton is stored and his lease on such premises expires prior to September 30, 1955, the owner of such premises must execute the Consent for Storage on the Cotton Mortgage Supplement. Any other tenant who has a right or interest in the premises must also execute the Consent for Storage.

§ 427.509 *Rate and weight.* (a) Loans will be made on the gross weight of upland cotton and on the net weight of extra long staple cotton. Notes covering cotton pledged on reweights will not be accepted if it is evident that such reweights reflect an increase in weight due to the absorption of additional moisture. An allowance of 7 pounds per bale will be made for bales of upland cotton covered with cotton bagging. Such bagging must have been manufactured specifically for covering cotton bales.

(b) The base loan rate for upland cotton applicable at each approved warehouse will be shown in the Schedule of Base Loan Rates for Warehouse-Stored Upland Cotton.[1] The base loan rate under the farm-stored program for upland cotton for each county will be shown in the Schedule of Base Loan Rates by Counties for Farm-Stored Upland Cotton.[1] These schedules will be available at county offices. The premium or discount applicable to each eligible grade and staple length of upland cotton is shown in § 427.531. Loan rates for extra long staple cotton are also shown in § 427.531. After a loan is made, CCC will not be obligated to make adjustments in the amount of the loan as a result of any subsequent redetermination of the weight or quality of the cotton.

[1] Schedule to be issued about August 15, 1954.

§ 427.510 *Preparation of documents.* All applicable blanks on the loan forms must be filled in with ink, indelible pencil, or typewriter in the manner indicated therein, and documents containing additions, alterations, or erasures may be rejected by CCC. (Forms A having a date prior to March 4, 1954, shall not be used.) Both copies should be clearly legible. The spaces provided on Forms A and E for the producer to request and direct payment of the proceeds must be completed in every instance. All disbursements made from the proceeds of a note, including clerk's fee when deducted, must be shown and the total must agree with the amount of the note. In the case of warehouse-stored cotton, care should be exercised by the lending agency to determine that the warehouse receipts are genuine. No deduction may be made from the loan proceeds by the lending agency as a charge for handling the loan documents, except the authorized clerk's fee in case an employee of the lending agency has executed the Clerk's Certificate on Form A. Before the clerk prepares loan documents for a producer, he must determine that the producer is eligible for a loan. The county committee, in preparation of the producer's marketing card, will indicate on the reverse side of the card the producer's eligibility. If the box following the word "Eligible" contains an "X" the clerk will use this as evidence that the producer is eligible for a loan and shall assist the producer in the preparation of his loan documents. If the box following the words "ineligible unless Loan Agreement Approved by County Committee" contains an "X" the clerk shall inform the producer that in order for him to obtain a loan he must have his loan documents prepared in the county office. If the box following the word "Ineligible" contains an "X", the producer cannot obtain a loan on cotton produced on that farm under any condition and should be so informed by the clerk. In the event that the marketing card indicates that the producer is eligible but shows evidence of any alteration or erasure, the clerk should not prepare loan documents and should inform the producer that the documents will have to be prepared in the county office. Lending agencies which are also eligible producers must obtain direct loans on cotton produced by them from the New Orleans office or obtain loans from another approved lending agency.

(a) *Warehouse-stored cotton.* A producer desiring to obtain a loan on warehouse-stored cotton may obtain the necessary forms from county offices, approved lending agencies, approved warehouses, and approved clerks (persons approved by the county committees to assist producers in preparing and executing the loan forms). The Clerk's Certificate on each Form A tendered for a loan must be executed by an approved clerk, who will assist the producer in the preparation and execution of the Form A. The original of Form A must be signed by the producer and the copy marked producer's copy is to be retained by the producer. All of the cotton pledged as security for any loan must be of the same grade and staple length and must be stored in the same warehouse.

(b) *Farm-stored cotton.* A producer desiring to obtain a loan on farm-stored cotton should communicate with the county office in the county in which the cotton is to be stored. It will be the responsibility of the county committee to arrange for the inspection of the storage structure and to approve it if it determines that it is of such construction as to afford adequate storage for the cotton. The county office will furnish and prepare the necessary documents for a farm-stored loan.

§ 427.511 *Service charges and deposits.* No service charges will be collected in connection with warehouse loans. A service charge of $1.00 per bale with a minimum of $3.00 per loan will be collected by the county office from the producer to cover services rendered in connection with farm-stored loans. State committees are authorized to require prepayment of $3.00 of the service charge. No refund of service charges will be made. A deposit of $1.00 per bale will also be collected from the producer to guarantee delivery of farm-stored cotton if the loan is not repaid by the producer. Such deposit will be returned if the loan is repaid or the cotton is delivered in accordance with delivery instruction issued by the county office. If the producer does not deliver the cotton upon demand by CCC, the county office will arrange delivery and retain the deposit. If delivery costs exceed the deposit, the producer will be liable for the difference.

§ 427.512 *Fees.* The clerk or county office employee assisting the producer in the preparation of the loan documents may collect a fee from the producer not to exceed the fees shown in the following schedule:

Number of bales on note:	*Maximum fee allowed*
1	25 cents.
2–6	25 cents plus 15 cents for each bale over 1.
7–18	$1 plus 10 cents for each bale over 6.
19 and over	$2.20 plus 5 cents for each bale over 18.

§ 427.513 *Liens.* Eligible cotton must be free and clear of all liens except the warehouseman's lien for charges permitted under § 427.521 on warehouse-stored cotton. The signatures of the holders of all existing liens on cotton tendered as security for a loan, such as landlords, laborers, or mortgagees (but not the warehouseman, if the cotton is stored in a warehouse) must be obtained on the Lienholder's Waiver on each Form A and Form FF. If the producer tendering the cotton for loan is not the owner of the land on which the cotton was produced, all landowners and landlords must sign the Lienholder's Waiver whether or not they claim liens, unless they sign the note jointly with the producer. A

fraudulent representation, as to prior liens or otherwise, will render the producer personally liable under the terms of the Loan Agreement and subject him to criminal prosecution under the provisions of the Commodity Credit Corporation Charter Act. The Lienholder's Waiver must be signed personally by all lienholders, by their agents (in which case duly executed Powers of Attorney (CCC Cotton Form 18) must be filed with the New Orleans office), or, if a corporation, by the designated officer thereof customarily authorized to execute such instruments (in which case no authority need be attached).

§ 427.514 *Set-offs.* If the producer is indebted to CCC on any accrued obligation, or if any installment or installments on any loan made available by CCC on farm-storage facilities or mobile drying equipment are past due or are payable or prepayable under the provisions of the note evidencing such loan, out of the proceeds of the price support loan, he must designate CCC or the lending agency holding such note as the payee of the proceeds of the loan to the extent of such indebtedness or installments, but not to exceed that portion of the proceeds remaining after deduction of service charges, clerks' fees, and amounts due prior lienholders. If the producer is indebted to any other agency of the United States and such indebtedness is listed on the county debt register, he must designate such agency as the payee of the proceeds as provided above. Indebtedness owing to CCC or to a lending agency as provided above shall be given first consideration after claims of prior lienholders. In any such case, the producer must go to the county office in the county in which he is listed on the debt register and have his loan documents completed by a clerk in the county office. A clerk in the county office will assist the producer in the preparation of such loan documents and will show in the space provided in the notes the agency to which the checks should be issued and the amount to be collected from the note. Compliance with the provisions of this section shall not constitute a waiver of any right of the producer to contest the justness of the indebtedness involved either by administrative appeal or by legal action.

§ 427.515 *Classification of cotton.* (a) All cotton tendered for loan must be classed by a Board of Cotton Examiners of the United States Department of Agriculture (hereinafter referred to as the "Board") and tendered on the basis of such classification. A Cotton Classification Memorandum Form 1 of the United States Department of Agriculture will be accepted, provided the sample is a representative sample drawn in accordance with instructions to organized cotton improvement groups for sampling cotton under the 1954 Smith-Doxey Program. If a sample has been drawn and submitted for a Form 1 classification, another sample may not be drawn and forwarded to a Board except for review. If the producer's cotton has not been sampled for a Form 1 classification, the warehouseman (for warehouse-stored cotton), receiving agency (for cotton covered by bills of lading), or county office (for farm-stored cotton), shall sample such cotton and forward the samples to the Board serving the district in which the cotton is located. A Cotton Classification Memorandum Form A3 must be inserted in each such sample. A Tag List and Record Sheet (CCC Cotton Form L, hereinafter referred to as "Form L"), must be prepared by the warehouseman, receiving agency or county office, listing each sample included in a shipment to the Board. A copy of such Form L shall be included with the samples and two copies must be mailed separately to the Board. The Board will enter the classification of each bale on the Form L and return a copy of such form to the warehouse, receiving agency or county office. The Cotton Classification Memorandum Form A3 will be returned to the producer by the Board.

(b) A charge of 25 cents per bale shall be collected from the producer by the warehouseman, receiving agency, or county office for all cotton for which samples are submitted to a Board for a Form A3 classification. The Boards will submit billings for classing charges to the warehousemen, receiving agencies, and county offices at the end of each month. Checks or money orders covering these charges shall be made payable to "Commodity Credit Corporation" and shall be sent to the New Orleans office.

§ 427.516 *Interest rate.* Loans and charges on the cotton covered by the loans shall bear interest at the rate of 3½ percent per anum from the date of disbursement to the date of repayment, except that in the case of default in satisfaction of loans on farm-stored cotton, loans will bear interest at the rate of 6 percent per annum from the date of default to the date of repayment.

§ 427.517 *Maturity.* (a) Loans mature July 31, 1955, or upon such earlier date as CCC may make demand for payment. If a producer does not repay his loan by maturity, CCC has the right to sell, purchase, or pool the cotton securing the loan in accordance with the provisions of the loan agreement. If the cotton is pooled, the producer will no longer have a right to redeem the cotton but will share ratably in any overplus remaining upon liquidation of the pool. CCC shall have the right to treat any pooled cotton as a reserve supply to be marketed under such sales policies as CCC determines will promote orderly marketing, protect the interests of producers and consumers, and not unduly impair the market for the current crop of cotton, even though part or all of such pooled cotton is disposed of under such policies at less than the current domestic price for such cotton.

(b) Any sum due the producer as a result of the sale or purchase of the cotton or collections of insurance proceeds therefrom, or his ratable share from a pool, shall be payable only to the producer or his personal representative without right of assignment to or substitution of any other person.

(c) If the producer does not repay his loan on farm-stored cotton on or before maturity, he is required to deliver the cotton in accordance with the provisions of Form FF, and if the cotton is not delivered by the producer, the holder of the note may enter on the premises where the cotton is stored and remove the cotton. Upon such delivery or removal, the holder may dispose of the cotton in accordance with the provisions of this section.

§ 427.518 *Safeguarding farm-stored cotton.* The producer obtaining a loan on farm-stored cotton is obligated to maintain the farm-storage structure in good repair and to keep the cotton in good condition. The producer will be responsible for any loss or damage occurring through the fault or negligence of the producer or as a result of any cause other than fire, flood, lightning, explosion, windstorm, cyclone, or tornado, except that he will not be responsible for loss in weight of not to exceed an average of 10 pounds per bale which is due to natural shrinkage. The maximum amount of cotton stored in any structure shall be limited to 200 bales, unless the State committee determines that a larger maximum is required to make the program more effective in the State. The conversion or unlawful disposition by the producer of any bale of the cotton will render him personally liable for the payment of the mortgage indebtedness.

§ 427.519 *Warehouse receipts and insurance.* Only negotiable warehouse receipts issued by an approved warehouse, properly assigned by an endorsement in blank so as to vest title in the holder or issued to bearer will be acceptable. The warehouse receipts must show that the cotton is covered by fire insurance and must be dated on or prior to the date of the producer's notes. Each receipt must set out in its written or printed terms a description by tag number and weight of the bale represented thereby and all other facts and statements required to be stated in the written or printed terms of a warehouse receipt under the provisions of section 2 of the Uniform Warehouse Receipts Act. Warehouse receipts issued prior to August 1, 1954, which by their terms will expire prior to August 1, 1955, must bear an endorsement of the warehouseman extending the terms of the warehouse receipts for a period of one year from August 1, 1954. Block warehouse receipts will not be accepted.

§ 427.520 *Insurance on farm-stored cotton.* CCC will not require the producer to insure cotton under farm-stored loan; however, if the producer does insure the cotton, and if an indemnity is paid thereon, such indemnity shall inure to the benefit of CCC to the extent of its interest after first satisfying the producer's equity in the cotton involved in the loss.

§ 427.521 *Warehouse charges.* The Agreement of Warehouseman on each Form A must be executed by the ware-

houseman storing the cotton covered by the Form A not more than 15 days preceding the date of the Producer's Note on the Form A and must not be executed subsequent to the date of the note. In the case of loans made to a cotton cooperative marketing association as provided in § 427.529, the Warehouseman's Certificate and Agreement on the Certificate of Association and Agreement of Warehouseman (CCC Cotton Form G–1, hereinafter referred to as "Form G–1") must be executed by the warehouseman storing the cotton covered by such form. By executing the Agreement of Warehouseman on the Form A or the Warehouseman's Certificate and Agreement on the Form G–1, the warehouseman agrees that such cotton will be stored and handled in accordance with the Warehouseman's Certificate and Agreement on the reverse side of the Form A or on the Form G–1 and makes the representations contained therein, and the warehouseman further agrees to store such cotton under conditions and at rates determined as follows:

The cotton shall be insured against loss or damage by fire under a policy or policies providing coverage equivalent to that afforded under the standard fire policy of the State in which the cotton is stored for the full market value (if the cotton is compressed, its market value shall be the market value of flat cotton plus compression charges) at the time and place of loss and shall be kept so insured so long as the warehouse receipts therefor are outstanding, unless the cotton comes under a storage agreement between the warehouseman and CCC allowing the warehouseman to cancel his insurance on the cotton. From the dates of the warehouse receipts representing the cotton or from the date through which the producer has paid storage charges, whichever is later, through July 31, 1955, all charges on the cotton for storage and insurance (as required in § 427.519) shall be at the rate of 43 cents per bale per month or fraction thereof for flat or compressed cotton stored in warehouses operating compress facilities or compressed cotton stored in warehouses not operating compress facilities, and at the rate of 48 cents per bale per month or fraction thereof for flat cotton stored in warehouses not operating compress facilities, or the warehouseman's established tariff on cotton other than CCC loan cotton, whichever is less. Such charges, accrued through July 31 of any year in which these rates are in effect, shall be paid by CCC, as soon as possible after such date, on all of the cotton represented by warehouse receipts held by CCC at the time of payment: *Provided*, That on any cotton for which CCC makes payment of accrued charges through July 31 of any year, payment for the fractional part of a month prior to such date shall be at the proportionate part of the monthly rate. The warehouseman may make a charge for outhandling, including picking out by tag numbers and loading according to custom into cars or trucks, of not to exceed 15 cents per bale if such charges are included in the warehouseman's tariff: *And provided further*, That no such outhandling charge may be made where collection for the service has been included in any other charge or otherwise collected. Charges for compression of cotton by the warehouseman, including compression charges on cotton compressed to standard density by the warehouseman at his gin, will be at the rates provided in the warehouseman's established tariff in effect at the time the service is ordered performed. Compression charges on cotton compressed to standard density for the warehouseman at a gin under contract with the warehouseman will be paid at the rate which the warehouseman pays the ginner. In no event shall compression charges on gin-compressed cotton exceed the rate paid to the ginner by his customers on all other cotton. Charges on gin-compressed cotton will be paid by CCC only when the cotton is reconcentrated at the time received from the gin to a warehouse designated by CCC and the charges have not been paid to the ginner or the warehouseman by the producer. All other charges on cotton, including flat delivery charges on cotton moved from a warehouse operating compress facilities without payment of compression charges, will be at the rates provided in the warehouseman's established tariff in effect at the time the service is ordered performed: *Provided*, That no charge may be made with respect to the cotton that is not applicable to cotton other than CCC loan cotton stored by the warehouseman, except that the warehouseman may make a charge of not to exceed 35 cents per bale for transmitting samples to the designated classing office, postage, verifying and guaranteeing the correctness of the information for which the warehouse is responsible in the Schedule of Pledged Cotton on the Form A or Form G–1, and executing the Agreement of Warehouseman on the Form A or the Warehouseman's Certificate and Agreement on the Form G–1, if such charges are included in the warehouseman's tariff: *And provided further*, That in no event shall such charge, a service charge or charges for receiving, tagging, weighing, sampling on arrival, or storage of samples be collected from CCC or a purchaser of the cotton. No charge for compression or for delivery or outhandling, except for an outhandling charge of not to exceed 15 cents and charges for the compression to standard density at gins as provided in this section, will be paid with respect to cotton received by the warehouseman which has been compressed to standard density either by a gin (gin compress bale) or by another warehouseman. No charge of any kind whatsoever will be paid with respect to any of the cotton compressed to high density without the written authority of CCC. The warehouseman shall execute and submit to CCC with each voucher for amounts payable by CCC under this agreement the following certificate:

I hereby certify that I have removed from the cotton covered by this voucher only that amount of cotton necessary to secure representative samples, to properly trim the sample holes, or to otherwise maintain the cotton in the interest of good housekeeping and fire prevention incidental to the handling, storage, or compressing said cotton except for reconditioning of damaged cotton. I further certify that I have not reconditioned, picked or cleaned by blowing or brushing any of the cotton included in this voucher except as noted on report attached hereto.

The warehouseman shall store the cotton so that the tags will be visible and readily accessible so as to permit an accurate check of stocks at any time. In the event that the cotton is purchased or pooled by CCC or the loan on such cotton is extended or carried in past-due status by CCC after July 31, 1955, the rates quoted herein will remain in effect until terminated by CCC or the warehouseman at the end of any month by giving the other at least 30 days' notice, or until the cotton comes under another storage agreement between the warehouseman and CCC, whichever is earlier. If the cotton is redeemed from the loan or the cotton is sold by CCC, the charges provided in this section shall be applicable for services rendered up to and including the date of such redemption or sale, and the warehouseman shall not charge the holders of the warehouse receipts representing such cotton for such services an amount in excess of that computed in accordance with this agreement.

§ 427.522 *Loans on order bills of lading.* (a) Loans on cotton represented by order bills of lading will be available only in areas specified by the New Orleans office where there is a shortage of storage space and where the necessary arrangements for handling the cotton may be made.

(b) Cotton represented by order bills of lading will be eligible for a loan only when it is shipped by an approved receiving agency as agent for the producer. Warehousemen, ginners, and other responsible parties in areas where such loans are available may be approved to act as receiving agencies by the New Orleans office. Receiving agencies will enter into Receiving Agency Agreements with CCC. When receiving agencies are approved, notifications will be given by letter or published lists.

(c) A producer who is unable to find storage space in his local area and who wishes to obtain such a loan should deliver his cotton to a receiving agency with the request that it ship the cotton as agent for the producer to a warehouse where storage space is available. The receiving agency will complete the Schedule of Pledged Cotton on a Form A and, if it is a warehouseman, will execute the Agreement of Warehouseman thereon. If the receiving agency is not a warehouseman, it will have the cotton weighed by a public or licensed weigher and will secure a Weight and Condition Certificate in the form prescribed by CCC and execute the Receiving Agent's Certificate. The receiving agency will ship the cotton, secure order bills of lading in a form acceptable to CCC, and deliver to the producer the bills of lading, together with the Form A and Weight and Condition Certificates (if any). If the receiving agency is a warehouseman, it will be permitted to collect fees in ac-

cordance with § 427.521 and a fee of not to exceed 10 cents per bale to cover the costs of preparation of shipping documents. If the receiving agency is not a warehouseman, it will, for the purpose of payment of gin compression only be considered as a warehouseman and will be permitted to collect from CCC charges for gin compression as provided in § 427.521 and will be permitted to collect from producers a fee not in excess of the fee set forth in the Receiving Agency Agreement executed by the receiving agency, and shall post, in a conspicuous place, a notice showing the fee to be charged producers. Loans will be made at the full loan rate at the point where the receiving agency receives the cotton. CCC will pay warehouse storage charges on cotton tendered by the producer for a loan under this section, if the receiving agency is a warehouseman.

§ 427.523 *Advance loans.* (a) If a producer desires to obtain a loan under this part on cotton stored or to be stored in a warehouse, prior to the receipt of the classification of such cotton by a Board of Cotton Examiners or prior to the issuance of a warehouse receipt representing the cotton, and if the producer desires to obtain interim financing from a lending agency until such time as a CCC loan may be obtained, the lending agency may make the producer a private loan (hereinafter called "the advance loan") on such cotton on forms and in amounts agreed upon between the lending agency and the producer and may obtain from the producer a duly executed Producer's Power of Attorney (CCC Cotton Form J, hereinafter referred to as "Form J") in triplicate authorizing and directing the lending agency to prepare or cause to be prepared and execute on behalf of and in the name of the producer Forms A covering all such cotton which is eligible for a loan under this part. The duplicate copy shall be delivered to the producer. On or before the date the advance loan is made, samples must have been drawn from the cotton and submitted to a Board of Cotton Examiners for classification or, if the cotton has not arrived at the warehouse, the warehouseman must have been instructed to sample the cotton and forward the samples for classification upon receipt of the cotton at the warehouse. On or before September 1, 1954, or within 15 days after the dates of the classification certificates, or within 15 days after the dates of the warehouse receipts, whichever is later, the lending agency shall (as provided in the Producer's Power of Attorney), unless the cotton is redeemed by the producer, prepare or cause to be prepared and execute on behalf of the producer Forms A covering all such cotton which is eligible for a loan and make a CCC loan or loans to the producer under this part. The lending agency shall promptly remit to the producer any difference between the amount due on the advance loan and the proceeds of the CCC loan, less any applicable charges under this part paid by the lending agency on behalf of the producer. The producer's copies of Forms A and the canceled note evidencing the advance loan shall be forwarded to the producer. The original of the Producer's Power of Attorney shall be transmitted with the notes when they are tendered to CCC.

(b) It shall be the joint responsibility of the lending agency named in the Form J to obtain the official classification from the producer or the warehouseman and of the producer to deliver the official classification to such lending agency, within 15 days from the date of the classification certificate so that the Form A loans can be made within the specified time.

(c) It shall be the responsibility of the lending agency named in the Form J to obtain the execution of the Agreement of Warehouseman and the Clerk's Certificate on the Form A. Only bona fide employees of lending agencies making the advance loans who are approved as clerks by the county committee or approved clerks in the county office, will be permitted to execute the Clerk's Certificate on Forms A covering cotton on which advance loans have been made.

§ 427.524 *Loans on upland cotton prior to August 1, 1954.* Loans on upland cotton will be made available to producers in the area where such cotton is harvested prior to August 1, 1954. Base loan rates for warehouse locations in the early harvesting area will be announced by the New Orleans office prior to harvest. The premium or discount applicable to each eligible grade and staple length is shown in § 427.531. Other provisions for loans prior to August 1, 1954, will be the same as provided for loans after that date, except that in the event that the base loan rate based on August 1, 1954, parity is in excess of the base loan rate announced prior to such date, the difference will be paid to the producer upon his application to the New Orleans office.

§ 427.525 *Tender of notes by lending agencies.* Notes (Forms A and Forms E) evidencing loans made by a lending agency which has entered into a Lending Agency Agreement-Cotton (CCC Cotton Form D, Rev. June 15, 1954) prior to the making of the loans will be eligible for purchase or pooling by CCC. Under this agreement, lending agencies which are parties thereto are required to tender to CCC, on Form C, all notes on Form A and Form E, with warehouse receipts, bills of lading (and weight and condition certificates, if required), or cotton chattel mortgages attached, representing loans made by the lending agency within 15 days after the date of disbursement of the loans. All notes transmitted on a Form C must cover cotton stored in warehouses in the same custodial district. Separate Forms C shall be used for upland and extra long staple cotton. Notes secured by warehouse receipts, by bills of lading, or by chattel mortgages, and notes executed by attorneys-in-fact, must be transmitted on separate Forms C. Each Form C shall state whether the lending agency desires CCC to purchase the notes or to place them in a pool. Upon receipt of the loan papers by the New Orleans office, they will be examined and, if found correct, will be approved and transmitted to the custodial office serving the district in which the cotton is stored, and will be purchased or placed in a pool as directed by the lending agency. Lending agencies which have previously been approved by CCC as eligible to draw drafts on CCC may, subject to such instructions and requirements as CCC may hereafter from time to time prescribe, obtain immediate payment for notes they desire to sell to CCC, by drawing sight drafts with enclosed letters of transmittal on CCC through a Federal Reserve Bank or Branch Bank approved by CCC. Notes covered by such drafts must be immediately submitted to the New Orleans office. In the event that the notes are pooled, a Certificate of Interest representing the interest in the pool acquired as the result of the deposit therein of the notes shown on the Form C will be issued to any approved lending agency designated on the Form C.

§ 427.526 *Loss or damage to pledged cotton.* In any case where there is loss or damage to cotton which occurs while such cotton is pledged to CCC or a lending agency, CCC shall have the right to determine and file claims against any liable third parties for the resulting loss. Upon determination of the quantity of the lost or damaged cotton, CCC will give credit for the loan value (including charges and interest) of such cotton. If the proceeds of the claim exceed the loan value of such cotton, the excess proceeds shall be remitted to the producer or, if the loan has been repaid, to the party repaying the loan.

§ 427.527 *Transfer of producer's interest.* If the producer desires to sell his equity in the cotton covered by a note, he must complete the Producer's Equity Transfer Agreement in the Producer's Equity Transfer on the reverse side of the Producer's Loan Statement–A, which will be mailed to the producer by the New Orleans office at the time the notes are processed by that office. The producer must sign the Producer's Equity Transfer Agreement in the presence of a witness approved for such purpose by a county committee or a notary public and the Certificate of Witness in the Producer's Equity Transfer must be dated and signed by the witness or notary public. A producer who desires to appoint an attorney-in-fact to act in his place and stead in selling his equity in the cotton shall use Power of Attorney (CCC Cotton Form 19) and file it with the applicable custodial office. The equity purchaser must complete the Certificate of Purchaser in the Producer's Equity Transfer and send it within 15 days to CCC, in care of the custodial office serving the district in which the cotton was stored at the time the loan was obtained. Upon receipt of the Producer's Equity Transfer, the custodial office will forward the note and warehouse receipts to a bank designated by the person requesting their release with directions to the bank to release the

note and warehouse receipts to the holder of the equity transfer upon payment of the amount due on the loan. In all such cases, the bank will be instructed to return the note and warehouse receipts to the custodial office if payment is not effected within 5 business days. All charges assessed by the bank to which the note and warehouse receipts are sent must be paid by the person requesting the release of the cotton. No partial release of the cotton securing one note will be permitted, except that CCC may allow partial releases in cases where loss or damage to part of the cotton occurs. In the event the Producer's Loan Statement–A is destroyed or lost, the producer may obtain a duplicate of such form from the custodial office serving the district in which the cotton is stored.

§ 427.528 *Repayments*—(a) *Warehouse-stored cotton.* No partial release of the cotton represented by warehouse receipts and securing a note will be permitted, except that CCC may allow partial releases in cases where loss or damage to part of the cotton occurs. If a producer desires to obtain the return of his note and the release of the cotton securing the note, he must execute the Producer's Redemption Request on the Producer's Loan Statement-A which will be mailed to the producer by the New Orleans office at the time the notes are processed by that office. The producer must send or deliver the Producer's Loan Statement-A to CCC, in care of the custodial office serving the district in which the cotton was stored when the loan was obtained, as shown in § 427.530. Upon receipt of the Producer's Redemption Request, the custodial office will forward the note and warehouse receipts to a bank designated by the producer with directions to the bank to release such note and warehouse receipts only to the producer or his authorized agent upon payment of the amount due on the loan. The bank will be instructed to return the note and warehouse receipts to the custodial office if payment is not effected within 15 days. All charges assessed by the bank must be paid by the producer. A producer who desires to appoint an Attorney-in-Fact to act in his place and stead in repaying loans shall use Power of Attorney (CCC Cotton Form 19) and file it with the applicable custodial office.

(b) *Farm-stored cotton.* If the producer desires to repay his loan and obtain the release of the cotton securing the note, he may obtain complete instructions from the county office of the county in which the cotton is stored. Partial releases will be allowed.

§ 427.529 *Cotton cooperative marketing association loans.* A special form of loan agreement will be made available to cotton cooperative marketing associations whereby members of such associations may act collectively in obtaining loans. The loan rates under this agreement will be the same as the loan rates to individual producers, and eligibility requirements with respect to the cotton and the producers tendering the cotton to the association and other loan provisions will be substantially the same as for loans to individual producers. Members desiring to obtain loans from their associations should contact their associations.

§ 427.530 *Custodial offices.* The custodial offices referred to in this subpart and the district served by each are shown below:

(a) *Warehouse-stored cotton.*

CUSTODIAL OFFICE AND DISTRICT SERVED

Federal Reserve Bank, Atlanta, Ga.: Georgia, Alabama, Florida, Virginia, North Carolina, South Carolina.

Federal Reserve Bank, Dallas, Tex.: New Mexico, Texas.

Federal Reserve Bank, Los Angeles, Calif.: California, Arizona, Nevada.

Federal Reserve Bank, Memphis, Tenn.: Illinois, Kentucky, Arkansas, Missouri, Tennessee, and the following counties in Mississippi: Alcorn, Attala, Benton, Bolivar, Calhoun, Carroll, Chickasaw, Choctaw, Clay, Coahoma, De Soto, Grenada, Holmes, Humphreys, Itawamba, Lafayette, Lee, Leflore, Lowndes, Marshall, Monroe, Montgomery, Noxubee, Oktibbeha, Panola, Pontotoc, Prentiss, Quitman, Sunflower, Tallahatchie, Tate, Tippah, Tishomingo, Tunica, Union, Washington, Webster, Winston, Yalobusha.

New Orleans CSS Commodity Office: Louisiana and counties in Mississippi not assigned to Memphis.

Federal Reserve Bank, Oklahoma City, Okla.: Oklahoma, Kansas.

(b) *Farm-stored cotton.*

CUSTODIAL OFFICE AND DISTRICT SERVED

New Orleans CSS Commodity Office: All States.

§ 427.531 *Schedule of premiums and discounts for upland cotton (basis 15/16-inch Middling), and loan rates for extra long staple cotton*—(a) *premiums and discounts for eligible qualities of 1954-crop American upland cotton (basis 15/16-inch Middling).*

Grade	Staple length (inches)													
	13/16	7/8	29/32	15/16	31/32	1	1 1/32	1 1/16	1 3/32	1 1/8	1 5/32	1 3/16	1 7/32	1 1/4 and longer
White	*Points*	*Points*	*Points*	*Points*	*Points*	*Points*	*Points*	*Points*	*Points*	*Points*	*Points*	*Points*	*Points*	*Points*
Good Middling	−200	−125	−40	45	90	130	170	225	300	450	700	905	1,155	1,420
Strict Middling	−210	−140	−55	30	75	115	155	200	275	435	680	890	1,135	1,400
Middling	−240	−165	−80	Base	40	80	115	160	230	360	555	740	980	1,200
Strict Low Middling	−385	−305	−220	−140	−95	−55	−20	25	75	160	255	360	475	635
Low Middling	−685	−605	−525	−455	−390	−350	−325	−305	−260	−225	−185	−175	−165	−155
Strict Good Ordinary	−920	−815	−750	−675	−630	−590	−580	−575	−570	−570	−570	−570	−570	−570
Good Ordinary	−1,105	−990	−930	−865	−825	−785	−775	−775	−770	−770	−770	−770	−770	−770
Spotted														
Good Middling	−410	−315	−225	−150	−115	−70	−40	−10	50	110	160	210	245	275
Strict Middling	−430	−335	−250	−170	−135	−90	−60	−30	10	70	120	170	195	220
Middling	−645	−585	−505	−425	−365	−295	−260	−245	−200	−150	−100	−50	Even	40
Strict Low Middling	−830	−765	−695	−620	−570	−515	−500	−490	−480	−480	−480	−480	−480	−480
Low Middling	−1,005	−1,000	−930	−840	−805	−755	−750	−745	−740	−740	−740	−740	−740	−740
Tinged														
Good Middling	−745	−700	−625	−520	−495	−445	−430	−420	−410	−390	−370	−350	−330	−310
Strict Middling	−775	−725	−650	−545	−520	−470	−455	−445	−430	−410	−390	−370	−350	−330
Middling	−970	−930	−850	−750	−720	−665	−655	−645	−640	−640	−640	−640	−640	−640
Strict Low Middling	−1,200	−1,150	−1,080	−985	−970	−910	−905	−895	−890	−890	−890	−890	−890	−890
Low Middling	−1,420	−1,375	−1,305	−1,180	−1,155	−1,125	−1,120	−1,115	−1,110	−1,110	−1,110	−1,110	−1,110	−1,110
Yellow Stained														
Good Middling	−1,110	−1,060	−985	−855	−835	−805	−800	−800	−800	−800	−800	−800	−800	−800
Strict Middling	−1,145	−1,095	−1,020	−895	−875	−845	−840	−835	−835	−835	−835	−835	−835	−835
Middling	−1,370	−1,320	−1,245	−1,105	−1,085	−1,060	−1,055	−1,050	−1,045	−1,045	−1,045	−1,045	−1,045	−1,045
Gray														
Good Middling	−380	−300	−230	−140	−110	−70	−40	−10	45	130	180	230	280	330
Strict Middling	−400	−330	−260	−170	−135	−95	−70	−35	20	80	155	180	205	230
Middling	−605	−560	−485	−395	−340	−290	−265	−245	−220	−195	−170	−145	−120	−95
Strict Low Middling	−850	−790	−715	−630	−585	−520	−490	−475	−470	−470	−470	−470	−470	−470

(b) *Schedule of minimum loan rates (in cents per pound net weight) for eligible qualities of 1954-crop extra long staple cotton*[1]—(1) *American-Egyptian cotton.*

Grade	Staple length (inches)					
	1⅜		1⅜₁₆		1½ and longer	
	Arizona and California	New Mexico and Texas	Arizona and California	New Mexico and Texas	Arizona and California	New Mexico and Texas
1	65.75	66.15	68.25	68.65	69.85	70.25
2	63.60	64.00	67.20	67.60	68.85	69.25
3	61.80	62.20	65.30	65.70	67.50	67.90
4	57.15	57.55	61.15	61.55	63.40	63.80
5	50.80	51.20	54.75	55.15	56.85	57.25
6	44.05	44.45	47.55	47.95	50.25	50.65
7	39.65	40.05	42.80	43.20	45.50	45.90
8	35.00	35.40	38.05	38.45	40.40	40.80
9	30.35	30.75	33.35	33.75	35.75	36.15

(2) *Sea Island and Sealand Cotton.*

Grade	Staple length (inches)		
	1⅜	1⅜₁₆	1½ and longer
1	57.80	60.90	62.30
1½	56.75	60.00	61.40
2	55.15	58.30	60.25
2½	51.65	54.60	56.60
3	45.40	48.90	50.75
3½	39.35	42.50	44.90
4	35.50	38.30	40.70
4½	31.30	34.05	36.15
5	27.20	29.85	32.00

Issued this 14th day of June 1954.

[SEAL] J. A. McCONNELL,
Executive Vice President,
Commodity Credit Corporation.

[F. R. Doc. 54-4630; Filed, June 17, 1954; 8:45 a. m.]

[1954 C. C. C. Cottonseed Bulletin 2]

PART 443—OILSEEDS

SUBPART—1954 COTTONSEED PURCHASE PROGRAM

Sec.
443.1000 General statement.
443.1001 Administration.
443.1002 Availability of purchases.
443.1003 Eligible producer.
443.1004 Eligible cottonseed.
443.1005 Purchase price.
443.1006 Approved forms.
443.1007 Determination of quantity.
443.1008 Liens.
443.1009 Set-offs.
443.1010 Grade reporting areas.

AUTHORITY: §§ 443.1000 to 443.1010 issued under sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. 714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 301, 401, 63 Stat. 1053, 1054, 15 U. S. C. 714c, 7 U. S. C. 1447, 1421.

§ 443.1000 *General statement.* The purchase program provided for in this subpart is a part of the 1954 Cottonseed Price Support Program formulated by Commodity Credit Corporation (hereinafter referred to as "CCC") and the Commodity Stabilization Service (hereinafter referred to as "CSS"). This subpart states the terms and conditions (a) under which cotton ginners, who purchase 1954-crop cottonseed produced in the United States from producers, may sell such cottonseed to CCC in accordance with this subpart (such ginners hereinafter referred to as "participating ginners"), in cases where nonparticipation by oil millers under the provisions of 1954 CCC Cottonseed Bulletin 3 (oil millers participating under said Bulletin will hereinafter be referred to as "participating oil millers"), makes purchases by CCC from participating ginners necessary, and (b) under which CCC will purchase 1954-crop cottonseed directly from producers in cases where nonparticipation by ginners under this subpart makes such purchases necessary. The program will be carried out by CSS under the general supervision and direction of the Executive Vice President, CCC. The requirements with respect to loans to producers are contained in the 1954 C. C. C. Cottonseed Bulletin 1.

§ 443.1001 *Administration.* (a) Operations under the program with respect to the purchase, transportation, handling, and storage of cottonseed prior to delivery of the cottonseed to a participating oil miller or to a storage facility approved by the New Orleans CSS Commodity Office (such storage facility hereinafter referred to as "approved storage facility") will be administered through Agricultural Stabilization and Conservation (hereinafter referred to as "ASC") State and county committees (hereinafter referred to as "State" and "county committees"). All contracts in connection with such operations may be executed on behalf of CCC only by authorized CCC contracting officers.

(b) Contracts relating to the storage and handling of cottonseed subsequent to delivery of the cottonseed to a participating oil miller or an approved storage facility, for the sale, crushing and processing of cottonseed, and for the transportation, storage, handling and sale of the products derived therefrom, will be executed by CCC contracting officers in the New Orleans CSS Commodity Office, Wirth Building, 120 Marais Street, New Orleans 16, Louisiana (hereinafter referred to as "the New Orleans office").

(c) State and county committees and the New Orleans office do not have authority to modify or waive any of the provisions of this subpart or any amendments thereto.

§ 443.1002 *Availability of purchases.* (a) *Area.* The purchase program will be available in all cotton-producing areas of the United States.

(b) *Time.* Purchases will be made from the date of the issuance of this subpart through February 28, 1955.

(c) *Source.* (1) Purchases of cottonseed eligible for purchase by CCC will be made by participating ginners from producers. Purchases will also be made directly from producers by CCC through county committees in areas where ginners do not participate in the program and the appropriate State committee determines that such direct purchases are necessary in order to make the program effective. Payments to producers for cotton-seed purchased by CCC and for any authorized transportation performed by the producers in accordance with § 443.1005, will be made by means of sight drafts drawn on CCC by county committees.

(2) Purchases of eligible cottonseed will be made by participating oil millers from participating ginners and others. Purchases will also be made from participating ginners by CCC through county committees in areas where oil millers do not participate in the program and the appropriate State committee determines that such purchases are necessary to make the program effective. Payments to participating ginners for cottonseed purchased by CCC will be made by means of sight drafts drawn on CCC by county committees.

(3) Lists of participating oil millers will be maintained in the New Orleans office and lists of participating ginners will be maintained in the State and county offices.

§ 443.1003 *Eligible producer.* (a) An eligible producer shall be any individual, partnership, corporation, association, trust, estate, or other legal entity, or a State or political subdivision thereof or an agency of such State or political subdivision, producing cottonseed in 1954 in the capacity of landowner, landlord, tenant, or sharecropper.

(b) A cooperative association that handles cottonseed for its producer-members will be considered an eligible producer when selling eligible cottonseed delivered to the association and produced by eligible producers who are members of the association.

§ 443.1004 *Eligible cottonseed.* Eligible cottonseed shall be cottonseed which meet the following requirements:

(a) Such cottonseed must have been produced in the United States in 1954 by an eligible producer.

(b) Such cottonseed must have been produced by the person tendering them for purchase, or by the person who delivered the cottonseed to the cooperative association or ginner tendering the cottonseed for purchase, and the beneficial interest in the cottonseed must be in such person at the time he makes such tender or delivery and must always have been in him or in him and a former producer whom he succeeded before the cottonseed were harvested. Cottonseed tendered by a cooperative association for purchase must have been produced

[1] The loan rates shown in these schedules are based on rates announced pursuant to section 406 of the Agricultural Act of 1949. If higher loan rates are required based on the parity price of extra long staple cotton as of the beginning of the marketing year, new schedules will be issued.

and delivered to the association by its producer-members. Any person tendering cottonseed for purchase must have the legal right to sell the cottonseed.

§ 443.1005 *Purchase price*—(a) *Price to producers.* (1) Any direct purchases by CCC from producers will be made at gin or other designated point of delivery at the rate of $50.00 per gross ton for basis grade (100) cottonseed, with premiums and discounts for other grades equal to the same percentage of such price as the percentage by which the grade of cottonseed purchased exceeds or is less than basis grade (100). The price per ton thus computed may be rounded to the nearest multiple of 10 cents. The grade of eligible cottonseed purchased by CCC directly from producers shall be considered to be the average grade of cottonseed for the area in which the purchase is made (see § 443.1010) as determined on the basis of the latest cottonseed grade report for the area published by CSS or as determined by such other method as the Executive Vice President, CCC, may approve. In areas where both upland and American-Egyptian cotton are grown, the CSS grade report for any such area shall specify the average grade for each such type of cottonseed, and the price to be paid producers in the area shall be determined on the basis of the average grade for the area for the type of cottonseed purchased. The average grade for Sea Island and Sealand cottonseed shall be considered to be that reported for cottonseed in the area in which such cottonseed are produced. Notwithstanding the requirements in this subparagraph, if, at any time while direct purchases are being made by CCC, the State ASC chairman determines that the average grade for an area, as determined on the basis of the latest cottonseed grade report for the area published by CSS, is higher than the grade of cottonseed being produced in any county in such area, where direct purchases are being made, the State ASC chairman may reduce the price paid to producers in such county below the price established on the basis of the average grade for the area: *Provided*, That no producer shall be paid, during the period such reduced prices are effective, less than $50.00 per gross ton basis grade (100) cottonseed with price adjustments computed upon the difference between the average grade of cottonseed produced in the county during such period and basis grade (100). The average grade of cottonseed produced in the county during such period shall be determined on the basis of official chemical analysis covering cottonseed produced in such county or on such other reasonable basis as may be determined by the appropriate State ASC chairman.

(2) The grade of any cottonseed purchased before the first grade determination for an area is made shall be considered to be 90.

(3) If the producer, upon authorization by the county committee, transports the cottonseed from (i) the point of delivery to CCC to (ii) a participating oil miller or approved storage facility or designated concentration point, the producer will be paid for such transportation at a rate not in excess of the commercial rate for such transportation service.

(b) *Price to ginners.* (1) (i) Any purchases by CCC from participating ginners will be at the rate of $54.00 per net ton for basis grade (100) cottonseed, f. o. b. conveyance or carrier at the gin, with premiums and discounts for other grades equal to the same percentage of such price as the percentage by which the grade of cottonseed purchased exceeds or is less than basis grade (100). Cottonseed which are "below grade" or "off quality" will be purchased from participating ginners by CCC at the market value of such cottonseed as determined by CCC. The grades of cottonseed purchased by CCC from such ginners shall be determined in accordance with the United States Official Standards for Grades of Cottonseed, by chemical analysis of samples drawn from the cottonseed by federally licensed cottonseed samplers or such other persons as are approved by CCC, and forwarded to and analyzed by federally licensed cottonseed chemists. A ginner tendering cottonseed for purchase by CCC must not have paid any producer for cottonseed purchased by the ginner on or after the date of filing notice of his intention to participate in the program, less than $50.00 per gross ton basis grade (100), plus or minus a percentage of such price equal to the percentage by which the average grade of cottonseed for the area in which the gin is located (see § 443.1010) exceeded or was less than basis grade (100). Such average grade shall be determined on the basis of the latest CSS grade report for the area at the time of purchase from such producer or by such other method as the Executive Vice President, CCC, may approve. In areas where both upland and American-Egyptian cotton are grown, the CSS grade report for any such are shall report the average grade for each such type of cottonseed and the price to be paid producers in the area shall be determined on the basis of the average grade for the area for the type of cottonseed purchased. The average grade for Sea Island and Sealand cottonseed shall be considered to be that reported for cottonseed in the area in which such cottonseed are produced. If it is determined by the county and State committees that any participating ginner paid any producer less than the prices he should have paid under the foregoing provisions of this section, such ginner shall not, without prejudice to any other rights which CCC may have, be eligible to make any further sales to CCC under the 1954 Cottonseed Price Support Program.

(ii) Notwithstanding the preceding requirements as to price, a participating ginner, after first notifying the county committee for the county where the gin is located of his intention to do so, may reduce the price paid to producers below the price established on the basis of the average grade for the area: *Provided*, That the ginner shall not pay any producer, during the period he is paying such reduced price, less than $50.00 per gross ton basis grade (100) with price adjustments computed upon the difference between the average grade of cottonseed produced at the gin during such period and basis grade (100). The average grade of cottonseed produced at the gin during such period shall be determined on the basis of official chemical analysis or oil mill grade reports covering such cottonseed or on such other reasonable basis as may be approved by the county committee. The ginner shall furnish the county office with certified copies of such chemical analyses, grade reports, or other evidence satisfactory to the county committee, showing the average grade of cottonseed produced at the gin during such period. If it is determined by the State and county committees that any participating ginner paid producers less than the prices he should have paid in accordance with the preceding three sentences, such ginner shall, without prejudice to any other rights which CCC may have, be ineligible to make any further sales to CCC under the 1954 Cottonseed Price Support Program unless he first pays all of such producers the difference between the price paid to producers and the price they should have received.

(iii) A ginner may round per ton prices for cottonseed purchased from producers to the nearest multiple of 10 cents.

(2) The grade of cottonseed purchased from a producer before the first grade determination for an area is made shall be considered to be 90.

(3) If the ginner, upon authorization by the county committee, transports cottonseed from the gin to oil miller, or approved storage facility, or designated concentration point, the ginner will be paid for such transportation at a rate not in excess of the commercial rate for such transportation service.

§ 443.1006 *Approved forms.* The approved forms, together with the provisions of this subpart and any supplements and amendments thereto, shall govern the rights and responsibilities of producers and participating ginners. Approved forms may be obtained from ASC county offices. Any fraudulent representation made by a producer or ginner in executing an approved form may render him subject to criminal prosecution under Federal law and liable for any damages resulting from the purchase of the cottonseed involved. Documents executed by an administrator, executor or trustee will be acceptable only where valid in law and must be accompanied by documentary evidence of the authority of the person executing such documents. The approved forms consist of the following:

(a) *Producers.* Producer's Voucher (CCC Cottonseed Purchase Form 5) shall be executed by the producer when the cottonseed are purchased from the producer by CCC.

(b) *Cotton ginners.* (1) Each cotton ginner desiring to sell cottonseed to CCC pursuant to this subpart shall, prior to tender of any cottonseed for sale, file with the county office for the county in which each gin is located a Ginner's Notice of Intention to Participate (CCC Cottonseed Purchase Form 1). The

filing of such notice does not obligate the ginner to sell any cottonseed to CCC, but all applicable provisions of this subpart must be complied with by the ginner if any cottonseed are offered by the ginner for sale to CCC under the 1954 Cottonseed Price Support Program.

(2) If cottonseed are sold to CCC, a Ginner's Certificate (CCC Cottonseed Purchase Form 2) shall be completed and executed by the participating ginner to cover all cottonseed purchased by him from producers and the form shall be submitted by the ginner to the appropriate county office at such times and covering such periods of time as the State ASC chairman determines are necessary to make the program effective.

(3) If cottonseed are sold to CCC, the ginner shall prepare and execute a Ginner's Voucher and Certificate (CCC Cottonseed Purchase Form 4) covering the cottonseed and deliver the form to the county office. Each Ginner's Voucher and Certificate submitted by a ginner to the county office shall be supported by weight certificates or warehouse receipts covering the cottonseed purchased which have been issued by a participating oil miller or an approved storage facility or a representative of the county committee at a designated concentration point, and, in the absence of warehouse receipts guaranteeing grade, by official chemical analyses certificates covering the cottonseed and identifying such cottonseed by lot numbers and/or receipt numbers and weights.

§ 443.1007 *Determination of quantity.* The quantity of cottonseed purchased from the producer by CCC shall be the gross weight actually delivered to CCC as determined by a representative of the county committee, or by an approved storage facility, or by a participating oil miller. The quantity of cottonseed purchased from a producer by a participating ginner shall be the gross weight of the cottonseed as customarily determined by the ginner in his purchases of cottonseed from producers. The quantity of cottonseed purchased from a ginner by CCC shall be the net weight of the cottonseed at first destination after deduction of the weight of any foreign matter in excess of 1 percent.

§ 443.1008 *Liens.* If liens or encumbrances exist on the cottonseed, proper waivers must be obtained.

§ 443.1009 *Set-offs.* (a) If the cottonseed are purchased from a producer by CCC under this subpart and the producer is indebted to CCC on any accrued obligation, or if any installment or installments on any loan made available by CCC on farm-storage facilities or mobile drying equipment are past due, or are payable or prepayable under the provisions of the note evidencing such loan, out of the proceeds of the purchase, he must designate CCC or the lending agency holding such note as the payee of the proceeds of the purchase to the extent of such indebtedness or installments, but not to exceed that portion of the proceeds remaining after deduction of service charges and amounts due prior lienholders.

(b) If the producer is indebted to any other agency of the United States, and such indebtedness is listed on the county debt register, he must designate such agency as the payee of the proceeds to the extent of such indebtedness, but not to exceed that portion of the proceeds remaining after deduction of amounts under paragraph (a) of this section.

(c) Compliance with the provisions of this section shall not constitute a waiver of any right of the producer to contest the justness of the indebtedness involved either by administrative appeal or by legal action.

§ 443.1010 *Grade reporting areas.* Areas for grade reporting purposes will be established by the Director, Cotton Division, CSS, and a list of area delineations may be obtained from the applicable ASC State office or the Director of the Cotton Division, CSS, USDA, Washington 25, D. C.

Issued this 14th day of June 1954.

[SEAL] J. A. McCONNELL,
Executive Vice President,
Commodity Credit Corporation.

[F. R. Doc. 54-4631; Filed, June 17, 1954; 8:45 a. m.]

TITLE 7—AGRICULTURE

Subtitle A—Office of the Secretary of Agriculture

[Import Reg. 1, Revision 1]

PART 6—IMPORT QUOTAS AND FEES

SUBPART—IMPORT QUOTAS

By virtue of the authority (19 F. R. 76) vested in me under Proclamation 3019 of the President of the United States, dated June 8, 1953 (18 F. R. 3361), as amended by Proclamation 3025, dated June 30, 1953 (18 F. R. 3815), it is hereby determined that the following revision of Import Regulation 1, as amended (18 F. R. 3819, 3822, 4544, 5085, 5525), is necessary and appropriate to carry out the objectives of said amended Proclamation.

It is, therefore, ordered that Import Regulation 1, as amended (18 F. R. 3819, 3822, 4544, 5085, 5525), is hereby revised to read as follows:

Sec.
6.20 Determination.
6.21 Definitions.
6.22 Prohibitions and restrictions on imports.
6.23 Exceptions.
6.24 Policies and procedures regarding applications for, and issuance of, import licenses.
6.25 Use of import licenses; responsibility of licensee.
6.26 New business.
6.27 Records and reports.
6.28 Suspension; revocation.
6.29 Petitions for relief from hardship.
6.30 Delegation of authority.
6.31 Violations.
6.32 Communications.
6.33 Effective date.

AUTHORITY: §§ 6.20 to 6.33 issued under sec. 3, 62 Stat. 1248, as amended; 7 U. S. C. 624. Proc. 3019, 3025, 18 F. R. 3361, 3815; 3 CFR, 1953 Supp.

§ 6.20 *Determination.* By virtue of the authority vested in me under Proclamation 3019 of the President of the United States, dated June 8, 1953 (18 F. R. 3361), as amended by Proclamation 3025, dated June 30, 1953 (18 F. R. 3815), it is hereby determined that the regulations set forth in §§ 6.20 to 6.33, relating to the importation of designated agricultural commodities and products, will, to the fullest extent practicable, result in (a) the equitable distribution, among importers or users, of the respective quotas for the articles referred to in Appendix 1 of §§ 6.20 to 6.33 and included in Lists I and II of said Proclamation 3019, and (b) the allocation of shares of the respective quotas for such articles among supplying countries, based upon the proportion supplied by such countries during the previous representative periods, taking due account of any special factors which may have affected or may be affecting the trade in the articles concerned. No licenses shall be issued which will permit any such articles to be imported during any 12-month period beginning July 1 in excess of the respective quantities specified for such articles in Groups I and II of said Appendix 1 and, in the case of articles contained in Group II, during the first four months and the first eight months of any such 12-month period in excess of one-third and two-thirds, respectively, of such specified quantities.

§ 6.21 *Definitions.* Except where the context otherwise requires, the following terms shall have the meanings set forth in this section:

(a) "Director" means the Director, Foreign Trade Programs Division, Foreign Agricultural Service, United States Department of Agriculture, and any other officer or employee of the Department authorized to act in his stead.

(b) "Appendix 1" means Appendix 1 of §§ 6.20 to 6.33, as from time to time amended.

(c) "Import" means to enter through, or withdraw from warehouse under custody of, the U. S. Bureau of Customs for consumption in the United States.

(d) "United States" means the United States, its Territories and possessions (except the Virgin Island, American Samoa, the Canal Zone, and the island of Guam), and the District of Columbia.

(e) "Person" includes any individual, firm, corporation, partnership, association, or other organized group of persons and the legal successor or representative of any of the foregoing. It also includes any government (other than the Government of the United States and any agency thereof) and political subdivision thereof, and any agency of such a government or political subdivision.

(f) "Licensee" means any person to whom an import license has been issued pursuant to §§ 6.20 to 6.33.

(g) "Quota period" means the 12-month period beginning on July 1 of any year.

(h) "Commodity" means any commodity or product subject to §§ 6.20 to 6.33.

(i) "Butter" means butter, fresh or sour cream containing more than 45 percent of butterfat, and all other products dutiable as butter.

(j) "Dried cream" means dried cream, dried whole milk containing more than 35 percent of butterfat, and all other products dutiable as dried cream.

(k) "Dried whole milk" means dried whole milk containing not more than 35 percent of butterfat, dried buttermilk containing more than 6 percent of butterfat, dried skimmed milk containing more than 3 percent of butterfat, and all other products dutiable as dried whole milk.

(l) "Dried buttermilk" means dried buttermilk containing not more than 6 percent of butterfat, and all other products dutiable as dried buttermilk.

(m) "Malted milk" means malted milk, and compounds or mixtures of or substitutes for milk or cream, and all other products dutiable as such.

(n) "Dried skimmed milk" means dried skimmed milk (nonfat dry milk solids) containing not more than 3 percent of butterfat, and all other products dutiable as dried skimmed milk.

(o) "Cheese" means each type and variety of cheese listed in Appendix 1.

§ 6.22 *Prohibitions and restrictions on imports.* (a) No person shall import or cause to be imported any commodity referred to in Appendix 1, except:

(1) As provided in § 6.23; or

(2) As authorized by an import license issued pursuant to §§ 6.20 to 6.33.

(b) The issuance of an import license does not relieve any person from compliance with any requirement of §§ 6.20 to 6.33 or any other applicable laws and regulations.

(c) The provisions of §§ 6.20 to 6.33 shall apply regardless of the existence on or after July 1, 1953, of any contract or other arrangement for the importation of any commodity.

§ 6.23 *Exceptions.* The requirements of §§ 6.20 to 6.33 shall not apply: (a) To any commodity imported by or for the account of any department or agency of the Government of the United States, or (b) to any commodity which may be imported as a sample for taking orders for merchandise, or for the personal use of the importer (including any commodity brought in or sent in as a bona fide gift or for disposition by the importer as a bona fide gift), when the aggregate value of such commodities in any importation is not over ten dollars.

§ 6.24 *Policies and procedures regarding applications for, and issuance of, import licenses.* (a) Any person subject to the jurisdiction of the United States who desires a license to import any commodity may make application therefor by letter or telegram or on such form as may be issued for this purpose by the Director, addressed to the Director, Foreign Trade Programs Division, Foreign Agricultural Service, U. S. Department of Agriculture, Washington 25, D. C., Ref: IR–1 (Agricultural Imports).

(b) Applications for import licenses must state the point or points-of-entry at which it is desired to import the commodity covered by the application. If two or more points-of-entry are specified, the applicant should indicate the quantities he desires to import at each point-of-entry.

(c) Import licenses for the commodities referred to in Appendix 1 will be issued as follows:

(1) *Butter.* (i) Any person who desires to import butter during the 1954–55 quota period from a particular country-of-origin listed in Group I (a) of Appendix 1 shall apply for an import license therefor not later than July 31, 1954. Application for an import license to import butter during any subsequent quota period shall be made not later than the 31st day of May preceding the beginning of such quota period. To be an eligible applicant, a person must be eligible for an import license for dried cream, dried whole milk, dried buttermilk, dried skim milk, malted milk, or cheese, for the quota period for which application is being made to import butter. Only one application shall be considered for each applicant. Each eligible applicant may apply for a quantity of butter not in excess of 30 percent of the annual import quota for the particular country in the case of imports from Denmark or New Zealand or for the group of specified countries in the case of imports from any of the listed countries except Denmark and New Zealand. The application must specify one country-of-origin from which the applicant desires to import butter, must state the quantity in pounds for which application is being made, and must name the point or points-of-entry at which it is desired to import the butter.

(ii) If the aggregate quantity applied for from Denmark or New Zealand exceeds the annual import quota for the country or if the aggregate quantity applied for from the group of other specified countries exceeds the annual import quota for such group of countries, the respective quotas will be apportioned among, and import licenses will be issued to, eligible applicants in equal quantities, except that the quantity licensed to an applicant shall not exceed the quantity for which he made application, taking into account such other factors as must be considered to avoid inequities.

(iii) Each import license will specify the country-of-origin from which the butter may be imported.

(2) *Dried cream, dried whole milk, dried buttermilk, malted milk, and dried skimmed milk.* (i) Any person who imported any of the above-named commodities during the applicable base period specified in subdivision (ii) of this subparagraph and who desires to import such commodity subsequent to June 30, 1954, must, if he has not already done so, apply for an import license and submit a signed statement showing imports of such commodity made in his own name as the importer of record during the specified base period in accordance with the provisions of paragraph (d) of this section. Such application and statement must be submitted not later than July 31, 1954, for imports during the 1954–55 quota period and not later than the 31st day of May preceding the beginning of any subsequent quota period during which imports are to be made.

(ii) The base periods for the several commodities are:

(*a*) Dried cream, dried whole milk, dried buttermilk—January 1, 1951, through December 31, 1952.

(*b*) Malted milk—July 1, 1951, through June 30, 1952.

(*c*) Dried skimmed milk—July 1, 1950, through August 8, 1951.

(iii) The annual import quota for each of the above commodities will be apportioned among, and import licenses will be issued to, eligible applicants on the basis of each applicant's proportion of the total imports of the respective commodity during the specified base period, and such other factors as must be considered to avoid inequities.

(iv) Import licenses for dried buttermilk and dried skimmed milk will specify the quantity which may be imported from each particular country-of-origin. Such determination will be based upon the proportion of the applicant's total imports of the respective commodity which was imported from each country during the specified base period.

(3) *Cheese.* (i) Any person who imported any type of cheese referred to in Appendix 1 during the period January 1, 1948, through August 8, 1951, and who desires to import such type of cheese subsequent to June 30, 1954, must, if he has not already done so, submit, not later than January 1 of the quota period, a signed statement showing imports of such cheese made in his own name as the importer of record during the period January 1, 1948, through December 31, 1950, or, if he did not import such cheese during such period, during the period January 1, 1951, through August 8, 1951, in accordance with the provisions of paragraph (d) of this section.

(ii) Subject to the requirements of subdivision (iii) of this subparagraph the annual import quota for each type of cheese will be apportioned among eligible importers on the basis of each importer's proportion of the total imports of such cheese during the 1950 calendar year, with allowances for any greater proportion of the total imports which such importers may have imported during the 1949 and 1950 calendar years or the 1948, 1949, and 1950 calendar years, and such other factors as must be considered to avoid inequities. In the case of any importer who did not begin importing a particular type cheese until after December 31, 1950, his imports of that type during the period January 1, 1951, through August 8, 1951, will be treated as if they had occurred in 1950.

(iii) To assure equitable apportionment of the annual import quotas for cheese, no person shall be issued licenses pursuant to the provisions of subdivision (ii) of this subparagraph to import more than 30 percent of the aggregate quantity of any type of cheese authorized for importation during any quota period from a particular country-of-origin unless the Director shall determine that the application of such restriction in a particular instance is not practicable due to the small quantity of the type of cheese permitted to be imported from the particular country. Any quantity of a particular type of cheese for which import licenses are not issued as a result of the application of such limitation will be available for apportionment in the

following manner among persons to whom import licenses have been issued, pursuant to subdivision (ii) of this subparagraph, to import that type of cheese during that quota period. The Director shall notify eligible applicants of the quantity of each type of cheese which is available for such apportionment, the countries-of-origin from which such quantities may be imported, and the date by which applications therefor must be made. Each such application may be for a quantity not in excess of the available quantity, must be in writing, and must state the quantity in pounds for which application is being made. If the aggregate quantity of the particular type of cheese applied for from any country-of-origin exceeds the available quantity, the available quantity will be apportioned among, and import licenses will be issued to, eligible applicants in the proportion that each applicant's share of the annual quota for such type of cheese, determined pursuant to subdivision (ii) of this subparagraph, is to the sum of all eligible applicants' shares: *Provided*, That the proportionate quantity so licensed to any applicant shall not exceed the quantity for which he made application and shall not result in any person being issued, pursuant to this subparagraph, licenses to import more than 30 percent, in the aggregate, of that portion of the annual import quota for any type of cheese that may be imported from a particular country-of-origin.

(iv) For each quota period, initial import licenses will be issued authorizing each eligible importer to import approximately one-third of his share of the applicable import quota. Subsequent import licenses will be issued at intervals of approximately four months, and in accordance with the same general policy. If an importer's share is too small to permit division into three feasible handling and shipping units, the Director may, at his discretion, issue the initial import license for a quantity not in excess of such importer's share.

(v) Each import license will specify the country-of-origin from which the cheese may be imported. Subject to the requirements of subdivision (iii) of this subparagraph, the quantity that may be imported by each importer from such country will be based upon the proportionate quantity imported by him from such country during the base period used in determining his share, taking due account of any special factors which may have affected or may be affecting trade in the type of cheese concerned. To reflect current trends in the trade in Italian type cheese, and to effectuate the equitable distribution of imports of such cheese among countries-of-origin, the Director may transfer from one country-of-origin to another not more than one-third of the importer's share from any country-of-origin.

(d) Except in the case of butter, the applicant must submit a summary statement of his importations, during the applicable base period specified in paragraph (c) of this section, for the particular commodity for which an import license is desired. This statement must show the following for each importation: Description of the commodity, Custom entry number, port of entry, date of entry, country-of-origin, name of vessel or carrier on arrival, and quantity in net pounds, exclusive of the weight of containers. The applicant must sign the summary statement including a statement that it is correct to the best of his knowledge and belief and, unless documentary evidence is submitted therewith, a statement that such evidence is available and will be supplied upon request. The Director may, when deemed necessary to verify the accuracy of the statement, require submission of documentary or other satisfactory evidence.

(e) The share of the annual import quota for any commodity for any person, determined pursuant to paragraph (c) of this section, may be transferred to a successor in interest if the Director finds, on the basis of evidence acceptable to him, that the person for whom such share was determined is discontinuing his business of importing the commodity, is selling or assigning that business, including accounts receivable, tangible assets, and inventories, if any, and good will, and the successor is assuming the operation of that business.

§ 6.25 *Use of import licenses; responsibility of licensee.* (a) No person shall assign or transfer any import license, either in whole or in part, except as authorized in writing by the Director. An import license may be used only for the importation of the commodity specified therein by or for the account of the named licensee.

(b) Each import license will specify the point-of-entry through which the importation may be made. A "Customs Copy" of each license will be sent by the Director to the Collector of Customs at the point-of-entry stated on the license. This copy of the license will be retained by the Collector to whom sent, unless otherwise requested by the Director.

(c) Importation may be made only at the specified point-of-entry. However, upon prior application to the Director by the licensee, arrangements will be made by the Director for importation at another point-of-entry.

(d) Each licensee shall be responsible for the use made of his import license and for any importation in excess of the quantity authorized.

(e) There must be submitted to the Collector of Customs by or on behalf of the licensee at the time of importation of any commodity under a license specifying a particular country-of-origin: (1) A through bill of lading from the country-of-origin to the United States or a carrier's certificate evidencing the fact that the shipment is a through shipment from the country-of-origin to the United States, and (2) a United States Consular invoice completed in the country-of-origin.

§ 6.26 *New business.* For each quota period, an import license for not more than 1,000 pounds will be granted for importation of dried skimmed milk or dried buttermilk by any independent enterprise which, during the preceding quota period, was in the business of importing any other commodity referred to in Appendix 1 and which is not eligible for an import license for dried skimmed milk or dried buttermilk, as the case may be, pursuant to § 6.24. A license for not more than 1,000 pounds will be granted for importation of any type of cheese referred to in Appendix 1 by any independent enterprise which, during the preceding quota period, was in the business of importing any commodity referred to in Appendix 1 except cheese, and which is not eligible for an import license for cheese pursuant to § 6.24. An application under this section for a license must state the country-of-origin from which the applicant intends to import the commodity, and contain a statement concerning the size and nature of the applicant's business enterprise. An application under this section for a license to import cheese during any quota period must be made not later than January 1 of such quota period. An application under this section for a license to import any commodity other than butter or cheese during any quota period must be made not later than the 31st day of May preceding the beginning of such quota period, except that applications for such licenses for the 1954–55 quota period must be made not later than July 31, 1954. No person shall be eligible under this section for an import license for more than one commodity.

§ 6.27 *Records and reports.* (a) Each person making an importation shall file with the Collector of Customs a completed Form PMA–678, or such other form as may be required for this purpose by the Director. The form shall be signed by the licensee or an authorized officer, employee or agent of the licensee. The form will be transmitted by the Collector of Customs to the Foreign Agricultural Service, United States Department of Agriculture.

(b) The Director shall be entitled to obtain such information and reports from any person as may be necessary or appropriate, in the Director's discretion, in the enforcement or administration of these regulations.

(c) Persons importing commodities listed in Appendix 1 shall retain records of all such importations and of the transactions relating to the procurement and disposition of such commodities for a period of not less than two years subsequent to the end of the quota period during which the importation was made.

(d) The Director shall be entitled to make such audit and inspection of the books, records, and other writings, premises, and stocks of commodities of any person, and to make such investigations, as may be necessary or appropriate, in the Director's discretion, in the enforcement or administration of §§ 6.20 to 6.33.

§ 6.28 *Suspension; revocation.* (a) The import licenses issued to any person shall be subject to suspension and revocation if such person improperly uses any such license or otherwise violates the provisions of §§ 6.20 to 6.33.

(b) The Director shall take such action as he deems appropriate to assure opportunity for the importation of the annual import quota of each commodity. For this purpose the Director may require each licensee to submit evidence of his intent and ability to import all or substantially all of his authorized quan-

tity. Any import license may be revoked by the Administrator, Foreign Agricultural Service, at any time if, in his judgment, the licensee has not submitted satisfactory evidence of intent and ability to import all or substantially all of the quantity specified in such license, and such revocation is necessary to enable reapportionment of the unused quota among eligible persons who desire and are able to import the commodity. If the importer whose license is so revoked demonstrates that he intends and is able to import all or a part of the quantity specified in the revoked license, he shall be issued a new license accordingly.

§ 6.29 *Petitions for relief from hardship.* (a) Any person affected by §§ 6.20 to 6.33 who considers that compliance herewith would work an exceptional or unreasonable hardship on him may file a petition for relief with the Director. Petitions shall be in writing and shall set forth all pertinent facts, the nature of the relief sought, and the justification therefor. The Director may take such action with reference to the petition as he deems appropriate.

(b) If the petitioner is dissatisfied with the action taken by the Director on the petition, he may obtain, by requesting the Administrator, Foreign Agricultural Service, a review of such action by the Administrator. After said review, the Administrator will take such action as he deems appropriate, which action shall be final.

§ 6.30 *Delegation of authority.* The administration of §§ 6.20 to 6.33 and the powers vested in the Administrator, Foreign Agricultural Service, insofar as such powers relate thereto are hereby delegated to the Director, except the authority to revoke import licenses pursuant to § 6.28 and the authority to review, upon appeal, action taken by the Director on petitions for relief from hardship filed pursuant to § 6.29.

§ 6.31 *Violations.* Any person who violates any provision of §§ 6.20 to 6.33 may be prosecuted under any and all applicable laws. Civil action may also be instituted to enforce any liability or duty created by, or enjoin any violation of, any provision of §§ 6.20 to 6.33 or requirements pursuant hereto. Any quantity of a commodity imported by any person contrary to §§ 6.20 to 6.33 may be charged against any unusued import license held by, or to be issued to, such person for such commodity.

§ 6.32 *Communications.* All reports required to be filed under §§ 6.20 to 6.33 and all communications concerning §§ 6.20 to 6.33 shall, unless instructions to the contrary are issued by the Director, be addressed to the Foreign Agricultural Service, United States Department of Agriculture, Washington 25, D. C., Ref: IR–1 (Agricultural Imports).

§ 6.33 *Effective date.* Sections 6.20 to 6.33 shall become effective July 1, 1954. With respect to violations, rights accrued, liabilities incurred, or appeals taken concerning Import Regulation 1, as amended, prior to the effective date hereof, all provisions of said Import Regulation 1, as amended, in effect at the time when such violations occurred, rights accrued, liabilities incurred, or appeals were taken shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

Import Regulation 1, which became effective July 1, 1953, was issued on June 30, 1953 (18 F. R. 3819) and invited proposals for the amendment or modificaton thereof. Numerous recommendations and suggestions for amendment or modification had been received from importers throughout the quota period and have been given consideration. In addition, experiences gained in the administration of the provisions of Import Regulation 1, as amended, have indicated the desirability for certain other modifications.

In accordance with the requirements of Import Regulation 1, as amended and currently in effect, the time for filing applications for the importation of certain commodities during the 1954–55 quota period has already expired. The revision, however, furnishes additional time within which eligible applicants may apply for import licenses. Further, the revised regulations, among other things, prescribed the policies and procedures for the issuance of import licenses for the quota period beginning July 1, 1954, and should, therefore, be made effective not later than such date to enable persons entitled thereto to apply for, and receive such licenses. Some of the changes effected by this revision that are procedural in nature do not require any special preparation by persons affected thereby, while, in other instances, changes relieve restrictions and should be made operative promptly to enable licensees to avail themselves of the benefits resulting therefrom.

The effectiveness during the current quota period of certain procedural and other provisions of Import Regulation 1, as amended, could not be accurately determined until the closing weeks of such quota period; and, therefore, it was only recently that the need of desirability of certain revisions under consideration could be established. In addition, certain necessary supplemental data and information upon which the revision is, in part, predicated has only recently become available.

Proposals for amendment or modification of this revision are invited. They may be addressed to Foreign Agricultural Service, United States Department of Agriculture, Washington 25, D. C., Ref: IR–1 (Agricultural Imports). All proposals received by August 1 will be given immediate consideration. Any such proposal should be accompanied by a written statement in explanation and support of such proposal.

It is hereby determined that the foregoing revision of Import Regulation 1 is necessary and must be made effective as soon as possible, in order to carry out the provisions of Proclamation 3019, as amended. Therefore, under section 4 of the Adminsitrative Procedure Act (5 U. S. C. 1003) it is found upon good cause that notice and other public rule-making procedure concerning the revision are impracticable, unnecessary, and contrary to the public interest and that good cause exists for making the revision effective less than 30 days after publication in the FEDERAL REGISTER.

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

Issued at Washington, D. C., this 15th day of June 1954.

[SEAL] C. E. WHIPPLE,
Administrator.

APPENDIX 1—COMMODITIES SUBJECT TO IMPORT REGULATION 1, REVISED, AND ANNUAL IMPORT QUOTAS FOR EACH QUOTA PERIOD (JULY 1 THROUGH JUNE 30)

Commodity	Commerce import class No. [1]	Annual import quota (pounds) [2]
Group I [3]:		
(a) Butter	0044.000	
New Zealand		332,000
Denmark		212,000
Argentina, Australia, Canada, Netherlands, Norway, Sweden, and Switzerland		163,000
(b) Dried cream	0041.300	500
(c) Malted milk	0041.900	6,000
(d) Dried whole milk	0041.000	7,000
(e) Dried skimmed milk	0041.100	1,807,000
(f) Dried buttermilk	0041.200	656,000
Group II:		
Cheddar cheese	0046.400	2,780,100
Cheese and substitutes for cheese containing, or processed from, cheddar cheese	0046.900	
Edam and Gouda cheese	0046.750 0046.790	4,000,200
Blue-mold cheese (except Stilton [4])	0046.600	4,167,000
Cheese and substitutes for cheese containing, or processed from, blue-mold cheese	0046.990	
Italian type cheeses made from cow's milk, in original loaves		9,200,100
Romano made from cow's milk	0046.020	
Reggiano	0046.110	
Parmesano	0046.120	
Provolone	0046.230	
Provolette	0046.250	
Sbrinz	0046.940	

[1] Commodity numbers taken from Schedule A, Statistical Classification of Imports of the Department of Commerce (Issue of January 1, 1954). The inclusion of these numbers is for information purposes only and they do not modify, and shall not be considered as a modification of the definitions of commodities contained in this regulation.

[2] Aggregate quantity.

[3] See § 6.21 for definitions for commodities included in this group.

[4] Stilton cheese, as used herein, is cheese which conforms to the definition and standard of identity prescribed by § 19.565 *Blue cheese; identity* (21 CFR 19.565) except that it contains not more than 37 percent moisture and is hard, dry, rather crumbly, has a grayish to yellowish interior with irregular bluish-green veins of mold, and when in natural loaves has a hard, wrinkled crust.

[F. R. Doc. 54–4674; Filed, June 17, 1954; 8:51 a. m.]

TITLE 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

Subchapter D—Freight Forwarders

PART 440—UNIFORM SYSTEM OF ACCOUNTS FOR FREIGHT FORWARDERS

MISCELLANEOUS AMENDMENTS

At a session of the Interstate Commerce Commission, division 1, held at its office in Washington, D. C., on the 4th day of June A. D. 1954.

The matter of modifying the "Uniform System of Accounts for Freight

Forwarders, Issue of 1943," as amended, being under consideration pursuant to the provisions of section 412 (a) of the Interstate Commerce Act, as amended:

It appearing that a notice of proposed rule making dated April 15, 1954, was served on all freight forwarders subject to the provisions of the Act, to the effect that certain modifications had been approved, such notice also being published in the FEDERAL REGISTER on April 20, 1954, (19 F. R. 2274) pursuant to provisions of section 4 of the Administrative Procedure Act; and,

It further appearing that the notice provided for written views or arguments to be filed by any interested person on or before June 1, 1954, and no representations having been received;

It is ordered, That the provisions of the said "Uniform System of Accounts for Freight Forwarders, Issue of 1943," as amended, be, and they are hereby, amended as follows:

1. Cancel the present text of paragraph (a) of instruction § 440.0–5 *Depreciation and amortization accounting*, and substitute the following:

(a) There shall be charged monthly to operating expenses or other appropriate accounts and credited to account 149, "Depreciation and amortization reserve—Transportation property," during the service life of depreciable property, amounts which will approximate the loss in service value not restored by current repairs or covered by insurance. The charges for currently accruing depreciation shall be computed in conformity with the unit method by applying to the original cost or estimated original cost such percentage rates as will distribute the service value by the straight-line method in equal annual charges to operating expenses or other accounts during the estimated life of the property.

2. Cancel the present text of Note B, and substitute the following:

NOTE B. The term "unit method" means the method under which depreciation charges are computed and the records maintained so that the total amount of depreciation accrued applicable to each unit of property can be determined. Upon the retirement of any such unit the amount of depreciation accrued to date of retirement and carried in account 149, "Depreciation and amortization reserve—Transportation property," is chargeable to that account. The difference between the amount accrued and carried in account 149 with respect to each unit or item of property retired and the service value is includible in account 622, "Depreciation adjustment."

3. Cancel the text of item 1 of instruction § 440.0–43 *Retirements*, and substitute the following:

1. Depreciable property: The value of the salvage recovered shall be charged to account 108 "Material and supplies," or other appropriate asset account, according to the disposition of the material recovered. The service value shall be charged to account 149, "Depreciation and amortization reserve—Transportation property," to the extent of the amount carried in that account and the remainder shall be included in account 622, "Depreciation adjustment." (See § 440.0–5 *Depreciation and amortization accounting*.)

4. Change the caption of account § 440.141, *Furniture, fixtures, and equipment*, to read *Furniture and office equipment*, and delete the following from "Items":

Blocks and falls.	Electric motor trucks.
Carts.	Platform trucks.
Chain hoists.	Warehouse trucks.
Dollies (platform).	Weighing devices.

5. Change the number of account § 440.144, *Other property account charges*, to read § 440.145.

6. Add the following new account and the text and list of items pertaining thereto:

§ 440.144 *Terminal and platform equipment.* This account shall include the cost of electric and gasoline motor trucks, other wheeled equipment, and similar types of equipment used at terminals and loading platforms in connection with handling freight.

Items

Blocks and falls.	Gasoline motor trucks.
Carts.	Hand trucks.
Chain hoists.	Platform trucks and tractors.
Dollies (platform).	Warehouse trucks.
Electric motor trucks.	Weighing devices.
Fork lift trucks.	

7. Cancel paragraph (b) of the text of account § 440.149 *Depreciation and amortization reserve; transportation property* and substitute the following:

(b) At the time of retirement of depreciable property the amount of depreciation accrued and included herein with respect to the particular unit or item shall be charged hereto. (See § 440.0–43 *Retirements*.)

8. Change the note under account § 440.149 to read "Note B".

9. Add to the text of account § 440.149 the following note:

NOTE A. This account shall be subdivided to show the reserve separately for classes of property corresponding to the property investment accounts as follows:

Furniture and office equipment.
Motor and other highway vehicles.
Public improvements (depreciable property).
Terminal and platform equipment.
Other property account charges (depreciable property).

10. Add this new account number, title and text:

§ 440.622 *Depreciation adjustment.* This account shall include the difference between the amount of depreciation accrued and credited to account 149, "Depreciation and amortization reserve—Transportation property," with respect to any unit or item of depreciable property accounted for as retired from service, and the service value of such unit or item. (See § 440.0–5 *Depreciation and amortization accounting*.)

It is further ordered, That:

(1) *Effective date.* The foregoing modifications, relating to the subject matter of said notice, shall become effective August 1, 1954, but nothing contained herein shall be construed as prohibiting application retroactively to January 1, 1954.

(2) *Notice.* A copy of this order shall be served on every freight forwarder subject to part IV of the Act, and on each trustee, receiver, executor, administrator, or assignee of any such freight forwarder, and notice of the order shall be given to the general public by depositing a copy thereof in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

(56 Stat. 294, as amended, 49 U. S. C. 1012)

By the Commission, Division 1.

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

[F. R. Doc. 54–4660; Filed, June 17, 1954; 8:50 a. m.]

TITLE 14—CIVIL AVIATION

Chapter II—Civil Aeronautics Administration, Department of Commerce

[Amdt. 81]

PART 608—DANGER AREAS

ALTERATIONS

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

Part 608 is amended as follows:

1. In § 608.18, the Avon Park, Florida, area (D–167), published on July 16, 1949, in 14 F. R. 4287, and amended on February 9, 1950, in 15 F. R. 705, is further amended by changing the "Time of Designation" column to read: "Continuous."

2. In § 608.30, the Little Sable, Michigan, area (D–437), published on April 14, 1953, in 17 F. R. 2077, and amended on January 16, 1954, in 19 F. R. 292, is further amended by changing the "Time of Designation" column to read: "Daylight hours only, indefinitely."

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

This amendment shall become effective on June 25, 1954.

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

[F. R. Doc. 54–4633; Filed, June 17, 1954; 8:45 a. m.]

[Amdt. 90]

PART 609—STANDARD INSTRUMENT APPROACH PROCEDURES

PROCEDURE ALTERATIONS

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

Part 609 is amended as follows:

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

LFR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, and courses are magnetic. Distances are in statute miles unless otherwise indicated. Elevations and altitudes are in feet, MSL. Ceilings are in feet above airport elevation.[1]
If an LFR instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure authorized by the Administrator for Civil Aeronautics for such airport. Initial approaches shall be made over specified routes. Minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set forth below.

City and State; airport name, elevation; facility; class and identification; procedure No.; effective date	Initial approach to facility from—	Course and distance	Minimum altitude (ft.)	Procedure turn (—) side of final approach course (outbound and inbound); altitudes; limiting distances	Minimum altitude over facility on final approach course (ft.)	Course and distance, facility to airport	Ceiling and visibility minimums			If visual contact not established at authorized landing minimums after passing facility within distance specified, or if landing not accomplished
							Condition	Type aircraft		
								75 m. p. h. or less	More than 75 m. p. h.	
1	2	3	4	5	6	7	8	9	10	11
CUTBANK, MONT. Cutbank, 3,500' SBMRAZ-DTV CTB Procedure No. 1 June 15, 1954				E side SE course: 139° outbound. 319° inbound. 5,500' within 25 miles.	4,800	328—3.1	T-dn C-d C-n A-dn	300-1 500-1 500-2 800-2	300-1 600-1½ 600-2 800-2	Within 3.1 miles, climb to 6,000' on N course CTB LFR 328° outbound within 25 miles.
FRESNO, CALIF. Fresno-Chandler, 277' SBRAZ-DTV FNO Procedure No. 1 June 14, 1954	Bowles Int. (Int. of 012° bearing to FNO LOM and SE course FNO LFR) (final).	316—11.0	800	S side SE course:* 139° outbound. 319° inbound. 1,500' within 25 miles.	800	035—1.0	T-dn C-dn A-dn	300-1 500-2 800-2	NA NA NA	Within 0.0 mile, climb to 2,000' on W course within 20 miles. *Procedure turn S side for more favorable terrain.
Procedure No. 2 June 14, 1954	Bowles Int. (Int. of 012° bearing to FNO LOM and SE course FNO LFR).	316—11.0	1,500	S side W course: 271° outbound. 091° inbound. 1,500' within 10 miles. 1,900' within 25 miles.	800	035—1.0	T-dn C-dn A-dn	300-1 500-2 800-2	NA NA NA	Within 0.0 mile, climb to 1,500' on SE course within 20 miles.
JACKSONVILLE, FLA. Imeson, 52' SBRAZ-JAX Procedure No. 2** June 25, 1954	Bryceville FM or Int. W course JAX LFR and 358° bearing from Cecil HW (final).	089—24 to Riverview Fix*	700	#N side W course: 269° outbound. 089° inbound. 1,200' within 25 miles.	700 over Riverview Fix*	089—2.1	T-dn C-dn S-dn 9 A-dn	300-1 500-1 500-1 800-2	300-1 500-1½ 500-1 800-2	Within 3.1 miles, climb to 1,300' on E course of JAX LFR (089°) within 25 miles. **Procedure authorized only for aircraft equipped to receive JAX LFR and JAX LOM bearings simultaneously. *Riverview Fix is the intersection of the W course of JAX LFR and a 339° bearing from JAX LOM. #Procedure turn nonstandard to avoid danger area.
	Jacksonville VOR	225—2.5	1,200							
MARIANNA, FLA. Graham AB (Marianna), 112' Procedure No. 1 August 8, 1950	PROCEDURE CANCELED, EFFECTIVE JUNE 28, 1954.									
MUSCLE SHOALS, ALA. Muscle Shoals Airport, 548' SBRAZ-VDT MSL Procedure No. 1 June 28, 1954	Muscle Shoals VOR	038—0.9	1,700	N side S course: 131° outbound. 311° inbound. 1,900' within 25 miles.	1,400	283—4.7	T-dn C-dn S-dn 29 A-dn	300-1 500-1 500-1 800-2	300-1 500-1½ 500-1 800-2	Within 4.7 miles, climb to 2,000' on W course (282°) within 25 miles. CAUTION: Transmission line poles 654' mean sea level located 1.5 miles E of approach end of runway 29.
SAN DIEGO, CALIF. Lindbergh Field, 13' SBRAZ-DTV SAN Procedure No. 1 June 25, 1954	Jamul RBN	263—21.0	3,600	W side N course: 325° outbound. 145° inbound. 2,500' within 25 miles.	*1,200	143—2.5	T-dn C-dn A-dn	300-1 600-2 800-2	300-1 700-2 800-2	Within 2.5 miles, climb to 3,000' on SE course within 15 miles of SAN LFR (Mexican Border). *1,500' if La Jolla FM not received. Approach clearance required before descent below 2,500'. #Descent below 2,500' not authorized until S of La Jolla FM, inbound.
	Int. E course SAN LFR and SE course Miramar LFR.	263—8.0	1,500							
	Coronado FM	319—10.0	2,600							
	Oceanside RBN	145—35.0	2,300							
	La Jolla FM (final)	145—6.0	*1,200							

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

ADF STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, and courses are magnetic. Distances are in statute miles unless otherwise indicated. Elevations and altitudes are in feet, MSL. Ceilings are in feet above airport elevation.
If an ADF instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure authorized by the Administrator for Civil Aeronautics for such airport. Initial approaches shall be made over specified routes. Minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set forth below.

City and State; airport name, elevation; facility; class and identification; procedure No.; effective date	Initial approach to facility from—	Course and distance	Minimum altitude (ft.)	Procedure turn (—) side of final approach course (outbound and inbound); altitudes; limiting distances	Minimum altitude over facility on final approach course (ft.)	Course and distance, facility to airport	Ceiling and visibility minimums			If visual contact not established at authorized landing minimums after passing facility within distance specified, or if landing not accomplished
							Condition	Type aircraft		
								75 m. p. h. or less	More than 75 m. p. h.	
1	2	3	4	5	6	7	8	9	10	11
PONCA CITY, OKLA. Municipal, 1,014' BMH-PNC Procedure No. 1 June 26, 1954	Ponca City VOR	102—3.5	2,200	S side of course: 255° outbound. 075° inbound. 2,200' within 25 miles.	1,700	On airport	T-dn C-dn A-dn	300-1 700-1 800-2	300-1 700-1½ 800-2	Within 0.0 mile, climb to 2,300' on course of 075° within 25 miles.
Procedure No. 2 June 26, 1954	Ponca City VOR	102—3.5	2,200	W side of course: 350° outbound. 170° inbound. 2,300' within 25 miles.	1,800 over Blackwell Fix	170—3.6 from Blackwell Fix	T-dn C-dn S-dn 17 A-dn	300-1 500-1 500-1 800-2	300-1 500-1½ 500-1 800-2	Within 3.6 miles, climb to 2,300' on course of 170° within 25 miles. NOTE: Procedure authorized only for aircraft equipped to receive Ponca City Radiobeacon and Ponca City VOR bearings simultaneously. Blackwell Fix is Int. 40° radial from PNC VOR and final approach course.

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

ILS STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, and courses are magnetic. Distances are in statute miles unless otherwise indicated. Elevations and altitudes are in feet, MSL. Ceilings are in feet above airport elevation.
If an ILS instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure authorized by the Administrator for Civil Aeronautics for such airport. Initial approaches shall be made over specified routes. Minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set forth below:

City and State; airport name, elevation; facility; class and identification; procedure No.; effective date	Transition to ILS				Procedure turn (—) side of final approach course (outbound and inbound); altitudes; limiting distances	Minimum altitude at glide slope intercept. inbound (ft.)	Altitude of glide slope and distance to approach end of runway at—		Ceiling and visibility minimums			If visual contact not established upon descent to authorized landing minimums or if landing not accomplished
	From—	To—	Course and distance	Minimum altitudes (ft.)			Outer marker	Middle marker	Condition	Type aircraft		
										75 m. p. h. or less	More than 75 m. p. h.	
1	2	3	4	5	6	7	8	9	10	11	12	13
DALLAS, TEX. Love Field, 487' ILS-DAL Procedure No. 1 December 31, 1952	PROCEDURE CANCELED JUNE 28, 1954.											
Procedure No. 2 February 6, 1953	PROCEDURE CANCELED JUNE 28, 1954.											
ST. JOSEPH, MO. Rosecrans Memorial, 821' ILS-STJ LOM-ST Procedure No. 1 Combination ADF-ILS May 5, 1954	St. Joseph LFR	LOM	167—2.5	2,300	E side S course: 172° outbound. 352° inbound. 2,300' within 10 miles. (Not authorized beyond 10 miles.)	ILS 2,300	2,261—6.0	1,066—0.9	T-dn C-d C-n	300-1 500-1 500-1½	300-1 700-1½ 700-1½	Within 6.0 miles (ADF), climb to 2,400' on N course ILS within 25 miles. CAUTION: Weather Bureau observations available 0600 through 2100 only. When U. S. Weather Bureau observations not available, ADF minimums apply. 400' bluffs W, NW, and E of airport.
	St. Joseph VOR	N course ILS	153—3.0	2,400		ADF 1,800			S-dn ILS 35	400-¾	400-¾	
									ADF 35	500-1	500-1	
									A-dn	800-2	800-2	

4. The ground controlled approach procedures prescribed in § 609.13 are amended to read in part:

GCA STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, and courses are magnetic. Distances are in statute miles unless otherwise indicated. Elevations and altitudes are in feet, MSL. Ceilings are in feet above airport elevation.
If a GCA instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument procedure, unless an approach is conducted in accordance with a different procedure authorized by the Administrator for Civil Aeronautics for such airport. Initial approaches shall be made over specified routes. Minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set forth below. Positive identification must be established with the ground controller. From initial contact with GCA to final authorized landing minimums, the instructions of the GCA controller are mandatory except when (A) visual reference with ground is established on final approach at or before descent to the authorized landing minimums, or (B) at pilot's discretion if it appears desirable to discontinue the approach.

City and State; airport name, elevation; effective date	Radar terminal area; maneuvering altitudes by sectors and limiting distances	Ceiling and visibility minimums						Except when the ground controller may direct otherwise prior to final approach, a missed approach procedure shall be executed as provided below when (a) communication on final approach is lost for more than 5 seconds; (b) directed by ground controller; (c) visual reference is not established upon descent to the authorized landing minimums; or (d) landing is not accomplished.
		Runway No.	Condition	Precision approach (PAR)		Surveillance approach (ASR)		
				75 m. p. h. or less	More than 75 m. p. h.	75 m. p. h. or less	More than 75 m. p. h.	
1	2	3	4	5	6	7	8	9
SAN FRANCISCO, CALIF. International, 11' May 29, 1954	All bearings shown are to the radar with sector azimuths progressing clockwise.	28 L/R and 19 L/R.	C-dn	----------	----------	500-1	600-1½	For runways 28 L/R, climb to 3,000' on NW course of San Francisco LF range within 25 miles. For runways 19 L/R, turn left and home on SFD LOM climbing to 2,000'.
	Within 5 miles: 158°-317°, 500' 317°-158°, 2,500'	All runways	T-dn A-dn	---------- ----------	---------- ----------	300-1 800-2	300-1 800-2	
	Within 10 miles: 158°-317°, 1,300' 317°-158°, 3,000'							
	Within 15 miles: 168°-317°, 1,600' 317°-350°, 3,500' 350°-168°, 3,000'							
	Within 20 miles: 180°-217°, 3,000' 217°-255°, 2,000' 255°-310°, 1,600' 310°-342°, 3,500' 342°-144°, 3,000' 144°-180°, 2,000'							
	Within 25 miles: 171°-268°, 3,200' 268°-301°, 1,600' 301°-342°, 4,000' 342°-121°, 3,000' 121°-144°, 3,600' 144°-171°, 2,000'							

5. The very high frequency omnirange procedures prescribed in § 609.15 (a) are amended to read in part:

VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, and courses are magnetic. Distances are in statute miles unless otherwise indicated. Elevations and altitudes are in feet, MSL. Ceilings are in feet above airport elevation.
If a VOR instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure authorized by the Administrator for Civil Aeronautics for such airport. Initial approaches shall be made over specified routes. Minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set forth below.

City and State; airport name, elevation; facility; class and identification; procedure No.; effective date	Initial approach to facility from—	Course and distance	Minimum altitude (ft.)	Procedure turn (—) side of final approach course (outbound and inbound); altitudes; limiting distances	Minimum altitude over facility on final approach course (ft.)	Course and distance, facility to airport	Ceiling and visibility minimums			If visual contact not established at authorized landing minimums after passing facility within distance specified, or if landing not accomplished
							Condition	Type aircraft		
								75 m. p. h. or less	More than 75 m. p. h.	
1	2	3	4	5	6	7	8	9	10	11
HOBBS, N. MEX. Lea County Airport, 3,659' BVOR-HOB Procedure No. 1 May 28, 1954	Hobbs LFR	127—7.0	5,000	N side course: 035° outbound. 215° inbound. 4,800' within 25 miles.	4,300	215—5.0	T-dn C-dn S-dn 28 A-dn	300-1 500-1 500-1 800-2	500-1 500-1½ 500-1 800-2	Within 5.0 miles, climb to 4,000' on course 215° within 25 miles.

VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

City and State; airport name, elevation; facility: class and identification; procedure No.; effective date	Initial approach to facility from—	Course and distance	Minimum altitude (ft.)	Procedure turn (—) side of final approach course (outbound and inbound); altitudes; limiting distances	Minimum altitude over facility on final approach course (ft.)	Course and distance, facility to airport	Ceiling and visibility minimums			If visual contact not established at authorized landing minimums after passing facility within distance specified, or if landing not accomplished
							Condition	Type aircraft		
								75 m. p. h. or less	More than 75 m. p. h.	
1	2	3	4	5	6	7	8	9	10	11
MARIANNA, FLA. Graham Air Base, 112' BVOR-MAI Restricted Procedure No. 1 June 28, 1954				N side of course: 127° outbound. 307° inbound. 1,400' within 15 miles. Beyond 15 miles NA.	900	307—3.5	T-dn C-dn S-dn 22 A-dn	300-1 500-1 500-1 800-2	300-1 500-1½ 500-1 800-2	Within 3.5 miles, climb to 1,400' on course of 269° within 25 miles. CAUTION: 1. Airport operated by Graham Aviation for intense military flight training. Entry into airport requires prior arrangement except in emergency. 2. Operation above 20,000' is in night Danger Area D-336.
MUSCLE SHOALS, ALA. Muscle Shoals Airport, 548' BVOR-MSL Procedure No. 1 June 28, 1954	Muscle Shoals LFR	238—6.9	1,700	N side course: 114° outbound. 294° inbound. 1,300' within 25 miles.	1,400	294—4.1	T-dn C-dn S-dn 29 A-dn	300-1 500-1 500-1 800-2	300-1 500-1½ 500-1 800-2	Within 4.1 miles, climb to 2,000' on course of 294° within 25 miles. CAUTION: Transmission line poles 654' mean sea level located 1.5 miles E of approach end of runway 29.
ST. JOSEPH, MO. Rosecrans Memorial, 821' BVOR-STJ Procedure No. 1 May 5, 1954	St. Joseph LFR	330—17.0	2,400	W side: 347° outbound. 167° inbound. 2,400' within 25 miles.	2,400	167—12.7	T-dn C-dn A-dn	300-1 1,000-3 1,000-3	300-1 1,000-3 1,000-3	Within 12.7 miles, climb to 2,500' on outbound course 167° within 25 miles. CAUTION: Weather Bureau observations available 0600 through 2100 only. 400' bluffs W, NW, and E of airport.
SAN DIEGO, CALIF. Lindbergh Field, 19' BVOR-DTV SAN Procedure No. 1 June 25, 1954	Int. 322° radial from SAN VOR and 118° radial from LGB VOR.	142—30.0	2,500	W side of course: 322° outbound. 142° inbound. 2,500' within 25 miles.	1,500*	155—6.1	T-dn C-dn A-dn	300-1 800-2 800-2	300-1 800-2 800-2	Within 6.1 miles, climb to 3,000' on outbound track of 145° within 15 miles of VOR. *Descent below 2,500' not authorized until past La Jolla inbound.
	La Jolla FM (final)	142—2.0	1,500							
TUCUMCARI, N. MEX. Tucumcari Municipal, 4,063' BVOR-TCC Procedure No. 1 May 28, 1954	TCC LFR	075—3.0	5,200	N side: 086° outbound. 266° inbound. 5,200' within 25 miles.	4,800	0.0	T-dn C-dn A-dn	300-1 700-1 800-2	300-1 700-1½ 800-2	Within 0.0 mile climb to 7,800' on a course of 254° within 25 miles of TCC-VOR. CAUTION: 5,020' terrain 4.5 miles SW of LFR.

These procedures shall become effective on the dates indicated in Column 1 of the procedures.

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

[SEAL]

F. B. LEE,
Administrator of Civil Aeronautics.

[F. R. Doc. 54-4551; Filed, June 17, 1954; 9:23 a. m.]

[Amdt. 91]

PART 609—STANDARD INSTRUMENT APPROACH PROCEDURES

MISCELLANEOUS AMENDMENTS

The purpose of this amendment is to combine like procedures and areas for simplicity in presentation; and to bring Part 609 into complete agreement with the ANC Criteria for Standard Instrument Approach Procedures, effective July 1, 1954, which improve standardization between civil and military procedures. The revisions to this part (1) provide for reduction in size of final approach and procedure turn areas to be more consistent with present-day improved aids and to standardize missed approach procedures; (2) allow VFR operation over 12 miles under more liberal terms; (3) provide improved operations by use of VOR located on an airport; and (4) specify radar transition altitudes within 25 miles of a facility.

In order to establish uniform criteria for the protection of air traffic, this amendment is adopted to become effective on July 1, 1954, which is also the effective date of the revised ANC Criteria for Standard Instrument Approach Procedures. It has been coordinated with the Air Force, Navy, Coast Guard and other interested persons. Further compliance with the notice, procedure and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and therefore is not required. Part 609 is amended as follows:

1. Section 609.5 is revised to read as follows:

§ 609.5 *Low and medium frequency range, ADF and VOR procedures*—(a) *General.* The policies set forth in this section will be used by the Administrator in formulating and approving all radio range, ADF and VOR procedures including those prescribed in §§ 609.6, 609.7 and 609.8.

(1) *Deviations.* Many airports are so located with respect to unfavorable terrain, obstructions and congested areas as to require special consideration, but every effort will be made to formulate all procedures in accordance with the applicable criteria. When deviations are found necessary, they will be fully coordinated and an explanation of the reasons for the deviation will be attached to the procedure. Where deviations have been approved, caution notes such as "Caution, high terrain 4½ miles to west of final approach course" will be shown on published instrument approach procedures where safety is involved.

(2) *Number of procedures established.* (i) More than one procedure may be established on each facility for a particular airport when a different direction of approach is involved. An instrument approach procedure may be established when a fan marker, compass locator or other reliable fix is normally situated within seven miles of the airport and located on a course which passes over or is adjacent to the airport. To be usable for a final approach fix, an intersection may consist of a radio bearing, a VOR course, an ILS course or a range course. The station forming the fix must be located within 25 miles of the intersection and the angle of intersection must be at least 45° with the exception of VOR courses or ILS courses in which case the angle must be at least 30°. The additional procedures will be established in the same manner as a procedure from over the facility and will be complete in all details including procedure turn, direction and approach altitudes.

(ii) Where more than one procedure is established for a low or medium frequency range, either one may be the primary procedure utilized. The number 1 procedure will be based on an approach from over the station and procedure number 2 will be based on utilization of a fan marker, compass locator or reliable fix. In the case of ADF procedures, they will be numbered in accordance with the number of ADF procedures approved for the airport.

(b) *Initial approach to facility.* Initial approaches to the facility will normally be made over specified routes. This information will not be indicated on the procedure itself since it is considered as en route information which is available from other sources. Initial approaches, however, will be specified from reliable fixes located twenty-five miles or less from the facility which will afford a reduction from the published minimum en route altitude and provide a transition to the facility. Such transitions will include the courses, distance and altitudes from the fix to the facility.

(1) (i) The altitudes to the facility will correspond with those established for minimum en route operations in the particular area, except where a transition altitude has been established for an initial approach from a reliable fix. The transition altitude will be specified on the procedure and will provide at least 1,000 feet clearance above all obstructions five miles on each side of the course from the fix to the facility. All altitudes will be indicated to the nearest 100 feet (i. e., 1,149 feet will be indicated as 1,100; 1,150 feet will be indicated as 1,200, etc.).

(ii) The initial approach altitudes will be specified in all cases on all courses in areas outside the continental limits of the United States or its territories.

(c) *Shuttle.* Where necessary, a shuttle between two fixes or within a specified distance of the facility will be prescribed to allow for descent after initial approach and prior to commencement of the final approach. Vertical and lateral clearance will be provided similar to that provided for procedure turns.

(d) *Procedure turn.* Procedure turns will be established and specified in procedures for use in the return to the final approach course (inbound). Normally, a procedure turn involves an initial left turn away from the outbound course followed by a turn to the right toward and intercepting the final approach course. Direction of the turn will be specified as north, south, east or west side of the final approach course. This type of turn will be standard whenever the terrain, obstructions, and traffic will permit. The degree of turn and the point at which the turn will be made is left to the discretion of the pilot but the maneuver will be completed within the maneuvering area at or above the altitude established to provide the required obstruction clearance. A procedure turn need not be specified when the final approach course can be established from a reliable fix or from an established holding pattern. (See paragraph (e) (2) (ii) of this section.)

(1) *Altitudes.* A minimum altitude will be established for a procedure turn and will normally provide an obstruction clearance of at least 1,000 feet for 8 miles on the maneuvering side of the outbound course and 5 miles on the opposite side within a distance of 15 miles from the facility, five miles of which should be considered a buffer zone. Altitudes for distances greater than 15 miles will not be included unless a definite hazard is believed to exist through omission of this information, in which event advisory altitudes will be provided for 20 and 25 miles. Where procedure turns beyond a specified distance are not approved, the term "Not Authorized" (NA) will be used.

(2) *Non-standard procedure turns.* A non-standard procedure turn may be authorized when the turn cannot be made on the left side of the outbound course due to unusual high obstructions or for aircraft traffic control or other reasons. In such cases the turn will be made on the right side of the outbound course and an explanatory note will be included in the procedure such as, "all turns will be made on the east side of the outbound course, high terrain west side of course."

(e) *Final approach.* The term "final approach" is defined as beginning at the reliable fix from which a final approach has been authorized or beginning at the point where the procedure turn is completed and the aircraft is headed back towards the facility and ending at the point where the landing is completed or the missed approach commences. Where possible, after considering terrain and course accuracy, the orientation of the entire final approach course will coincide with that part of the final approach course from the facility to the airport. Specific courses, both outbound and inbound, in degrees magnetic will be indicated on each procedure to avoid any confusion. There will be only one final approach course for any one procedure. At some locations, due to terrain or other features, it may be advantageous for the final approach course between the fix, or the point where the procedure turn is completed, and the facility to differ from the final approach course between the facility and the airport. The difference will not normally exceed 30° and sufficient distance should be available to allow for proper bracketing. Example: When the final approach course is 350° from the facility to the airport, the final approach to the facility should normally be between 320° and 020°.

(1) *Final approach area.* The final approach area is the area prescribed for obstruction clearance on final approach.

(i) *Length.* The final approach area normally extends from the facility along the final approach course outbound for a distance of 12 miles, and from the facility toward the airport for a distance equal to that from the facility to the airport. If a reliable fix is located outbound from the facility on the final approach course within 12 miles of the facility, the length of the final approach area is 12 miles.

(ii) *Width.* From the facility to the airport, the final approach area extends laterally two miles each side of the final approach course. VOR width extends laterally 1.44 miles each side of course at the facility increasing uniformly to two miles each side of a distance of 12 miles. Without a fix on the final approach course, the final approach area outbound from the facility extends laterally two miles each side of the final approach course at the facility increasing uniformly to five miles on each side of the final approach course at a distance of 12 miles. For VOR without a fix, 1.44 miles will be substituted in the place of two miles. Beyond 12 miles, the width remains constant five miles each side of the final approach course. With a reliable fix located outbound from the facility on the final approach course, the width is two miles each side of the final approach course from the fix to the facility. For VOR, the width is 1.44 miles at the facility increasing to two miles at a distance of 12 miles regardless of the location of the fix.

(iii) *Position.* The final approach area is symmetrically located with respect to the final approach course.

(2) *Altitudes*—(i) *From completion of procedure turn to facility.* The altitude over the facility on final approach will be based on the assumption that the procedure turn is completed within 12 miles of the facility. For that portion of the final approach area located within 12 miles outbound from the facility, an obstruction clearance of at least 500 feet will be provided. When the procedure turn is completed more than 12 miles from the facility, the final approach altitude will be the same as that authorized for the procedure turn until within 12 miles of the facility. Altitudes in the final approach area between completion of the procedure turn and the facility will be shown to the nearest 100-foot intervals (i. e., 1,349 feet will be indicated as 1,300 feet; 1,350 feet will be indicated as 1,400 feet).

(ii) *From a reliable fix to facility.* For each procedure there may be one direction from which the initial approach may become the final approach with the resulting elimination of a pro-

cedure turn. This may be accomplished only if such an approach is from a fan marker or other reliable fix so situated on the final approach course and close enough to the facility that it may be reasonably considered as assisting the final approach in its true sense. The distance from the fix to the facility will not exceed twelve miles. The final approach altitude will provide at least 1,000 feet clearance up to the fix, and at least 500 feet clearance from the fix to the facility within the final approach area.

(iii) *From facility to airport—(a) Within seven miles.* For that portion of the final approach area lying between the facility and the airport, a minimum obstruction clearance of at least 300 feet will be provided when the facility is located within seven miles of the airport.

(b) *Over seven to ten miles.* When located from over seven to ten miles, a minimum obstruction clearance of at least 400 feet will be provided in the final approach area.

(c) *Over ten to twelve miles.* When located from over ten to twelve miles, a minimum obstruction clearance of at least 500 feet will be provided in the final approach area.

(d) *Over twelve miles.* When located more than 12 miles, operations will normally be conducted in accordance with visual flight rules from the facility to the airport; however, in specific instances, a procedure may authorize operations under IFR from the facility to a point not more than seven miles from the facility, provided a minimum obstruction clearance of at least 500 feet is provided in the final approach area, and thence to the airport under visual conditions.

(3) *Magnetic course from facility to airport.* The magnetic courses used for approaches will always be computed at the respective facility site using the variation value of the isogonic line nearest the facility. In plotting the magnetic course from the facility to the airport, when the bearing from the facility to the end of the runway to be used does not diverge more than 30° from the direction of that runway, the magnetic course shown will correspond to that of the bearing from the facility to the approach end of the runway. When a reasonable rate of descent is possible under these conditions, a straight-in approach may be authorized. When this bearing is more than 30°, the magnetic course from the facility toward the approximate center of the airport landing area will be shown. This bearing shall be that which bisects the angle formed by two straight lines extending from the facility to the outer ends of the airport runway.

(4) *Distance from facility to airport.* The distance from the facility to the airport is normally measured on a straight line along the magnetic course from the facility to the approach end of the runway. When, however, the course from the facility to the approach end of the runway is more than 30° from the direction of the runway, the distance will be measured along the bisector course described in subparagraph (3) from the facility to the first point of intersection of the course with any runway on the airport. At airports where no runways exist, the distance will be measured along the magnetic course to the point of intersection with the nearest boundary of the landing area.

(f) *Missed approach procedure.* A missed approach procedure will be formulated for each procedure. The recovery will be made normally on a course which most nearly approximates a continuation of the final approach course after due consideration of obstructions, terrain, and other factors influencing the safety of the operation. A missed approach will be initiated at the point where the aircraft has descended to authorized landing minimums at a specified distance from the facility if visual contact is not established, or if the landing has not been accomplished, or when directed by Air Traffic Control. Time limitations will not be used due to the variations in the approach speed of different types of aircraft. The "specified distance" may not be more than the distance from the facility to the nearest part of the landing area.

(1) *Altitudes.* The altitude to which the aircraft will proceed in the execution of a missed approach will provide at least 1,000 feet clearance above all obstructions within 5 miles on each side of a specified course for a distance of 25 miles or to a specified fix within 25 miles of the facility. Obstruction clearance during climb will be at least equal to that required for take-off.

(2) *Alternate missed approach procedure.* Alternate missed approach procedures will be established whenever required for Air Traffic Control purposes. Alternate missed approach procedures will be included in the space provided for a missed approach procedure.

(g) *TVOR procedures determination.* (VOR located on the airport.) Criteria will be identical to VOR criteria except as specified below.

(1) *Number of procedures established.* There will be established only one straight-in approach procedure for each runway at a given airport under the conditions set forth in subparagraph (3) of this paragraph. The procedures will be identified by the abbreviation TVOR followed by the number used to identify the runway to which the approach is established. Example: TVOR-3 (the approach established for Runway 3).

(2) *Final approach course.* Only one final approach course for a straight-in approach will be established for any one procedure, and it will be expressed in degrees magnetic on the procedure. The final approach course will be a course which intersects the center-line of the runway at the approach end of the runway, or intersects the extended center-line of the runway at a specified distance from the approach end of the runway. The final approach course will be established only under the conditions specified in subparagraph (3) of this paragraph.

(3) *Interception angle and runway distance.* The distances between the approach end of the runway and the interception point of the selected final approach course with the runway center-line extended shall not be less than those shown for the corresponding angles of interception.

Angle (degrees):	*Distance (statute miles)*
0	0.
6	Minimum ¼ mile.
12	Minimum ½ mile.
18	Minimum ¾ mile.
24	Minimum 1 mile.
30	Minimum 1¼ miles.

An interpolation of the angles and distances given above should be applied at a ratio of 24° to one statute mile (28° to one nautical mile). Straight-in approaches will not be established requiring angles of interception of more than 30°. Moreover, local conditions such as thickly populated areas, hazardous obstructions, etc., will be considered in the selection of the courses to be used for final approach.

(4) *Width of final approach area.* The final approach area will extend 1.44 miles each side of the final approach course at the VOR station increasing uniformly to five miles each side of the final approach course at a distance of 12 miles from the VOR station. When the final approach is conducted from a reliable fix, the final approach area extends two miles each side of the final approach course at a distance of 12 miles from the VOR decreasing uniformly to 1.44 miles each side at the VOR station.

(i) *Altitudes—(a) From procedure turn.* A minimum altitude will be established for the final approach from completion of procedure turn which will provide an obstruction clearance of at least 400 feet within the final approach area. This altitude will be shown to the nearest 100-foot interval (i. e., 449 feet will be indicated as 400 feet; 450 feet will be indicated as 500 feet, etc.).

(b) *From a reliable fix.* A straight-in approach may be authorized from a reliable fix located on the final approach course within 12 miles of the VOR station. In such cases a minimum altitude will be established for the final approach course which will provide obstruction clearance within that portion of the final approach area between the fix and the VOR station.

(1) *Within seven miles.* When the fix is located up to and including seven miles from the VOR station, the minimum obstruction clearance will be 300 feet.

(2) *Over seven miles but not more than ten miles.* When the fix is located over seven miles but not more than 10 miles from the VOR station, the minimum obstruction clearance will be 400 feet.

(3) *Over ten miles but not more than twelve miles.* When the fix is located over ten miles but not more than 12 miles from the VOR station, the minimum obstruction clearance will be 500 feet.

2. Section 609.8 is revoked.

3. Section 609.9 is renumbered 609.8.

4. Section 609.10 is revised to read as follows:

§ 609.10 *Intrument landing system procedure criteria*—(a) *General.* The policies set forth herein will be used by

the Administrator in formulating and approving all instrument landing system (ILS) procedures.

(1) *Number of procedures established.* More than one ILS procedure may be established for a particular airport when a different direction of approach is involved. Where more than one procedure is established, procedure No. 1 will be that which is based on the utilization of the front course of the ILS, and procedure No. 2 will be that which utilize the back course of the ILS.

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

(1) *Altitudes.* The minimum altitude for transition to the ILS from specified fixes will be established by providing at least 1,000 feet clearance above all obstructions five miles each side of the transition course. All altitudes will be computed to the nearest 100 feet (i. e., 1,149 feet will be indicated as 1,100 feet; 1,150 feet will be indicated as 1,200 feet, etc.)

(c) *Procedure turn.* Procedure turns will be established and specified in ILS procedures for use in a return to the final approach course (inbound). Normally, a procedure turn involves an initial left turn through the outbound localizer course and is conducted within five miles of the outer marker, followed by a turn to the right for a return to the final approach course. Direction of the turn will be specified as north, south, east, or west side of the final approach course. This type of turn will be standard whenever terrain, obstruction, and traffic will permit. The degree of turn and the point at which the turn will be made is left to the discretion of the pilot, but the maneuver will be completed within the maneuvering area at or above the altitude established to provide the required obstruction clearance. A specified procedure turn need not be made when the final approach course can be established prior to commencing descent on the glide slope to final approach minimums and the final approach course (inbound) can be intercepted at an angle not greater than 90° and within five miles of the outer marker from an established radio fix on a course specified in the ILS procedure, or when final approach can be accomplished from an established holding pattern.

(1) *Altitudes.* (i) A minimum altitude will be established for a procedure turn within a distance of ten miles from the outer marker (five mile buffer beyond procedure turn). This altitude will not be less than the altitude of the glide slope at the outer marker. The established altitude will normally provide obstruction clearance of at least 1,000 feet for five miles on each side of the center-line of the localizer. Where necessary, an upward adjustment of the minimum altitude will be made to insure safe clearance of any prominent obstruction immediately beyond the specified area. The minimum altitude after completion of procedure turn, but prior to intercepting the glide slope inbound will not be less than the altitude of the glide slope at the outer marker, rounded off to the nearest 100 feet.

(ii) A procedure turn may be made between five and ten miles from the outer marker when necessary to effect proper interception with the glide slope. In such instances, the minimum procedure turn altitude will not be less than the altitude of the glide slope at the outer marker and will provide clearance of at least 1,000 feet above the terrain and all obstructions in an area five miles on the maneuvering side of the centerline of the localizer course and five miles on the opposite side. Altitudes of procedure turns authorized at distances greater than five miles from the outer marker will be included in the procedure if necessary. Where procedure turns at distances greater than five miles are authorized, obstruction clearance within an additional five mile buffer area must be provided. Where procedure turns at distances greater than five miles are not authorized, the symbol "NA" (Not Authorized) will be used.

(d) *Final approach.* The term "final approach" as used in the ILS procedures is defined as that portion of the approach (inbound) on the localizer course after the glide slope has been intercepted and descent to authorized landing minimum altitude is started.

(1) *Altitudes.* The altitude on the final approach will provide for clearance of terrain and obstructions in the approach area as specified in "Obstruction clearance for final approach," subparagraph (2) of this paragraph.

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

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

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

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

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

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

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

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

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

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

(3) *Minimum obstruction clearance.* For that part of the approach from the interception of the glide slope by the aircraft, the minimum terrain and obstruction clearance is that obtained between a two and one-half degree path passing through a point 12 feet above and 500 feet inward from the approach end of the runway and the fifty to one (50:1) and forty to one (40:1) approach surfaces as previously defined.[1]

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

(a) For D less than 10,950 feet, minimum clearance 0.02366D+20 feet.

(b) For D between 10,950 feet and five miles, minimum clearance 0.01866D +75 feet.

Example: If an obstruction is 10,250 feet from the glide slope unit, formula (a) would apply, and the minimum clearance above the obstruction = (10,250' × 0.02366) + 20 = 263'.

(ii) It should be noted that the criteria provide a minimum clearance approximately 500 feet at the interception of the glide slope with a gradually reduced clearance from that point inward. This clearance is a minimum requirement. However, a greater clearance may be necessary due to terrain features ad-

[1] This is the condition when the glide slope unit is located the minimum distance of 750 feet from the runway end. The lower end of the glide slope is assumed to be 12 feet above the runway at a distance of 250 feet outward from the glide slope unit, at which distance the aircraft would be in contact with the runway and the aircraft antenna exactly on course.

jacent to the approach area of the instrument runway or peculiarities of the installation which are revealed by flight check.

(e) *Glide slope setting.* (1) Where the minimum obstruction clearance can be obtained in the approach area and adjacent transition surfaces inward from the point of interception of the glide slope, the glide slope will be set to the normal optimum setting of two and one-half to two and three-fourths degrees. This will result in obtaining the desirable intersection of the glide slope and middle marker at an elevation of about 200 feet above the runway.

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

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

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

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

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

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

(1) *Altitudes.* The altitude to which the aircraft will proceed in the execution of a missed approach will provide at least 1,000 feet clearance above all obstructions within five miles each side of a specified course for a distance of 25 miles or to a specified fix within 25 miles of the facility. Obstruction clearance during climb will be at least equal to that required for take off.

(2) *Alternate missed approach procedure.* Alternate missed approach procedures will be established whenever required for Air Traffic Control purposes. Alternate missed approach procedures will be included in the space provided for a missed approach procedure.

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

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

(2) *Without glide slope.* Where there is no glide slope but a fan marker, compass locator, or other suitable fix is located on the localizer back course within seven miles of the airport, a straight-in approach may be formulated and approved. Obstruction clearance will be determined by requiring 300 feet clearance over all objects within the approach area described in paragraph (d) (2) (ii) and (iv) of this section, and by adding to this basic requirement of 300 feet any encroachment on the transitional surfaces described in paragraph (d) (2) (vi) of this section. The slope set forth in paragraph (d) (2) (iii) of this section will not be applicable, and the transitional surfaces beyond 200 feet from the runway end will extend from the edge of the approach area commencing at airport elevation. These obstruction clearances will also be required on the front courses of ILS's when glide slopes are not commissioned or are inoperative.

5. Section 609.12 is revised to read as follows:

§ 609.12 *Ground controlled approach procedure criteria*—(a) *General.* The policies set forth herein will be used by the Administrator in formulating and approving ground controlled approach (GCA) procedures. However, the safe completion of a ground controlled approach procedure involves a dual responsibility. This responsibility includes the interpretation of the information received by the controller on the radar scope and the relaying of this information to the pilot of the aircraft and the acceptance and compliance by the pilot with the advice received from the controller.

(1) *Number of procedures established.* More than one GCA procedure may be established for a particular airport when a different direction of approach is involved. Where the approach is to be made to a designated instrument runway, a PAR (Precision Approach Radar) procedure will be established and so designated. Approaches may also be established where feasible to any runway and termed ASR (Airport Surveillance Radar) type instrument approach procedures. Where PAR or ASR instrument approaches are established, it will be necessary to specify the particular runway which may be utilized, and the types of approaches authorized for those runways.

(2) *ASR.* ASR may also be used in connection with initial approach procedures to other types of navigational aids, such as PAR, L/MF radio range, VOR and ILS facilities. In such instances aircraft will be vectored from holding fixes or from en route flight to final approach positions with relation to these facilities. Final approaches to the facility and the airport may then be made, at the pilot's discretion, either by means of a GCA procedure or by means of the approved instrument approach procedure established for the particular type of facility. Where such radar transitions to other facilities are approved, the transition authorization will become a part of the particular instrument approach procedure authorized for that facility and will be noted on the pertinent instrument approach procedure forms.

(b) *Initial approach procedure.* The initial approach to the GCA will normally be made on the associated primary navigation facilities, from reliable fixes or from an established holding pattern. The radar controller will normally assume control when the aircraft is within approximately 25 miles of the airport. When necessary to insure positive identification and on being so advised by the radar controller, the pilot will execute turns as directed by the controller.

(1) *Altitudes.* All altitudes pertaining to initial approach to a GCA facility will not be less than the minimum initial approach altitude established for approaches to the associated primary radio facility from which transition to GCA is accomplished.

(c) *Patterns.* (1) Patterns will be established and approved by the appropriate agency for the guidance of the radar controllers. Such patterns will provide basic transition vectoring courses from the associated primary facilities or fixes upon which the initial approach to the area was conducted. They will also provide for a final turn and/or interception

of the final approach course at a distance of not less than 5 miles from the approach end of the runway to be used. Whenever possible a pattern will be designed to accommodate both right and left-hand turns into the final approach course. While interception angles of approximately 30 degrees are preferable, controllers may use larger interception angles provided sufficient distance is provided along the course for bracketing.

(2) Where ASR is utilized in providing transitions to a final approach position with relation to other types of approach aids, the pattern will normally provide that interception of the final approach course be made approximately three miles prior to intercepting the glide slope or crossing the outer marker or other approach aid in order that the pilot will have sufficient time to bracket (tie down) the localizer or final approach course before commencing descent to the airport.

(3) The radar controller will advise the pilot of the headings and altitudes to be flown and will, in the case of PAR and ASR approaches, also advise the procedures to be followed in the event radio communications with the aircraft cannot be maintained. In the case of ASR transitions to other types of aids, this advisory will not be required inasmuch as the initial approach clearance itself covers the required action of the pilot should communication be lost, i. e., "N1234 is cleared for an ILS approach, etc."

(4) To provide the flexibility required for air traffic control purposes, the radar controller may deviate from the pattern course as required to provide separation from other aircraft and to make allowances for wind conditions, speed of aircraft, direction from which aircraft are approaching, or other reasons which may require deviations therefrom, provided that the minimum obstruction clearances are strictly adhered to.

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

(ii) (*a*) In order to provide guidance to controllers and pilots concerning the minimum vectoring altitude(s) which may be used in the event deviations from pattern courses are required, radar transition vectoring altitude(s) should be established within the terminal area, either area-wise or in area sectors, depending on the prevailing terrain or obstruction situation at any particular airport. This will normally comprise an area within a radius of 25 miles from the airport. It will be required that a basic area altitude be established which will provide 1,000 feet terrain clearance over all obstructions within the area in which radar vectoring to the final approach fix will be accomplished. However, in order not to require unduly high transition altitudes, exceptionally high terrain and obstructions (high TV towers, etc.) will not be used in the determination of the basic area altitude. These will be noted on the controller's radar scopes and will be treated individually by requiring the specific obstruction clearances, noted above, when within 5 miles thereof; i. e., when within 3 to 5 miles, 500 feet obstruction clearance will be required, and when within 3 miles, 1,000 feet obstruction clearance will be required.

(*b*) The approved radar terminal area transition altitudes to other types of facilities will be specified in the initial approach or transition portion of the pertinent instrument approach procedure form. An example of this would be, "Radar terminal area transition altitude 1500 feet." If sector altitudes are involved, they should be specified.

(iii) *Interception of Final Approach Course.* (*a*) As noted above, where PAR and ASR approaches are being conducted, the interception of the final approach course will normally be made at a distance not less than 5 miles from the approach end of the runway to be utilized.

(*b*) In these cases, the minimum altitude will not be less than 1,000 feet above airport elevation and not less than 500 feet above all obstructions, provided the reduction in clearance is made within 5 miles of the point of interception and the point of interception is not greater than 10 miles from the end of the runway. If, due to obstructions, it is necessary to intercept the final approach course at an altitude higher than 1,000 feet above airport elevation, sufficient distances must be available along the course line to allow descent to the ceiling minimums authorized.

(*c*) Where radar transitions to ILS or other types of facilities are authorized, the minimum altitude at interception of the final approach course will not be less than the altitude specified in the ILS or other type of procedure for final approach altitude over the outer marker or other specified fix. Where obstructions require interception of the ILS glide slope at altitudes higher than that required over the outer marker, sufficient distance must be available along the course line to allow descent on the glide slope to the outer marker.

(d) *Partial execution of pattern.* Where the foregoing obstruction clearance can be maintained, and at the discretion of the radar controller, a GCA pattern may be executed in part only, provided the final approach course can normally be intercepted not less than 5 miles from the approach end of the runway.

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

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

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

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

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

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

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

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

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

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

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

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

(2) *Minimum obstruction clearance.* For that part of the approach from the interception of the radar controller's glide slope by the aircraft, the minimum

terrain and obstruction clearance is that obtained between a two and one-half degree glide slope passing through a point 12 feet above and 500 feet inward from the approach end of the runway, and the fifty to one (50:1) and forty to one (40:1) approach surface as previously defined.[1] Obstruction clearance in excess of 500 feet not required.

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

(*a*) For D less than 10,900 feet, minimum clearance $0.023660+20$ feet.

(*b*) For D between 10,950 feet and 5 miles, minimum clearance $0.01866D+75$ feet.

Example: If an obstruction is 10,250 feet from the glide slope intersection with a runway formula (*a*) would apply, and the minimum clearance above the obstruction $=(10{,}250' \times 0.02366)+20=243'+20=263'$.

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

(g) *Glide slope setting.* (1) Where the minimum obstruction clearance can be obtained in the approach area and adjacent transitional surfaces inward from the point of interception with the controller's glide slope, the glide slope will be set to the normal optimum setting of two and one-half to two and three-fourths degrees. This will result in obtaining the desirable intersection of the glide slope at a point approximately 200 feet above and 4,250 feet outward from the runway intersection point.

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

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

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

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

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

(i) *Surveillance (ASR) approach.* A ground controlled approach utilizing the surveillance scope may be authorized when the position of the aircraft can be definitely determined and the flight path controlled by means of the surveillance scope under the following conditions:

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

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

(3) Satisfactory patterns are provided which will insure that the aircraft on final approach will be at or above the altitude specified in paragraph (c) (5) of this section at a point five miles from the approach end of the runway to be used.

(j) *Missed approach procedure.* A missed approach procedure will be formulated for each procedure. The recovery will be made normally on a course which most nearly approximates a continuation of the final approach course after due consideration of obstructions, terrain, and other factors influencing the safety of the operation. A missed approach will be initiated at the point where the aircraft has descended to the altitude of the authorized ceiling minimums for the type of approach being made (PAR or ASR) and visual contact has not been made or if landing has not been accomplished, or when directed by the radar controller. In the case of a precision approach (PAR), the radar controller will not permit the aircraft to deviate below the center-line of the glide path to a distance greater than that afforded by a line of one-half degree from the beginning of the glide slope. Should the aircraft continue below this line, the radar controller will advise the pilot to initiate a missed approach procedure.

(1) *Altitudes.* The altitude to which the aircraft will proceed in the execution of a missed approach will provide at least 1,000 feet clearance above all obstructions within 5 miles of each side of a specified course for a distance of 25 miles or to a specified fix within 25 miles of the facility. Obstruction clearance during climb will be at least equal to that required for take-off.

(2) *Alternate missed approach procedures.* Alternate missed approach procedures will be established whenever required for air traffic control purposes. Alternate missed approach procedures will be included in the space provided for a missed approach procedure.

6. Section 609.14 is revoked.

7. Section 609.15 (a) and (b) is renumbered §§ 609.9 (a) and (b).

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

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

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[1] This is the condition when the glide slope extended inward and downward from the point 12 feet above and 500 feet inward from the approach end of the runway intersects the runway at zero altitude 750 feet inward from the approach end of the runway.

TITLE 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

PART 141a—PENICILLIN AND PENICILLIN-CONTAINING DRUGS; TESTS AND METHODS OF ASSAY

PART 146a—CERTIFICATION OF PENICILLIN AND PENICILLIN-CONTAINING DRUGS

PART 146d—CERTIFICATION OF CHLORAMPHENICOL AND CHLORAMPHENICOL-CONTAINING DRUGS

HYDRABAMINE PENICILLIN G; CHANGES IN EXPIRATION DATES CHLORAMPHENICOL DRUGS

By virtue of the authority vested in the Secretary by the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 507, 59 Stat. 463, as amended by 61 Stat. 11, 63 Stat. 409, 67 Stat. 389; sec. 701, 52 Stat. 1055; 21 U. S. C. 357, 371; 67 Stat. 18), the regulations for tests and methods of assay for antibiotic and antibiotic-containing drugs (21 CFR, Part 141a; 19 F. R. 1141) and certification of antibiotic and antibiotic-containing drugs (21 CFR, Parts 146a, 146d; 18 F. R. 4951; 19 F. R. 673, 1141) are amended as indicated below:

1. Part 141a is amended by adding the following new sections:

§ 141a.75 *Hydrabamine penicillin G*—(a) *Potency.* Proceed as directed in § 141a.1, except if the bioassay method is used prepare the sample as follows: Dissolve an accurately weighed sample in methanol and dilute with methanol to 1,000 units per milliliter (estimated). By means of a volumetric pipette, add a 1.0-milliliter aliquot to a 1,000-milliliter volumetric flask containing approxi-

mately 800 milliliters of 1-percent phosphate buffer, pH 6.0, constantly swirling the flask during the addition. Make to a volume of 1,000 milliliters with 1-percent phosphate buffer, pH 6.0. If the iodometric method is used, accurately weigh 30–50 milligrams of the sample to be tested in a 50-milliliter Erlenmeyer flask and dissolve in sufficient chloroform U. S. P. to give a concentration of 2.0 milligrams per milliliter. Pipette 2.0 milliliters of this solution into a 125-milliliter glass-stoppered Erlenmeyer flask, add 10 milliliters of 0.01 *N* I_2 and titrate immediately with 0.01 *N* $Na_2S_2O_3$ for the blank determination. Toward the end of the titration add 1 drop of starch solution or about 5.0 milliliters of CCl_4. Continue the titration by the addition of 0.01–0.02-milliliter portions of 0.01 *N* $Na_2S_2O_3$, shaking vigorously after each addition. The end point is reached when the blue color of the starch-iodine complex is discharged or when the CCl_4 layer becomes colorless. Prepare the solution of inactivated penicillin as follows: To 10 milliliters of the original chloroform solution add 10 milliliters of 1 *N* NaOH and shake well immediately and 5 minutes later. Fifteen minutes after the initial shaking, pipette 2.0 milliliters of the upper NaOH layer into a 125-milliliter glass-stoppered Erlenmeyer flask, add 2.0 milliliters of 1.2 *N* HCl and 10 milliliters of 0.01 *N* I_2. Stopper the flask. After 15 minutes, titrate the excess iodine with 0.01 $Na_2S_2O_3$.

$$\text{Units of hydrabamine penicillin G per milligram} = \frac{\text{Difference in titers} \times \text{potency of F. D. A. working standard in units per milligram}}{4 \times F}$$

where F = the number of milliliters of 0.01 *N* I_2 absorbed for each 1.0 milligram of the Food and Drug Administration sodium penicillin G working standard.

(b) *Toxicity.* Proceed as directed in § 141a.4, except use physiological salt solution as the diluent and inject 0.25 milliliter of a suspension containing 4,000 units per milliliter.

(c) *Moisture.* Proceed as directed in § 141a.26 (e).

(d) *pH.* Proceed as directed in § 141a.5 (b), using a saturated aqueous solution prepared by adding approximately 60 milligrams per milliliter.

(e) *Microscopical test for crystallinity.* Proceed as directed in § 141a.5 (c).

(f) *Penicillin G content.* Accurately weigh a glass weighing bottle of approximately 10-milliliter capacity together with its top, a stirring rod, and a medium-porosity immersion filter stick. Transfer to the weighing bottle approximately 225 milligrams of the sample to be tested and reweigh. Add 1.5 milliliters of pyridine and stir until solution is complete. Add 0.25 milliliter of *N*-ethylpiperidine and stir until precipitation begins. When precipitation is complete, dilute with 2.5 milliliters of petroleum ether, stir well, and allow to stand for 15 minutes. Attach the filter stick to a vacuum line equipped with a suitable trap and withdraw the liquid from the precipitate. Add 2.5 milliliters of petroleum ether to the precipitate and withdraw the liquid from the precipitate. Repeat the procedure with two more 2.5-milliliter portions of petroleum ether. Leave the stirring rod and the filter stick in the bottle, dry for 30 minutes in a vacuum desiccator, stopper, and weigh.

$$\text{Percent of hydrabamine penicillin G} = \frac{\text{Milligrams of } N\text{-ethylpiperidine penicillin precipitate} \times 131.55}{\text{Weight of sample in milligrams}}$$

(g) *Extinction coefficient.* Accurately weight approximately 100 milligrams of the sample, dissolve in absolute methanol, and make to 100 milliliters. Determine the extinction coefficient of the sample at the absorption peak at 276 millimicrons, using a suitable ultraviolet spectrophotometer and 1-centimeter quartz cells. Set the instrument to 100-percent transmission with absolute methanol. If a recording spectrophotometer is used, record the ultraviolet absorption spectrum from 240–300 millimicrons. If a nonrecording spectrophotometer is used, determine the absorbancy of the solution at the 276-millimicron absorption peak, using a slit width of 0.4 millimeter or less. (The exact position of the peak should be determined for the particular instrument used.) Calculate the $E^{1\%}_{1\text{ cm.}}$ value of the sample at the absorption peak at 276 millimicrons.

§ 141a.76 *Hydrabamine penicillin G oral suspension*—(a) *Potency.* Proceed as directed in § 141a.1, except if the bioassay method is used prepare the sample as follows: Place 1.0 milliliter of the sample to be tested in a 100-milliliter volumetric flask and dilute to volume with methanol. By means of a volumetric pipette add a 1.0-milliliter aliquot of this solution to a sufficient volume of 1-percent phosphate buffer pH 6.0 to give a solution having a concentration of 1 unit per milliliter (constantly swirling the flask during the addition). If the iodometric method is used, dilute 1.0 milliliter of the sample with sufficient 1-percent phosphate buffer pH 6.0 to produce a suspension containing 2,000 units per milliliter (estimated). Mix and pipette 2.0 milliliters into a 125-milliliter glass-stoppered Erlenmeyer flask. Add 10 milliliters of 0.01 *N* I_2 and titrate immediately with 0.01 *N* $Na_2S_2O_3$ for the blank determination. Dilute a second 1.0-milliliter portion of the sample with 1 *N* NaOH to produce a suspension containing 2,000 units per milliliter (estimated) and add approximately half that amount of chloroform U. S. P. Shake immediately and again after 5 minutes. Fifteen minutes after the initial shaking, pipette 2.0 milliliters of the upper NaOH layer into a 125-milliliter glass-stoppered Erlenmeyer flask and add 2.0 milliliters of 1.2 *N* HCl and 10 milliliters of 0.01 *N* I_2. After 15 minutes titrate the excess iodine with 0.01 *N* $Na_2S_2O_3$.

$$\text{Units of penicillin per milliliter of suspension} = \frac{\text{Difference in titers} \times \text{potency of F. D. A. working standard in units per milligram} \times \text{volume of 2,000 units per milliliter suspension}}{F \times 2}$$

where F = the number of milliliters of 0.01 *N* I_2 absorbed by 1.0 milligram of the Food and Drug Administration sodium penicillin G working standard.

(b) *pH.* Proceed as directed in § 141a.5 (b), using the undiluted aqueous suspension.

2. Part 146a is amended by adding the following new sections:

§ 146a.97 *Hydrabamine penicillin G (hydrabamine penicillin G salt)*—(a) *Standards of identity, strength, quality, and purity.* Hydrabamine penicillin G is the crystalline salt N,N'-bis-(dehydroabietyl) ethylenediamine dipenicillin G. It contains not less than 85 percent by weight of the hydrabamine salt of penicillin G. It is so purified and dried that:

(1) Its potency is not less than 845 units per milligram.

(2) It is nontoxic.

(3) Its moisture content is not more than 2 percent.

(4) Its pH in a saturated aqueous solution is not less than 4.0 and not more than 7.5.

(5) Its extinction coefficient $E^{1\%}_{1\text{ cm.}}$ is not less than 8 at 276 millimicrons.

(b) *Packaging.* In all cases the immediate container shall be a tight container as defined by the U. S. P. and shall be of such composition as will not cause any change in the strength, quality, or purity of the contents beyond any limit therefor in applicable standards, except that minor changes so caused that are normal and unavoidable in good packaging, storage, and distribution practice shall be disregarded.

(c) *Labeling.* Each package shall bear on its outside wrapper or container and the immediate container, as hereinafter indicated, the following:

(1) The batch mark.

(2) The number of units per milligram and the number of grams in the immediate container.

(3) The statement "Expiration date -------," the blank being filled in with the date that is 24 months after the month during which the batch was certified: *Provided, however,* That such expiration date may be omitted from the immediate container if such immediate

container is packaged in an individual wrapper or container.

(4) The statement "For use in the manufacture of nonparenteral drugs only."

(5) The statement "Caution: Federal law prohibits dispensing without prescription."

(d) *Request for certification; samples.* (1) In addition to complying with the requirements of § 146.2 of this chapter, a person who requests certification of a batch shall submit with his request a statement showing the batch mark, the number of packages of each size in the batch, and the date on which the latest assay of the drug comprising such batch was completed. Such request shall be accompanied or followed by the results of tests and assays made by him on the batch for potency, toxicity, moisture, pH, crystallinity, the penicillin G content, and extinction coefficient.

(2) Such person shall submit with his request an accurately representative sample of the batch, consisting of 10 packages, each containing approximately 300 milligrams taken from a different part of such batch, packaged in accordance with the requirements of paragraph (b) of this section.

(e) *Fees.* The fee for the services rendered with respect to each batch under the regulations in this part shall be:

(1) $4.00 for each immediate container in the sample submitted in accordance with paragraph (d) (2) of this section.

(2) If the Commissioner considers that investigations other than examination of such immediate containers are necessary to determine whether or not such batch complies with the requirements of § 146.3 of this chapter for the issuance of a certificate, the cost of such investigations.

The fee prescribed by subparagraph (1) of this paragraph shall accompany the request for certification unless such fee is covered by an advance deposit maintained in accordance with § 146.8 (d) of this chapter.

§ 146a.98 *Hydrabamine penicillin G oral suspension*—(a) *Standards of identity, strength, quality, and purity.* Hydrabamine penicillin G oral suspension is hydrabamine penicillin G and one or more suitable and harmless suspending or dispersing agents, buffer substances, and preservatives, with or without one or more suitable and harmless colorings and flavorings. Its potency is not less than 60,000 units per milliliter. Its pH is not less than 6.0 and not more than 7.0. The hydrabamine penicillin G used conforms to the requirements of § 146a.97 (a). Each other substance used, if its name is recognized in the U. S. P. or N. F., conforms to the standards prescribed therefor by such official compendium.

(b) *Packaging.* The immediate container shall be a tight container as defined by the U. S. P. and shall be of such composition as will not cause any change in the strength, quality, or purity of the contents beyond any limit therefor in applicable standards, except that minor changes so caused that are normal and unavoidable in good packaging, storage, and distribution practice shall be disregarded.

(c) *Labeling.* Each package shall bear on its label or labeling, as hereinafter indicated, the following:

(1) On the outside wrapper or container and the immediate container:

(i) The batch mark.

(ii) The number of units in each milliliter of the batch.

(iii) The name of each buffer substance and the name and quantity of each preservative used in making the batch.

(iv) The statement "Shake well."

(v) The statement "Expiration date ------," the blank being filled in with the date that is 12 months after the month during which the batch was certified: *Provided, however,* That such expiration date may be omitted from the immediate container if such immediate container is packaged in an individual wrapper or container.

(2) On the outside wrapper or container.

(i) The statement "Caution: Federal law prohibits dispensing without prescription," unless it is packaged for dispensing and it is intended solely for veterinary use and is conspicuously so labeled.

(ii) If it is packaged for dispensing and it is intended for use by man, a reference specifically identifying a readily available medical publication containing information (including contraindications and possible sensitization) adequate for the use of such drug by practitioners licensed by law to administer it; or a reference to a brochure or other printed matter containing such information, and a statement that such brochure or other printed matter will be sent on request: *Provided, however,* That this reference may be omitted if the information is contained in a circular or other labeling within or attached to the package.

(3) On the circular or other labeling within or attached to the package, if it is packaged for dispensing and it is intended solely for veterinary use and is conspicuously so labeled, adequate directions and warnings for the veterinary use of such drug by the laity. Such circular or other labeling may also bear a statement that a brochure or other printed matter containing information for other veterinary uses of such drug by a veterinarian licensed by law to administer it will be sent to such veterinarian on request.

(d) *Request for certification; samples.* (1) In addition to complying with the requirements of § 146.2 of this chapter, a person who requests certification of a batch shall submit with his request a statement showing the batch mark, the number of packages of each size in such batch, the batch mark and (unless it was previously submitted) the date on which the latest assay of the hydrabamine penicillin G used in making such batch was completed, the potency per milliliter of the batch, the date on which the latest assay of the drug comprising such batch was completed, the quantity of each ingredient used in making the batch, and a statement that each such ingredient conforms to the requirements prescribed therefor by this section.

(2) Except as otherwise provided in subparagraph (4) of this paragraph, such person shall submit in connection with his request results of the tests and assays listed after each of the following, made by him on an accurately representative sample of:

(i) The batch: average potency per milliliter, pH.

(ii) The hydrabamine penicillin G used in making the batch: potency, toxicity, moisture, pH, crystallinity, the penicillin G content, and the extinction coefficient.

(3) Except as otherwise provided by subparagraph (4) of this paragraph, such person shall submit in connection with his request, in the quantities hereinafter indicated, accurately representative samples of the following:

(i) The batch: 1 immediate container for each 5,000 immediate containers in the batch, but in no case less than 5 or more than 12 immediate containers, collected by taking single immediate containers at such intervals throughout the entire time of packaging the batch that the quantities packaged during the intervals are approximately equal.

(ii) The hydrabamine penicillin G used in making the batch: 10 packages, each containing equal portions of not less than 300 milligrams, packaged in accordance with the requirements of § 146a.97 (b).

(iii) In case of an initial request for certification, each other ingredient used in making the batch; one package of each containing approximately 5 grams.

(4) No result referred to in subparagraph (2) (ii) of this paragraph, and no sample referred to in subparagraph (3) (ii) of this paragraph, is required if such result or sample has been previously submitted.

(e) *Fees.* The fee for the services rendered with respect to each batch under the regulations in this part shall be:

(1) $4.00 for each package in the samples submitted in accordance with paragraph (d) (3) (i), (ii), and (iii) of this section.

(2) If the Commissioner considers that investigations, other than examination of such immediate containers are necessary to determine whether or not such batch complies with the requirements of § 146.3 of this chapter for the issuance of a certificate, the cost of such investigations.

The fee prescribed by subparagraph (1) of this paragraph shall accompany the request for certification unless such fee is covered by an advance deposit maintained in accordance with § 146.8 (d) of this chapter.

3. In § 146d.302 *Chloramphenicol capsules,* subparagraph (1) (iii) of paragraph (c) *Labeling* is amended by changing the number "48" to "60".

4. In § 146d.303 *Chloramphenicol ointment (chloramphenicol cream),* subparagraph (1) (iv) of paragraph (c) *Labeling* is amended by changing the number "24" to "48".

5. In § 146d.304 *Chloramphenicol ophthalmic,* subparagraph (1) (iii) of para-

graph (c) *Labeling* is amended by changing the number "24" to "36".

6. In § 146d.306 *Chloramphenicol palmitate oral suspension*, subparagraph (1) (iv) of paragraph (c) *Labeling* is amended by changing the number "24" to "36".

Notice and public procedure are not necessary prerequisites to the promulgation of this order, and I so find, since it was drawn in collaboration with interested members of the affected industry and since it would be against public interest to delay providing for the amendments set forth above.

(Sec. 701, 52 Stat. 1055; 21 U. S. C. 371)

This order shall become effective upon publication in the FEDERAL REGISTER, since both the public and the affected industry will benefit by the earliest effective date, and I so find.

Dated: June 14, 1954.

[SEAL] NELSON A. ROCKEFELLER,
Acting Secretary.

[F. R. Doc. 54-4661; Filed, June 17, 1954; 8:50 a .m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Internal Revenue Service, Department of the Treasury

Subchapter B—Estate and Gift Taxes

[T. D. 6073; Regs. 80 (1937 edition), 105]

PART 80—ESTATE TAX UNDER TITLE III OF THE REVENUE ACT OF 1926, AS AMENDED

PART 81—REGULATIONS RELATING TO ESTATE TAX

MISCELLANEOUS AMENDMENTS

On February 18, 1953, there was published in the FEDERAL REGISTER (19 F. R. 943) a notice of proposed rule making to conform Regulations 80 (1937 edition) (26 CFR Part 80) and Regulations 105 (26 CFR Part 81) relating to estate tax to sections 106, 207, 208, and 209 of the Technical Changes Act of 1953. No objections to the rules proposed having been received, the amendments set forth below are hereby adopted:

REGULATIONS 80 (1937) EDITION

PARAGRAPH 1. There is inserted immediately before Article 15 the following:

SEC. 207. EXCLUSION OF CERTAIN TRANSFERS TAKING EFFECT AT DEATH (TECHNICAL CHANGES ACT OF 1953, APPROVED AUGUST 15, 1953).

* * * * *

(b) *Decedents dying before February 11, 1939.* For the purposes of section 302 (c) of the Revenue Act of 1926, as amended, an interest of a decedent shall not be included in his gross estate as intended to take effect in possession or enjoyment at or after his death unless it would have been includible as such a transfer under section 811 (c) (2) of the Internal Revenue Code, as amended by section 7 of Public Law 378, Eighty-first Congress, approved October 25, 1949 (63 Stat. 891), had such section 811 (c) (2), as so amended, applied to the estate of such decedent. No refund or credit of any overpayment resulting from the application of this subsection shall be allowed or made if prevented by the operation of the statute of limitations or by any other law or rule of law; except that if the determination of the Federal estate tax liability in respect of the estate of any decedent dying before February 11, 1939, was pending on January 17, 1949, in the Tax Court of the United States or in any other court of competent jurisdiction, or if a decision of the Tax Court of the United States or such other court determining such estate tax liability did not become final until on or after January 17, 1949, then refund or credit of any overpayment resulting from the application of this subsection may, nevertheless, be made or allowed if claim therefor is filed within one year from the date of the enactment of this Act, notwithstanding section 319 (a) of the Revenue Act of 1926 or any other law or rule of law which would otherwise prevent the allowance of such refund or credit.

(c) *Interest.* No interest shall be allowed or paid on any overpayment resulting from the application of this section with respect to any payment made before the date of the enactment of this Act.

(d) *Effective date.* * * * Subsection (b) shall apply only with respect to estates of decedents dying before February 11, 1939.

PAR. 2. Article 17, as amended by Treasury Decision 5008, approved September 19, 1940, is further amended by adding at the end thereof the following:

Under the provisions of section 207 (b) of the Technical Changes Act of 1953, approved August 15, 1953, an interest in property transferred by the decedent shall not be included in his gross estate for the purpose of section 302 (c) of the Revenue Act of 1926 as intended to take effect in possession or enjoyment at or after his death unless it would have been includible as such a transfer under section 811 (c) (2) of the Internal Revenue Code, as added by section 7 of Public Law 378 (81st Congress), approved October 25, 1949, had such section 811 (c) (2) applied to the estate of such decedent. See § 81.17 (c) of Regulations 105.

Where refund or credit of any overpayment resulting from the application of the preceding paragraph is prevented by the operation of the statute of limitations, or by any other law or rule of law, refund or credit may, nevertheless be made if—

(1) The determination of the decedent's estate tax liability was pending on January 17, 1949, in The Tax Court of the United States or in any other court of competent jurisdiction, or if the decision of any of such courts determining such liability had not become final until on or after such date, and

(2) A claim for refund or credit therefor is filed on or before August 15, 1954.

However, no interest shall be allowed or paid with respect to any such overpayment made before August 15, 1953.

REGULATIONS 105

PAR. 3. There is inserted immediately before § 81.2 the following:

SEC. 106. EXTENSION OF PERIOD FOR EXEMPTION FROM ADDITIONAL ESTATE TAX OF MEMBERS OF ARMED FORCES UPON DEATH (TECHNICAL CHANGES ACT OF 1953, APPROVED AUGUST 15, 1953).

Section 939 (b) (relating to the tax treatment of estates of certain members of the Armed Forces) is hereby amended by striking out "January 1, 1954" and inserting in lieu thereof "January 1, 1955", and by striking out "January 1, 1954" and inserting in lieu thereof "January 1, 1955".

PAR. 4. Section 81.2, as amended by Treasury Decision 6034, approved July 29, 1953, is further amended by inserting in the second paragraph of (b) thereof after "1951" the words "and amended by section 106 of the Technical Changes Act of 1953" and by substituting therein "1955" in lieu of "1954".

PAR. 5. There is inserted immediately after section 609 of the Revenue Act of 1951, and preceding section 302 (c) of the Revenue Act of 1926 (as originally enacted), which precede § 81.15, the following:

SEC. 207. EXCLUSION OF CERTAIN TRANSFERS TAKING EFFECT AT DEATH (TECHNICAL CHANGES ACT OF 1953, APPROVED AUGUST 15, 1953)—(a) *Decedents dying after February 10, 1939.* Paragraph (1) of section 811 (c) (relating to the inclusion of certain interests in the decedent's gross estate) is hereby amended by inserting after subparagraph (C) the following: "Subparagraph (B) shall not apply to a transfer made before March 4, 1931; nor shall subparagraph (B) apply to a transfer made after March 3, 1931, and before June 7, 1932, unless the property transferred would have been includible in the decedent's gross estate by reason of the amendatory language of the joint resolution of March 3, 1931 (46 Stat. 1516)."

* * * * *

(c) *Interest.* No interest shall be allowed or paid on any overpayment resulting from the application of this section with respect to any payment made before the date of the enactment of this act.

(d) *Effective date.* The amendment made by subsection (a) shall apply only with respect to estates of decedents dying after February 10, 1939. * * *

SEC. 208. FAILURE TO RELINQUISH A POWER IN CERTAIN DISABILITY CASES (TECHNICAL CHANGES ACT OF 1953, APPROVED AUGUST 15, 1953)—(a) *Amendment of section 811* (d). Section 811 (d) (relating to revocable transfers) is hereby amended by inserting after paragraph (3) thereof the following new paragraph:

(4) Effect of disability in certain cases. For the purposes of this subsection, in the case of a decedent who was (for a continuous period beginning not less than three months before December 31, 1947, and ending with his death) under a mental disability to relinquish a power, the term "power" shall not include a power the relinquishment of which on or after January 1, 1940, and on or before December 31, 1947, would, by reason of section 1000 (e), be deemed not to be a transfer of property for the purposes of chapter 4.

(b) *Effective date.* The amendment made by subsection (a) shall apply only with respect to estates of decedents dying after December 31, 1950.

PAR. 6. Section 81.16, as amended by Treasury Decision 5904, approved May 27, 1952, is further amended by deleting "described in § 81.18 (b) (1) or § 81.19 (b) (1)" which appears in the last sentence of paragraph (d) and substituting in lieu thereof "includible in his gross estate under the provisions of § 81.18 or § 81.19".

PAR. 7. Section 81.18 as amended by Treasury Decision 5936, approved October 6, 1952, is further amended as follows:

(A) By deleting from the heading thereof "—(a) General rule." and inserting a period in lieu thereof.

(B) By deleting the last sentence of the first paragraph thereof.

(C) By deleting paragraph (b) thereof.

(D) By redesignating subparagraphs (1), (2), and (3) of paragraph (a) as paragraphs (a), (c), and (d), respectively.

(E) By inserting immediately after the first paragraph thereof the following new paragraph (b):

(b) Property shall not be included in the gross estate under this section unless transferred—

(1) After March 3, 1931, and before June 7, 1932, and the retention or reservation by the decedent was (i) for his life or (ii) for such a period as to evidence his intention that it should extend at least for the duration of his life, and his death occurs before the expiration of such period; or

(2) On or after June 7, 1932.

PAR. 8. Section 81.19, as amended by Treasury Decision 5936, is further amended as follows:

(A) By deleting from the heading thereof "—(a) General rule." and inserting a period in lieu thereof.

(B) By deleting the last sentence of the first paragraph thereof.

(C) By deleting paragraph (b) thereof.

(D) By redesignating subparagraphs (1), (2), (3), and (4) of paragraph (a) as paragraphs (a), (c), (d), and (e), respectively.

(E) By inserting immediately after the first paragraph thereof the following new paragraph (b):

(b) Property shall not be included in the gross estate under this section unless transferred—

(1) After March 3, 1931, and before June 7, 1932, and the retention or reservation by the decedent was (i) for his life or (ii) for such a period as to evidence his intention that it should extend at least for the duration of his life, and his death occurs before the expiration of such period; or

(2) On or after June 7, 1932.

PAR. 9. Section 81.20, as amended by Treasury Decision 5906, approved May 27, 1952, is further amended by inserting immediately at the end of paragraph (b) thereof the following:

(4) In the case of a decedent dying after December 31, 1950, the provisions of this section do not apply to a transfer if—

(i) The relinquishment on or after January 1, 1940, and on or before December 31, 1947, of the power would, by reason of section 1000 (e), be deemed not a transfer of property for the purpose of the gift tax under chapter 4 (see § 86.3 (b) of this chapter), and

(ii) The decedent was, for a continuous period beginning on or before September 30, 1947, and ending with his death, under a mental disability to relinquish a power.

For the purpose of the foregoing provision, the term "mental disability" means mental incompetence, in fact, to release the power whether or not there was an adjudication of incompetence. Such provision shall apply even though a guardian could have released the power for the decedent.

PAR. 10. There is inserted immediately preceding § 81.25 the following:

SEC. 209. REVERSIONARY INTERESTS IN CASE OF LIFE INSURANCE (TECHNICAL CHANGES ACT OF 1953, APPROVED AUGUST 15, 1953)—(a) *Decedents dying after January 10, 1941, and before October 22, 1942.* Effective with respect to estates of decedents dying after January 10, 1941, and before October 22, 1942, the proceeds of life insurance receivable by beneficiaries other than the executor shall not be included in the gross estate of a decedent under section 811 (g) of the Internal Revenue Code unless such proceeds would have been includible under section 404 (c) of the Revenue Act of 1942 (as amended by Section 503 (a) of the Revenue Act of 1950) had such section 404 (c), as so amended, applied to such estate.

(b) *Interest.* No interest shall be allowed or paid on any overpayment resulting from the application of subsection (a) with respect to any payment made before the date of the enactment of this act.

PAR. 11. Section 81.27, as amended by Treasury Decision 5904, is further amended by inserting immediately following the third paragraph of (c) thereof the following new paragraph:

In the case of a decedent dying after January 10, 1941 (and on or before October 21, 1942), the conditions prescribed in paragraph (a) of this section shall apply in determining whether a reversionary interest constitutes an incident of ownership. No interest shall be allowed or paid on any overpayment resulting from the application of the preceding sentence with respect to any payment made before August 15, 1953.

(53 Stat. 467; 26 U. S. C. 3791)

[SEAL] O. GORDON DELK,
Acting Commissioner of Internal Revenue.

Approved: June 11, 1954.

M. B. FOLSOM,
Acting Secretary of the Treasury.

[F. R. Doc. 54-4665; Filed, June 17, 1954; 8:51 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter XVI—Agricultural Marketing Service, Department of Agriculture

[Defense Food Order No. 1, as amended; Termination]

DFO-1—CASTOR OIL

TERMINATION

It is hereby found and determined that the provisions of Defense Food Order 1, as amended, and partially suspended (17 F. R. 401; 18 F. R. 2059), and Sub-Order 1 (17 F. R. 6431) thereunder, with respect to use and inventory holdings of castor oil are no longer necessary to promote the national defense; and this termination order is, therefore, hereby made effective. During the administration of Defense Food Order 1, there were numerous consultations with industry representatives relative to its operations. Consultation with representatives of trade associations in the administration of this order was impractical inasmuch as there is no trade association as such with respect to the castor oil industry, and this order applies to numerous trades.

SUMMARY OF TERMINATION ORDER

The effect of this action is to terminate the restrictions on the use and inventory holdings of castor oil.

REGULATORY PROVISIONS

Defense Food Order 1, as amended (17 F. R. 401; 18 F. R. 2059), and Sub-Order 1 (17 F. R. 6431) thereunder are hereby terminated effective 11:59 p. m., e. d. t., June 15, 1954. With respect to violations, rights accrued, liabilities incurred, or appeals taken with respect to said Defense Food Order 1, as amended, or Sub-Order thereunder, prior to the effective time of the provisions hereof, all provisions of said Defense Food Order 1, as amended, and Sub-Order thereunder shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. 2154)

Done at Washington, D. C., this 8th day of June 1954.

[SEAL] WALTER C. BERGER,
Acting Administrator,
Commodity Stabilization Service.

[F. R. Doc. 54-4649; Filed, June 17, 1954; 8:47 a. m.]

Chapter XVIII—National Shipping Authority, Maritime Administration, Department of Commerce

[NSA Order 6 (Ins-1, 3d Revision)]

INS-1—MARINE PROTECTION AND INDEMNITY INSURANCE INSTRUCTIONS UNDER GENERAL AGENCY AND BERTH AGENCY AGREEMENTS

Effective as of March 31, 1954, Midnight, eastern standard time, NSA Order No. 6 (INS-1, Second Revision), published in the FEDERAL REGISTER issue of May 7, 1953 (18 F. R. 2647), is hereby revised to read as follows:

Sec.
1. What this order does.
2. Insurer.
3. Assured.
4. Vessels insured and terms of insurance.
5. Assumption of risk by owner and attachment and cancellation dates of commercial insurance.
6. Issuance of policies or certificates by underwriter.
7. Insurance premiums.
8. Reports of accidents and occurrences.
9. Settlement of claims.
10. Litigation and employment of counsel.
11. Report of claims.
12. Application and interpretation of this order.

AUTHORITY: Sections 1 to 12 issued under sec. 204, 49 Stat. 1987, as amended; 46 U. S. C. 1114.

SECTION 1. *What this order does.* Effective as of March 31, 1954, midnight, e. s. t., this order prescribes instructions with respect to the placing of commercial marine protection and indemnity (referred to in this order as "P & I") insurance and the handling of claims of a P & I insurance nature, required to be followed by General Agents and Berth Agents under General Agency Agreements and Berth Agency Agreements respectively, with the United States of America, acting by and through the Director, Office of National Shipping Au-

thority and Government Aid, Maritime Administration, Department of Commerce (referred to in this order as the "Owner").

SEC. 2. *Insurer.* The Continental Insurance Company, New York, New York (referred to in this order as the "Underwriter"), acting by and through Marine Office of America, 116 John Street, New York, New York (referred to in this order as the "Underwriting Agent"), entered into an insuring agreement with the Owner covering the period from March 31, 1954, midnight, e. s. t., to March 31, 1955, midnight, e. s. t.

SEC. 3. *Assured.* The assureds are (a) the United States of America, acting by and through the Director, Office of National Shipping Authority and Government Aid, Maritime Administration, Department of Commerce, and (b) its General Agents and Berth Agents, and Sub-Agents acting on behalf of either.

SEC. 4. *Vessels insured and terms of insurance.* The Underwriter has agreed to provide P & I insurance with respect to General Agency vessels operated in the employment of the Military Sea Transportation Service (referred to in this order as "MSTS"), for a period of one year from midnight, e. s. t., March 31, 1954, at an annual rate of $1.95 per gross registered ton on a daily pro rata basis, attaching as provided in section 5 (a), (b), (c), (d), and (e) of this order and terminating as of midnight, e. s. t., March 31, 1955, or in accordance with section 5, paragraphs (f), (g), (h) or (i) of this order. This insurance covers the vessels' liability of a P & I insurance nature except for any loss, damage or expense in respect to cargo, or cargo's proportion of general average or special charges, or in any other way relating to cargo which is to be carried, is being carried, or has been carried, on board such vessels. The limit of liability in any claim shall be $250,000.00 for each accident or occurrence per vessel, with a deduction of $500.00 for each accident or occurrence resulting in personal injury, illness, or death, and $250.00 for each accident or occurrence of other types except "putting in" and burial expenses. Claims for "putting in" and burial expenses are not subject to any deduction. The Underwriter has agreed to accept liability not to exceed $200.00 for burial expenses.

SEC. 5. *Assumption of risk by owner and attachment and cancellation dates of commercial insurance*—(a) *Vessels allocated and delivered to General Agents at fleet site under General Agency Agreement, 3–19–51.* When vessels are allocated and delivered to General Agents at fleet site, the Owner will assume the risks of a P & I insurance nature from the date and hour of the vessel's delivery to the General Agent to the date and hour of their departure from the last repair yard prior to the commencement of operations under the agreement. As of that time, the P & I risks shall be commercially insured with the Underwriter, and the General Agents shall arrange with the Underwriting Agent to have the insurance attached as of the date and hour of the vessel's departure from the repair yard.

(b) *Vessels delivered from bareboat charter and allocated for operation under General Agency Agreement 3–19–51.* When vessels are delivered from bareboat charter and delivered to General Agents for operation under General Agency Agreement 3–19–51, the P & I insurance risks shall be commercially insured with the Underwriter and the General Agents shall arrange with the Underwriting Agent to have P & I insurance attached as of the date and hour of the vessel's delivery under the Agreement.

(c) *Vessels transferred from one General Agent to another under General Agency Agreement 3–19–51.* When a vessel is withdrawn from operation under one General Agent and allocated to another for operation, the respective General Agents shall, unless advised to the contrary, arrange with the Underwriting Agent for the termination and reattachment of P & I insurance as of the respective dates and hours of redelivery and delivery of the vessel from and to the respective General Agents.

(d) *New Vessels allocated and delivered under General Agency Agreement 3–19–51.* When new vessels are allocated and delivered to General Agents directly from the builder's yard, the General Agents shall, unless advised to the contrary, arrange for commercial P & I insurance with the Underwriter and request the Underwriting Agent to have the insurance attach as of the date and hour of the vessel's delivery under the Agreement.

(e) *Vessels presently in operation under General Agency Agreement 3–19–51.* In respect to the vessels already in operation on the effective date of the renewal of the P & I insurance contract and/or change of P & I Underwriters, the General Agents shall immediately declare such vessels to the Underwriting Agent and/or Underwriter requesting that the insurance attach on each vessel as of the effective date of the new contract.

(f) *Vessels designated for lay-up.* General Agents shall terminate the commercial P & I insurance on these vessels as of midnight, e. s. t., of the day the crew signs off Articles and the Owner will assume all risks of a P & I insurance nature occurring subsequent to that time.

(g) *Vessels designated for Fleet Custody Status.* General Agents shall terminate the commercial P & I insurance on these vessels as of the date and hour of their delivery to the reserve fleet.

(h) *Vessels in reduced operational status and subsequently designated for fleet custody status.* General Agents shall terminate the commercial P & I insurance on these vessels as of the date and hour of their delivery to the reserve fleet.

(i) *Vessels in reduced operational status and subsequently designated for stripping and lay up.* General Agents shall terminate the commercial P & I insurance on these vessels as of midnight, e. s. t., of the date they receive notice to the effect that the vessels are designated for stripping and lay up.

(j) *Notice of attachment and termination of insurance.* General Agents shall promptly notify the Chief, Division of Insurance, Office of Comptroller, Maritime Administration, Washington 25, D. C., of the date and hour of the attachment or of the termination of P & I insurance after either is effected in accordance with paragraphs (a), (b), (c), (d), (e), and (f), (g), (h) or (i) of this section.

SEC. 6. *Issuance of policies or certificates by Underwriter.* The Underwriting Agent, upon receipt of applications from General Agents, will arrange for execution and delivery of the Underwriter's policy and/or certificates to such General Agents with respect to each vessel named in such applications. The Underwriting Agent will also obtain and furnish such copies of policies and/or certificates as may be required by the Owner and the General Agents. The original of all policies and/or certificates shall be promptly forwarded by each General Agent to the Chief, Division of Insurance, Office of Comptroller, Maritime Administration, Department of Commerce, Washington 25, D. C. Upon cancellation of this insurance, the Underwriter will issue an endorsement with respect to such cancellation, showing the cancellation date and amount of return premium.

SEC. 7. *Insurance premiums*—(a) *Payment of premiums.* Premiums for P & I insurance provided under the policies shall be paid by each General Agent quarterly, in advance, for the period from the date of attachment of such insurance to March 31, 1955, midnight, e. s. t. Broker's discount, if any, shall be allowed, but in no event to exceed 5 percent of the annual premiums.

(b) *Return premiums.* Each General Agent shall be responsible for collection or obtaining credit for return premiums for all vessels insured with the Underwriter pursuant to this order. Such return premiums shall be computed on a daily pro-rata basis from date of cancellation or vessel's transfer from one General Agent to another, less brokerage, if any, not to exceed 5 percent of the annual premium. Statements or credit memoranda shall be obtained in duplicate from the Underwriter; the originals thereof shall be filed in the General Agent's office and shall be subject to inspection by the Owner's auditors. The duplicate copies thereof shall be forwarded to the Chief, Division of Insurance, Office of Comptroller, Maritime Administration, Department of Commerce, Washington 25, D. C.

(c) *Return premiums on vessels transferred from one General Agent to another.* If an insured vessel is transferred from one General Agent to another, and P & I insurance under the policy is cancelled, return premiums shall be allowed and computed for the unexpired period of the policy in the manner set forth in paragraph (b) of this section: *Provided, however,* That return premiums for such cancellations shall be allowed from 12:01 a. m., e. s. t., of the day of such transfer if the transfer is noon or before, e. s. t., or from 12:01 a. m., e. s. t., of the suc-

ceeding day if the transfer is subsequent to noon, e. s. t.

SEC. 8. *Reports of accidents and occurrences*—(a) *Reports to Underwriter.* All accidents and occurrences of a P & I insurance nature, arising subsequent to the attachment of P & I insurance (as provided in section 5 of this order) shall be promptly reported to the Underwriter by the General Agent, together with all available information. The General Agents shall obtain the names of the Underwriter's outport representatives from the Underwriting Agent and shall supply such information to the Master of each vessel so that he may obtain such assistance from the outport representatives and make such reports to them as may be required under the circumstances.

(b) *Reports to owner.* All accidents and occurrences of a P & I insurance nature, arising prior to the attachment and subsequent to the termination of this insurance (as provided in section 5 of this order), shall be reported to the Chief, Division of Insurance, Office of Comptroller, Maritime Administration, Washington 25, D. C.

SEC. 9. *Settlement of claims*—(a) *On risks insured under commercial marine protection and indemnity policies.* General Agents of vessels described in this order are hereby authorized to settle without prior approval, all claims of a P & I insurance nature where the settlement amounts do not exceed the applicable deductibles set forth in the P & I policy. When the proposed settlement amounts of such claims exceed the applicable deductibles, General Agents shall obtain the Underwriter's approval of the proposed settlements and, immediately after payment in full or, of any portion thereof over the applicable deductibles, make formal claim for reimbursement from the Underwriter. All claims which do not exceed the deductibles in the policy are chargeable to vessel expense and shall be accounted for in accordance with current accounting and/or auditing instructions. When settling any claim, the General Agent shall advise the claimant that such settlement is not to be construed as an admission of liability by or on behalf of the owner, or its General Agents and Berth Agents or their Sub-Agents, but that the settlement is a compromise of a disputed claim. General Agents shall be expected to apply sound judgment and follow standard practices of steamship operators in the settlement or other disposition of P & I claims and shall avail themselves of the advice and assistance of the Underwriter, and may also consult the appropriate District Counsel of the Maritime Administration, and the Chief, Division of Insurance, Office of Comptroller, Maritime Administration, Washington 25, D. C. Berth Agents shall furnish reports and render all necessary assistance to the General Agents in handling P & I insurance claims. A claim shall be settled only when the amount of the settlement is reasonable under the circumstances, is adequately supported, and is in the best interests of the United States.

(b) *On risks assumed by the owner.* General Agents are hereby authorized to settle claims of a P & I insurance nature, arising under conditions where the risk is assumed by the Maritime Administration (as set forth in section 5 of this order), without prior approval, provided the proposed settlement amount of each claim does not exceed $1,000.00. If the proposed settlement amount of any such claim exceeds $1,000.00 the General Agent shall, prior to payment, obtain the approval of the proposed settlement from the Chief, Division of Insurance, Office of Comptroller, Maritime Administration, Washington 25, D. C. The amounts and costs of these settlements are chargeable to vessel operating expense and shall be accounted for in accordance with current accounting and/or auditing instructions. When settling any claim hereunder, General Agents shall be governed by the procedure and instructions set forth in paragraph (a) of this section insofar as applicable.

(c) *Claims declined by Underwriters.* Any claim of a P & I insurance nature, whether arising prior or subsequent to March 31, 1954, which has been declined by this Underwriter, or by any other Underwriters under prior insuring agreements, shall be forwarded to the Chief, Division of Insurance, Office of Comptroller, Maritime Administration, Washington 25, D. C., for review and further instruction.

SEC. 10. *Litigation and employment of counsel.* (a) As to any suit arising out of the activities of a General Agent in the course of his official duties, wherein the General Agent is named a party or one of the parties respondent or defendant, and whether or not the risk is covered by P & I insurance, such General Agent shall immediately, by air mail, forward copies of the pleadings and all other related legal documents to the General Counsel, Maritime Administration, Department of Commerce, Washington 25, D. C., and to the Attorney General, Admiralty and Shipping Section, Department of Justice, Washington 25, D. C. No General Agent, Berth Agent, or Sub-Agent, shall incur any legal expenses in connection with any claim covered by P & I insurance unless approved in advance by the Underwriter, or in connection with any other claim unless approved in advance by the General Counsel, Maritime Administration, except in an emergency where time will not permit such approval to be obtained.

(b) In addition to the foregoing, in the case of any attachment or seizure of a vessel, whether or not the risk is covered by P & I insurance, the General Agent shall immediately, by telegram, radio, or cable, notify the nearest Maritime Administration representative or the General Counsel, Maritime Administration, Washington 25, D. C.

SEC. 11. *Report of claims.* (a) All General Agents shall submit to the Chief, Division of Insurance, Office of Comptroller, Maritime Administration, Washington 25, D. C., quarterly reports of all claims, listed separately under the following categories, showing:

(1) *Insured claims, paid or closed.*
(i) Amount of claim;
(ii) Amount paid, if any;
(iii) Amount of deductible; and
(iv) Amount, if any, collected from Underwriter.

(2) *Insured claims pending.*
(i) Amount of claim;
(ii) Amount, if any, paid to date;
(iii) Amount of deductible; and
(iv) Amount, if any, collected from Underwriter.

(3) *Claims paid or closed under risks assumed by Owner.*
(i) Amount claimed; and
(ii) Amount paid, if any.

(4) *Claims pending under risks assumed by Owner.*
(i) Amount claimed; and
(ii) Amount paid, if any.

(b) The lists shall also contain, with respect to each claim, the name of the vessel(s) involved; date and nature of occurrence; name of claimant(s); whether or not in litigation; status of claim, and amount of loss or damage estimated as probable future cost.

(c) The first of such reports shall cover the quarterly period ending June 30, 1954, and shall be submitted as soon as possible after said date. Subsequent reports shall be made promptly after the conclusion of each quarterly period thereafter. A claim previously reported as closed shall not be reported on subsequent statements unless it is reopened. The reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

SEC. 12. *Application and interpretation of this order.* General Agents shall communicate directly with the Chief, Division of Insurance, Office of Comptroller, Maritime Adminstration, Washington 25, D. C., regarding all questions of application, interpretation, or intent of this order.

Approved: June 7, 1954.

[SEAL] C. H. MCGUIRE,
Director, Office of National Shipping Authority and Government Aid.

[F. R. Doc. 54-4675; Filed, June 17, 1954; 8:52 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Agricultural Research Service

[9 CFR Part 131]

HANDLING OF ANTI-HOG-CHOLERA SERUM AND HOG-CHOLERA VIRUS

GENERAL NOTICE OF PROPOSED RULE MAKING WITH RESPECT TO THE APPROVAL OF THE BUDGET AND THE FIXING OF THE RATE OF ASSESSMENT FOR THE CALENDAR YEAR 1954

Consideration is being given to the approval of a budget of expenses of the Control Agency established under the marketing agreement and the marketing order (9 CFR 131.1 et seq.), regulating the handling of anti-hog-cholera serum and hog-cholera virus, and the fixing of the rate of assessment to be paid by handlers, for the calendar year 1954, as follows:

(1) The expenses which will necessarily be incurred by the Control Agency, established pursuant to the provisions of the marketing agreement and of the marketing order, for the maintenance and functioning of said Agency during the calendar year 1954, will amount to $26,725.00 under the recommendation of the Control Agency, from which shall be deducted the unexpended balance of $6,283.99 on hand with said Control Agency on January 1, 1954, from assessments collected during the calendar year 1953, leaving a balance of $20,441.01 to be collected during the calendar year 1954, and (2) of the amount of $20,441.01 to be collected during the calendar year 1954, the sum of $16,291.49 shall be assessed against handlers who are manufacturers, and $4,149.52 shall be assessed against handlers who, as distributors, market their products principally through veterinarians or other channels. The pro rata share of the expenses of the Control Agency to be paid for the calendar year 1954 by each handler who is a manufacturer shall be $14.34 per million cubic centimeters (determined by the nearest whole number) of hyperimmune blood collected by such handler during the calendar year 1953 and the pro rata share of such expenses to be paid for the calendar year 1954 by each handler who, as a distributor, markets his products principally through veterinarians or other channels shall be $20.00 for the first million cubic centimeters or fraction thereof and $1.59 for each additional million cubic centimeters or fraction thereof of serum sold by such handler. Such assessments shall be paid by each respective handler in accordance with the applicable provisions of the marketing agreement and order.

Terms. As used herein, the terms "handler", "manufacturer", "distributor", and "serum" shall have the same meaning as is given to each such term in said marketing agreement and marketing order.

Interested parties may obtain copies of the budget mentioned herein from the Executive Secretary of the Control Agency, 512 V. F. W. Building, Kansas City 11, Missouri.

All persons who desire to submit written data, views, or arguments in connection with the aforesaid consideration shall file the same with the Hearing Clerk, Room 1353, South Building, United States Department of Agriculture, Washington 25, D. C., not later than the close of business on the 10th day after the publication of this notice in the FEDERAL REGISTER. All documents shall be filed in quadruplicate.

(49 Stat. 781; 7 U. S. C. 851 et seq.)

Issued this 14th day of June 1954.

[SEAL] J. EARL COKE,
Acting Secretary of Agriculture.

[F. R. Doc. 54-4648; Filed, June 17, 1954; 8:47 a. m.]

NOTICES

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

ARIZONA-UTAH

ORDER OPENING LANDS TO MINING LOCATION, ENTRY AND PATENT

JUNE 14, 1954.

Under authority and pursuant to the provisions of the act of April 23, 1932 (47 Stat. 136, 43 U. S. C., sec. 154), and the regulations thereunder, and subject to (1) valid existing rights, (2) existing withdrawals other than withdrawals made under the act of June 17, 1902 (32 Stat. 388), and (3) the condition that a stipulation reading as follows:

This location is made subject to the provision that if and when the land is actually required for reclamation purposes, it may be utilized by the United States without payment, and any structures or improvements placed on the land which may interfere with contemplated reclamation works will be removed or relocated without expense to the United States, its successors or assigns.

be executed and acknowledged and recorded in the county records and in the United States Land Office at Salt Lake City, Utah, before location is made; it is hereby ordered that the following described public lands, be and the same are hereby opened to mining location, entry and patent:

GILA AND SALT RIVER MERIDIAN, ARIZONA

T. 40 N., R. 7 E.,
- Sec. 1, lots 1 to 4, inclusive, S½N½ and S½;
- Sec. 2, lots 1 to 4, inclusive, S½N½ and S½;
- Sec. 3, lots 1 to 4, inclusive, S½N½ and S½;
- Secs. 10, 11 and 12;
- Sec. 13, lots 1 to 4, inclusive, E½NE¼, W½NW¼ and NW¼SW¼;
- Secs. 14, 15, and 22;
- Sec. 23, lots 1 to 4, inclusive, NE¼NE¼, W½NE¼, NW¼ and NW¼SW¼;
- Sec. 24, lot 3;
- Secs. 26, lots 2, 3, 6, and 7;
- Sec. 27, lot 1, N½, SW¼, N½SE¼ and SW¼SE¼;
- Sec. 34, lots 1, 2, 5, and 6, NW¼ and N½SW¼.

T. 42 N., R. 7 E.,
- Sec. 36, unsurveyed.

T. 40 N., R. 8 E.,
- Secs. 2 and 3, those portions lying northwest of the Colorado River, unsurveyed;
- Secs. 4 to 7, inclusive;
- Sec. 8, N½ and that unsurveyed portion of S½ lying northwest of Colorado River;
- Sec. 9, N½ and that unsurveyed portion of S½ lying northwest of Colorado River;
- Sec. 10, that portion lying northwest of Colorado River, unsurveyed;
- Sec. 17, that portion lying northwest of Colorado River, unsurveyed;
- Sec. 18, lots 1, 2, and 3, N½ and E½SE¼;
- Sec. 19, that portion lying northwest of Colorado River, unsurveyed;
- Sec. 20, that portion lying northwest of Colorado River, unsurveyed;
- Sec. 21, that portion lying northwest of Colorado River, unsurveyed;
- Secs. 28, 29, and 30, those portions lying northwest of Colorado River, unsurveyed.

T. 41 N., R. 8 E.,
- Sec. 1, lots 1 to 4, inclusive, S½N½ and S½;
- Sec. 2, lots 1 to 4, inclusive, S½N½ and S½;
- Sec. 3, lots 1 to 4, inclusive, S½N½ and S½;
- Sec. 4, lots 1 to 4, inclusive, S½N½ and S½;
- Sec. 5, lots 1 to 4, inclusive, S½N½ and S½;
- Sec. 6, lots 1 to 7, inclusive, S½NE¼, SE¼NW¼, E½SW¼ and SE¼;
- Sec. 7, lots 1 to 4, inclusive, E½ and E½W½;
- Secs. 8 to 12, inclusive;
- Sec. 13, N½ and that unsurveyed portion of S½ lying northwest of Colorado River;
- Secs. 14 to 17, inclusive;
- Sec. 18, lots 1 to 4, inclusive, E½ and E½W½;
- Sec. 19, lots 1 to 4, inclusive, E½ and E½W½;
- Secs. 20 to 23, inclusive;
- Sec. 24, that portion lying northwest of Colorado River, unsurveyed;
- Sec. 25, that portion lying northwest of Colorado River, unsurveyed;
- Sec. 26, N½, SW¼ and that unsurveyed portion of SE¼ lying northwest of Colorado River;
- Secs. 27, 28, and 29;
- Sec. 30, lots 1 to 4, inclusive, E½ and E½W½;

Sec. 31, lots 1 to 4, inclusive, E½ and E½W½;
Secs. 32, 33, and 34;
Sec. 35, that portion lying northwest of Colorado River, unsurveyed.
T. 42 N., R. 8 E.,
Sec. 31, lots 1 to 6, inclusive, E½SW¼ and SE¼;
Sec. 32, lots 1 to 4, inclusive, and S½;
Sec. 33, lots 1 to 4, inclusive, and S½;
Sec. 34, lots 1 to 4, inclusive, and S½;
Sec. 35, lots 1 to 4, inclusive, and S½;
Sec. 36, lots 1 to 4, inclusive, and S½.
T. 41 N., R. 9 E.,
Sec. 2, that portion lying northwest of Colorado River, unsurveyed;
Sec. 3, W½, SE¼ and that unsurveyed portion of NE¼ lying northwest of Colorado River;
Secs. 4 to 7, inclusive;
Sec. 8, W½ and that unsurveyed portion of E½ lying northwest of Colorado River;
Sec. 9, that portion lying northwest of Colorado River, unsurveyed;
Sec. 10;
Sec. 11, W½ and that unsurveyed portion of E½ lying northwest of Colorado River;
Secs. 14, 15, and 16, those portions lying northwest of Colorado River, unsurveyed;
Sec. 17, W½ and that unsurveyed portion of E½ lying northwest of Colorado River;
Sec. 18, N½ and that unsurveyed portion of S½ lying northwest of Colorado River;
Secs. 19 and 20, those portions lying northwest of Colorado River, unsurveyed.
T. 42 N., R. 9 E.,
Sec. 31, lots 1 to 4, inclusive, and S½;
Sec. 32, lots 1 to 4, inclusive, and S½;
Sec. 33, lots 1 to 4, inclusive, and S½;
Sec. 34, that portion lying northwest of Colorado River, unsurveyed.

SALT LAKE BASE AND MERIDIAN, UTAH

T. 43 S., R. 2 E.,
Secs. 1 and 2;
Sec. 11, N½, SW¼SW¼ and SE¼;
Secs. 12, 13, 14, 23 to 26, inclusive, 35 and 36.
T. 43 S., R. 3 E.,
T. 44 S., R. 3 E., all of fractional township.
T. 42 S., R. 4 E.,
Secs. 19 to 36, inclusive.
T. 43 S., R. 4 E.,
T. 44 S., R. 4 E., all of fractional township.
T. 41 S., R. 5 E.,
Secs. 19 to 36, inclusive, unsurveyed.
T. 42 S., R. 5 E.,
Secs. 1 to 18, inclusive, 22 to 27, inclusive, 34, 35, and 36, unsurveyed.
T. 43 S., R. 5 E.
T. 44 S., R. 5 E., all of fractional township.
T. 41 S., R. 6 E.,
Secs. 19 to 36, inclusive, unsurveyed.
T. 42 S., R. 6 E., unsurveyed.
T. 43 S., R. 6 E., all of fractional township.
T. 41 S., R. 7 E.,
Secs. 19, 20, 23 to 27, inclusive, and 29 to 36, inclusive, unsurveyed.
T. 42 S., R. 7 E., unsurveyed.
T. 42½ S., R. 6½ E., all of fractional township, unsurveyed.
T. 39 S., R. 8 E.,
Secs. 1, 2, 11 to 14, inclusive, 23 to 26, inclusive, 35 and 36, unsurveyed.
T. 40 S., R. 8 E., unsurveyed.
T. 41 S., R. 8 E., unsurveyed.
T. 42 S., R. 8 E., unsurveyed.
T. 42½ S., R. 7½ E., all of fractional township, unsurveyed.
T. 37 S., R. 9 E.,
Secs. 1 to 3, inclusive, 10 to 15, inclusive, 22 to 27, inclusive, and 34 to 36, inclusive, unsurveyed.
T. 38 S., R. 9 E.,
Secs. 1 to 3, inclusive, and 10 to 15, inclusive, unsurveyed.

T. 39 S., R. 9 E.,
Secs. 6, 7, 18 to 21, inclusive, and 28 to 36, inclusive, unsurveyed.
T. 40 S., R. 9 E., unsurveyed.
T. 40 S., R. 9½ E., all of fractional township, unsurveyed.
T. 41 S., R. 9 E., all of fractional township, unsurveyed.
T. 40½ S., R. 9½ E., all of fractional township, unsurveyed.
T. 41 S., R. 9½ E., all of fractional township, unsurveyed.
T. 42 S., R. 9 E., all of fractional township, unsurveyed.
T. 42 S., R. 9½ E., those portions of secs. 1 to 5, inclusive, lying North of San Juan River, unsurveyed.
T. 36 S., R. 10 E.,
Secs. 19 to 21, inclusive, and 28 to 33, inclusive, unsurveyed.
T. 37 S., R. 10 E., unsurveyed.
T. 38 S., R. 10 E.,
Secs. 1 to 7, inclusive;
Sec. 8, NW¼NE¼, S½NE¼, W½ and SE¼;
Sec. 9, N½NE¼, W½SW¼, and SE¼SW¼;
Sec. 10, NE¼, N½NW¼, SE¼NW¼ and NE¼SE¼;
Secs. 11 to 16, inclusive;
Secs. 17 to 21, inclusive, unsurveyed;
Secs. 22 to 27, inclusive;
Secs. 28 to 33, inclusive, unsurveyed;
Secs. 34 to 36, inclusive.
T. 39 S., R. 10 E.,
Secs. 1 to 3, inclusive, 10 to 15, inclusive, 22 to 27, inclusive, and 31 to 36, inclusive, unsurveyed.
T. 40 S., R. 10 E., all of fractional township, unsurveyed.
T. 40 S., R. 10½ E., all of fractional township, unsurveyed.
T. 41 S., R. 10 E., all of township north of San Juan River, unsurveyed.
T. 42 S., R. 10 E., those portions of secs. 1 to 6, inclusive, lying north of San Juan River, unsurveyed.
T. 37 S., R. 11 E., unsurveyed.
T. 37½ S., R. 11 E., all of fractional township, unsurveyed.
T. 38 S., R. 10½ E., all of fractional township, unsurveyed.
T. 38 S., R. 11 E., all of fractional township, unsurveyed.
T. 39 S., R. 10½ E., all of fractional township, unsurveyed.
T. 39½ S., R. 10½ E., all of fractional township, unsurveyed.
T. 39 S., R. 11 E.,
Secs. 1 to 5, inclusive, 7 to 21, inclusive, and 28 to 33, inclusive, unsurveyed.
T. 40 S., R. 11 E.,
Secs. 4 to 9, inclusive, 16 to 31, inclusive, those portions of secs. 32, 33 and 34, lying north of San Juan River,
Secs. 35 and 36, unsurveyed.
T. 41 S., R. 11 E.,
Sec. 1;
Sec. 2, lots 1, 2, 5, 6, 10, 11, and 14;
Sec. 3, lots 1, 2, 3, 7, and 8;
Sec. 4, lot 6;
Sec. 5, lots 3 to 6, inclusive, 9, 10, and 11, S½NW¼, SW¼ and SW¼SE¼;
Secs. 6, 7 and 8;
Sec. 9, lots 2, 3, and 4, S½NE¼, NW¼NW¼, S½NW¼ and S½;
Sec. 10, lots 5 to 8, inclusive, and S½;
Sec. 11, lots 1, 7, and 8;
Sec. 12, lots 1 to 4, inclusive, and 8;
Sec. 14, lot 2;
Sec. 15, lots 1, 2, 3, 7, and 8, NW¼NE¼ and W½;
Secs. 16 to 21, inclusive;
Sec. 22, lots 2 and 3, NW¼NE¼, S½NE¼, W½, N½SE¼ and SW¼SE¼;
Sec. 23, lots 3, 4, 7, 8, and 9, and SW¼NW¼;
Sec. 27, lots 1, 2, 3, 6, and 7, NW¼NE¼ and W½;
Sec. 28, lots 1 to 4, inclusive, N½ and N½S½;
Sec. 29, lots 1, 3, and 4, N½, E½SW¼, N½SE¼ and SW¼SE¼;
Sec. 30, lots 1 to 7, inclusive, NE¼, E½NW¼ and NE¼SW¼;
Sec. 31, lots 2 to 5, inclusive, 8 and 9;
Sec. 32, lots 2, 3, and 6, and NE¼NW¼;
Sec. 33, lot 1;
Sec. 34, lots 2 and 3.
T. 36 S., R. 12 E.,
Secs. 1 to 3, inclusive, 10 to 15, inclusive, and 19 to 36, inclusive, unsurveyed.
T. 36½ S., R. 12 E., all of fractional township, unsurveyed.
T. 37 S., R. 11½ E., all of fractional township, unsurveyed.
T. 37 S., R. 12 E., all of fractional township, unsurveyed.
T. 38 S., R. 12 E., unsurveyed.
T. 39 S., R. 12 E.,
Secs. 4 to 9, inclusive, and 16 to 18, inclusive, unsurveyed.
T. 40 S., R. 12 E.,
Secs. 22 to 27, inclusive, and 34 to 36, inclusive, unsurveyed.
T. 41 S., R. 12 E.,
Secs. 1 to 6, inclusive;
Sec. 7, lots 1 to 4, inclusive, and 6, E½ and E½NW¼;
Secs. 8 to 12, inclusive;
Sec. 13, lots 2, 3, 7, and 8, NW¼NE¼ and NW¼;
Sec. 14, lots 1 to 4, inclusive, and N½;
Sec. 15, lots 1, 2, and 3, N½, N½SW¼, SE¼SW¼ and W½SE¼;
Sec. 16;
Sec. 17, lots 1, 2, and 5, E½, E½W½ and NW¼NW¼;
Sec. 18, lots 1, 6, 7, and 8, and N½NE¼;
Sec. 20, lots 1, 4, 5, and 6, N½NE¼ and NE¼NW¼;
Sec. 21, lots 4 and 5;
Sec. 22, lots 2, 3, 4, and 7, and NW¼NE¼.
T. 31 S., R. 13 E.,
Secs. 1, 12, 13, 22 to 27, inclusive, and 34 to 36, inclusive, unsurveyed.
T. 32 S., R. 13 E.,
Secs. 1, 12, 13, 24, 25, and 36, unsurveyed.
T. 33 S., R. 13 E.,
Secs. 1 to 3, inclusive, 10 to 15, inclusive, 22 to 27, inclusive, and 34 to 36, inclusive, unsurveyed.
T. 34 S., R. 13 E.,
Secs. 1 to 24, inclusive, unsurveyed;
Sec. 25, lots 1 to 4, inclusive;
Secs. 26 and 27, partly unsurveyed;
Secs. 28 to 33, inclusive, unsurveyed;
Sec. 34, lots 2 to 6, inclusive;
Sec. 35, NE¼NE¼;
Sec. 36, lot 1.
T. 34½ S., R. 13 E., all of fractional township, unsurveyed.
T. 35 S., R. 13 E., all of fractional township, unsurveyed.
T. 35½ S., R. 13 E., all of fractional township, unsurveyed.
T. 36 S., R. 12½ E., all of fractional township, unsurveyed.
T. 36 S., R. 13 E., all of fractional township, unsurveyed.
T. 40 S., R. 13 E., entire township north of San Juan River, unsurveyed.
T. 41 S., R. 13 E.,
Sec. 4, lots 2 and 3;
Sec. 5, lot 4;
Sec. 6, lots 1 to 6, inclusive, and 10;
Sec. 7, lots 2, 3, and 6.
T. 31 S., R. 14 E.,
Secs. 4 to 9, inclusive, 16 to 21, inclusive, and 28 to 33, inclusive, unsurveyed.
T. 32 S., R. 14 E., unsurveyed.
T. 33 S., R. 14 E., unsurveyed.
T. 33½ S., R. 14 E., all of fractional township, unsurveyed.
T. 34 S., R. 13½ E., all of fractional township, unsurveyed.
T. 34 S., R. 14 E., unsurveyed.
T. 35 S., R. 14 E.,
Secs. 3 to 10, inclusive, 15 to 22, inclusive, and 27 to 34, inclusive, unsurveyed.
T. 36 S., R. 14 E.,
Secs. 4 to 9, inclusive, and 16 to 18, inclusive, unsurveyed.

T. 40 S., R. 14 E.,
Secs. 1 to 12, inclusive;
Sec. 13, lots 1, 2, and 4, N½, SW¼ and NW¼SE¼;
Secs. 14 to 18, inclusive;
Sec. 19, lots 1 to 5, inclusive, 8, 9, and 10, N½NE¼ and E½NW¼;
Sec. 20, lots 1, 2, 5, and 7, N½ and N½SE¼;
Sec. 21, lots 1 and 3, N½, N½SW¼ and SE¼;
Sec. 22, lots 1 and 2, N½, SW¼ and W½SE¼;
Sec. 23, lots 1 to 4, inclusive, and 10, and N½NW¼;
Sec. 24, lots 2, 3, and 5;
Sec. 27, lots 2, 3, 4, and 5;
Sec. 28, lots 1 and 3;
Sec. 30, lots 2, 5, and 6;
Sec. 31, lots 2 and 3.
T. 33 S., R. 15 E.,
Secs. 1 to 3, inclusive, 10 to 15, inclusive, and 19 to 36, inclusive, unsurveyed.
T. 33½ S., R. 14½ E., all of fractional township, unsurveyed.
T. 33½ S., R. 15 E., all of fractional township, unsurveyed.
T. 34 S., R. 15 E.,
Secs. 5 to 8, inclusive, and 17 to 20, inclusive.
T. 40 S., R. 15 E.,
Secs. 1 to 11, inclusive;
Sec. 12, lots 1 and 2, N½, SW¼, and N½SE¼;
Sec. 13, lots 2, 3, 4, 7, and 8, and W½NW¼;
Secs. 14 to 18, inclusive;
Sec. 19, lots 1, 4, 5, 6, and 11, NE¼, NE¼NW¼ and NE¼SE¼;
Sec. 20, lot 1, N½, SW¼, N½SE¼ and SW¼SE¼;
Sec. 21, lots 1, 2, 4, 8, and 9, N½N½ and SW¼NW¼;
Sec. 22, lots 1, 3, 5, and 7, and N½N½;
Sec. 23, lots 2 to 6, inclusive, and N½NW¼;
Sec. 29, lots 2, 4, and 6;
Sec. 30, lot 1.
T. 31 S., R. 16 E.,
Secs. 24, 25, and 36, unsurveyed.
T. 32 S., R. 16 E.,
Secs. 1, 12, 13 and 19 to 33, inclusive, of fractional township, unsurveyed.
T. 32½ S., R. 16 E., all of fractional township, unsurveyed.
T. 32 S., R. 15½ E., all of fractional township, unsurveyed.
T. 33 S., R. 16 E.,
Secs. 4 to 9, inclusive, 16 to 21, inclusive, and 28 to 33, inclusive, unsurveyed.
T. 40 S., R. 16 E.,
Secs. 1 to 6, inclusive;
Sec. 7, lots 1 to 4, inclusive, 6, 8, and 10, NE¼, E½NW¼, NE¼SW¼ and N½SE¼;
Sec. 8, lots 1, 3, 5, and 7, N½ and N½S½;
Sec. 9, lots 1, 2, 3, 6, and 9, N½ and N½SW¼;
Secs. 10 to 15, inclusive;
Sec. 16, lots 1, 5, 6, 9, and 10, and NE¼SE¼;
Sec. 21, lot 1;
Sec. 22, lots 1, 2, 4, and 8, and NE¼NE¼;
Sec. 23, lots 1, 2, 3, and 8, NE¼, N½NW¼, SE¼NW¼ and NE¼SE¼;
Sec. 24;
Sec. 25, lots 1, 3, 4, 5, and 10, NE¼, NE¼NW¼, N½SE¼ and SE¼SE¼;
Sec. 26, lot 1;
Sec. 36, lots 1, 4, 5, and 8.
T. 41 S., R. 16 E.,
Sec. 1, lot 1.
T. 31 S., R. 17 E.,
Secs. 1 to 4, inclusive, 9 to 16, inclusive, 19 to 22, inclusive, and 27 to 33, inclusive, unsurveyed.
T. 31½ S., R. 17 E., all of fractional township, unsurveyed.
T. 32 S., R. 16½ E., all of fractional township, unsurveyed.
T. 32 S., R. 17 E.,
Secs. 1 to 6, inclusive, and 8 to 24, inclusive of fractional township, unsurveyed.
T. 40 S., R. 17 E.,
Secs. 19 to 21, inclusive and 28 to 33, inclusive.
T. 41 S., R. 17 E.,
Secs. 1 to 3, inclusive;
Sec. 4, lots 1, 2, and 3, N½, N½S½ and SE¼SE¼;
Sec. 5, lot 1, N½, SW¼, N½SE¼ and SW¼SE¼;
Sec. 6, lots 1 to 7, inclusive;
Sec. 7, lot 1;
Sec. 8, lots 1, 2, and 3;
Sec. 9, lots 1 to 4, inclusive, and E½SE¼;
Secs. 10 to 13, inclusive;
Sec. 14, lots 1 to 7, inclusive, and NE¼;
Sec. 15, lots 1 to 7, inclusive, NW¼ and N½SW¼;
Sec. 16, lots 1, 2, and 3;
Sec. 23, lots 1 to 7, inclusive;
Sec. 24, lots 1 to 8, inclusive, and W½NW¼;
Sec. 25, lot 1.
T. 29½ S., R. 18 E., all of fractional township, unsurveyed.
T. 30 S., R. 18 E.,
Secs. 1 to 3, inclusive, 10 to 15, inclusive, and 19 to 35, inclusive, unsurveyed.
T. 30½ S., R. 18 E., all of fractional township, unsurveyed.
T. 31 S., R. 17½ E., all of fractional township, unsurveyed.
T. 31 S., R. 18 E.,
Secs. 3 to 10, inclusive, and 15 to 18, inclusive, of fractional township, unsurveyed.
T. 41 S., R. 18 E.,
Secs. 4 to 9, inclusive, and 16 to 21, inclusive;
Sec. 28;
Sec. 29, lots 1, 2, and 3, E½, N½NW¼ and SE¼NW¼;
Sec. 30, lots 1 to 4, inclusive;
Sec. 31, lot 1;
Sec. 32, lots 1 to 5, inclusive, and E½;
Sec. 33, lots 1 to 3, inclusive, N½, NW¼SW¼ and E½SE¼.
T. 29½ S., R. 19 E., all of fractional township, unsurveyed.
T. 30 S., R. 19 E.,
Secs. 1 to 21, inclusive, unsurveyed, and 28 to 33, inclusive.

The above areas contain approximately 1,178,300 acres.

This order shall become effective upon its publication in the FEDERAL REGISTER.

EDWARD WOOZLEY,
Director.

[F. R. Doc. 54-4635; Filed, June 17, 1954; 8:45 a. m.]

Office of the Secretary

COLORADO RIVER TRIBES

FEDERAL INDIAN LIQUOR LAWS

Pursuant to the act of August 15, 1953 (Pub. Law 277, 83d Cong., 1st Sess.), I certify that the following ordinance relating to the application of the Federal Indian liquor laws on that portion of the Colorado River Indian Reservation located in the State of California was duly adopted by the Colorado River Tribes which have jurisdiction over the area of Indian country included in the resolution:

Be it enacted by the Tribal Council of the Colorado River Indian Tribes as follows:

1. That all tribal laws, codes, and ordinances, including but not limited to Section 21 of Chapter 5 of the Tribal Law and Order Code, which prohibit or penalize the possession, sale, trade, transportation or manufacture of intoxicating beverages be and hereby are repealed and made inoperative in respect of every part of the Colorado River Indian Reservation which is in California.

2. That the introduction, sale, and possession of intoxicating beverages shall be lawful in every part of the Colorado River Indian Reservation which is in California to the extent permitted by laws of California.

ORME LEWIS,
Assistant Secretary of the Interior.

JUNE 11, 1954.

[F. R. Doc. 54-4637; Filed, June 17, 1954; 8:45 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 10982, 10983; FCC 54M-774]

OWENSBORO ON THE AIR, INC., AND OWENSBORO PUBLISHING CO.

ORDER CONTINUING HEARING

In re applications of Owensboro on the Air, Inc., Hatfield, Indiana, Docket No. 10982, File No. BPCT-1787; Owensboro Publishing Company, Hatfield, Indiana, Docket No. 10983, File No. BPCT-1790; for construction permits for new television stations.

At the oral request of both parties and with the consent of counsel for the Broadcast Bureau, hearing in the above-entitled matter, presently scheduled for June 14, 1954, is continued to 10:00 a.m., July 13, 1954.

Dated: June 14, 1954.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 54-4663; Filed, June 17, 1954; 8:51 a. m.]

[Docket No. 11044; FCC 54-736]

COLLIER COUNTY BROADCASTERS, INC.

CORRECTED ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re application of Collier County Broadcasters, Inc., Naples, Florida, Docket No. 11044, File No. BP-9119; for construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 14th day of June 1954;

The Commission having under consideration a protest filed on May 11, 1954, pursuant to the provisions of section 309 (c) of the Communications Act of 1934, by Robert Hecksher, licensee of Station WMYR, Ft. Myers, Florida, requesting the Commission to reconsider its action of April 14, 1954, in granting the above-entitled application of Collier County Broadcasters, Inc. for construction permit for a new station at Naples, Florida

to operate on 1430 kc, 500 watts, daytime only, and to designate said application for hearing with the petitioner made a party thereto;

It appearing that the engineering affidavit attached to the WMYR protest, indicates that the proposed Naples operation will cause objectionable interference to WMYR and that the Commission's further study of the matter, including an analysis of the data submitted by WMYR, also indicates that the proposed Naples operation will cause objectionable interference to WMYR:

It is ordered, That pursuant to section 309 (c) of the Communications Act of 1934, as amended, the above-entitled application of Collier County Broadcasters, Inc. is designated for hearing at the offices of the Commission in Washington, D. C. on July 2, 1954 at 10:00 a. m. upon the following issues:

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

2. To determine whether the operation of the proposed Naples station would involve objectionable interference with Station WMYR, Ft. Myers, Florida, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other primary service to such areas and populations.

It is further ordered, That the burden of proceeding with the introduction of evidence and the burden of proof is placed upon Collier County Broadcasters, Inc.; and

It is further ordered, That Robert Hecksher, licensee of Station WMYR, Ft. Myers, Florida is made a party to the proceeding; and

It is further ordered, That the above-described protest of Robert Hecksher is granted; and

It is further ordered, That the effective date of the Commission's action of April 14, 1954, in granting the above-entitled application of Collier County Broadcasters, Inc., is stayed pending the conclusion of the aforementioned hearing.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 54-4664; Filed, June 17, 1954; 8:51 a. m.]

DEPARTMENT OF AGRICULTURE

Commodity Credit Corporation

SALES OF CERTAIN COMMODITIES AT FIXED PRICES

JUNE 1954 DOMESTIC AND EXPORT PRICE LISTS

Pursuant to the pricing policy of Commodity Credit Corporation issued March 22, 1950, as amended January 9, 1953 (15 F. R. 1593, 18 F. R. 176), and subject to the conditions stated therein, the following commodities are available for sale in the quantities and at the prices stated:

JUNE 1954 EXPORT PRICE LIST

Commodity and approximate quantity available (subject to prior sale)	Export sales list
Dairy products	F. a. s. U. S. port of export, or "in store" [2] at location of stocks at f. a. s. price less export freight rate to agreed port of export.
Cheddar cheese,[1] cheddars, flats, twins and rindless blocks (standard moisture basis in carload lots only), 388,000,000 pounds.	U. S. Grade A: 25.5 cents per pound basis port of export. U. S. Grade B: 24.5 cents per pound basis port of export.
Nonfat dry milk solids [1] (in carload lots only), 160,000,000 pounds, spray; 40,000,000 pounds, roller.	Spray process—11.75 cents per pound basis port of export. Roller process—10 cents per pound basis port of export.
Salted creamery butter [1] (in carload lots only), 375,000,000 pounds.	U. S. Grade B and higher: By competitive bids in accordance with Announcement LD 7.
Wheat, bulk [1]	The above commodities are available Cincinnati, Kansas City, Minneapolis, and Portland CSS Commodity offices. Sales made for export pursuant to Announcement GR 261 and 262 at prices announced daily. Available Dallas, Chicago, Kansas City, Minneapolis, and Portland CSS Commodity offices. Sales also made for delivery only at Gulf and West Coast ports under GR 212 at market price on date of sale at points of delivery, provided delivery takes place within 15 days unless otherwise agreed upon. Available Dallas and Portland CSS Commodity offices.
Corn, bulk [1]	The domestic market price as determined by CCC for grade, class, and quality at point of delivery at time of sale, less an export allowance of 15 cents per bushel until further notice. Allowance not applicable on sales for export to Canada. Available Kansas City, Chicago, and Minneapolis CSS Commodity offices.
Barley, bulk [1]	The domestic market price as determined by CCC for grade, class, and quality at point of delivery at time of sale, less an export allowance of 15 cents per bushel until further notice. Allowance not applicable on sales for export to Canada. Available Minneapolis CSS Commodity office. Sales only from Gulf and East Coast ports.
Rye [1]	The domestic market price as determined by CCC for grade, class, and quality at point of delivery at time of sale, less an export allowance of 15 cents per bushel until further notice. Allowance not applicable on sales for export to Canada. Available Chicago, Minneapolis, and Dallas CSS Commodity offices.
Oats [1]	The domestic market price as determined by CCC for grade, class, and quality at point of delivery at time of sale, less an export allowance of 10 cents per bushel until further notice. Allowance not applicable on sales for export to Canada. Available Chicago, Minneapolis, and Dallas CSS Commodity offices.
Grain sorghum [1]	Price for export as determined by CCC on date of sale at point of delivery provided delivery takes place within 15 days unless otherwise agreed upon. Available Dallas, Minneapolis, and Kansas City CSS Commodity offices.
Flaxseed [1]	Price for export as determined by CCC on date of sale at point of delivery provided delivery takes place within 15 days unless otherwise agreed upon. Available Minneapolis and Chicago CSS Commodity offices.
Cottonseed oil,[1] refined, 852,000,000 pounds.	12¼ cents per pound in lots of 500 tons and over and 12¼ cents per pound in lots under 500 tons PSY or better, basis in store at point of export. These prices apply to all countries except Canada, which remains on a bid basis. (See Domestic Sales List for prices U. S. territories and possessions.) Upon written agreement, with full cost reimbursement to be made by the buyer, CCC may deliver oil f. o. b. tankcars or tankwagons or named vessel. Available New Orleans CSS Commodity office.
Cottonseed oil,[1] crude, 3,000,000 pounds.	Bid basis, in store at point of export or f. o. b. tankcars or tankwagons at producers' mills. On in-store sales, if buyer and CCC agree in writing, CCC will effect loading of oil into vessel or tankcars or tankwagons, with buyer compensating for all costs incurred. Available New Orleans CSS Commodity office.
Linseed oil, raw,[1] 218,000,000 pounds	Bid basis, f. o. b. tankcars at points of storage locations. Available Cincinnati, New Orleans, Portland, and Minneapolis CSS Commodity office.
Peanuts,[1] farmers' stock	Bid basis, f. o. b. points of storage locations, subject to the terms and conditions of USDA Announcement CCC Peanut Forms 34 and 40. Available through the Oils and Peanut Division, CSS, USDA, Washington 25, D. C., and Dallas CSS Commodity office.
Large lima beans,[1] 1952 crop (bagged), 300,000 hundredweight.	$3 per 100 pounds, for U. S. No. 1, f. a. s. Hueneme, Long Beach, Los Angeles, San Francisco, or Stockton, Calif. (CCC option). U. S. No. 2, 25 cents discount, CHP grade, 10 cent premium. (Subject terms GR 212, as amended.) Available Portland CSS Commodity office.
Red kidney beans,[1] 1953 crop (bagged), 200,000 hundredweight.	To Western Hemisphere countries $8.75 per 100 pounds. For export to other countries $6 per 100 pounds f. a. s. New York City basis, U. S. No. 1 Grade. Discount U. S. No. 2 grade, 25 cents; premium CHP 15 cents per 100 pounds. Available Chicago CSS Commodity office.
Pinto beans,[1] 1953 crop (bagged), 300,000 hundredweight.	$8.50 per 100 pounds for U. S. No. 1 grade to Western Hemisphere countries. For export to other countries $7 per 100 pounds, f. a. s. West Coast and Gulf ports (basis export freight to New Orleans) or at option of buyers for export to Western Hemisphere delivered with freight and cost paid to Texas border points. Discount U. S. No. 2 grade, 25 cents; premium CHP 10 cents per 100 pounds. Available Kansas City, Minneapolis, Dallas, and Portland CSS Commodity offices.

[1] These same lots also are available from the domestic list announced today. Where no quantity is specified, quantity available is indefinite.

[2] "In store" means at the processors' plant or warehouse but with any prepaid storage and outhandling charges for the benefit of the buyer.

JUNE 1954 DOMESTIC PRICE LIST

Commodity and approximate quantity available (subject to prior sale)	Domestic sales list
Nonfat dry milk solids [1] (in carload lots only), 160,000,000 pounds, Spray; 40,000,000 pounds, Roller:	
Unrestricted use	Spray process, U. S. Extra Grade, 16 cents per pound. Roller process, U. S. Extra Grade, 14.25 cents per pound. Prices apply "in store" at location of stocks.[2]
Restricted use	3½ cents per pound delivered in all States except California, Washington, Oregon, Nevada, Idaho, Arizona, and Utah, where the price will be 4 cents per pound. Prices subject to change or withdrawal. Sales to be made under Announcement LD 6. Available through Cincinnati, Kansas City, Minneapolis, and Portland CSS Commodity offices

See footnotes at end of table.

JUNE 1954 DOMESTIC PRICE LIST—Continued

Commodity and approximate quantity available (subject to prior sale)	Domestic sales list
Salted creamery butter[1] (in carload lots only), 375,000,000 pounds.	U. S. Grade A and higher: All States except those listed below, 60.5 cents per pound. New York, New Jersey, Pennsylvania, and New England, and other States bordering the Atlantic Ocean and Gulf of Mexico, 61.25 cents per pound. U. S. Grade B: 2 cents per pound less than Grade A prices. Available Cincinnati, Kansas City, Minneapolis, and Portland CSS Commodity offices. Prices apply "in store" at location of stocks.[2]
Cheddar cheese[1] cheddars, flats, twins, and rindless blocks (standard moisture basis, in carload lots only), 288,000,000 pounds.	U. S. Grade A and higher: All States except those listed below 34¼ cents per pound. New York, New Jersey, Pennsylvania, New England, and other States bordering the Atlantic and Pacific Oceans and Gulf of Mexico, 33¼ cents per pound. U. S. Grade B: 1 cent per pound less than Grade A prices. Available Cincinnati, Kansas City, Minneapolis, and Portland CSS Commodity offices. All prices are subject to usual adjustment for moisture content. Prices apply "in store" at location of stocks.[2]
Cottonseed oil, crude,[1] 3,000,000 pounds.	Market price but not less than 15 cents per pound prime Valley basis, f. o. b. tankcars or tankwagons at producers' mills subject to premiums or discounts comparable to those in Bulletin 3 of the 1953 crop cottonseed price support program. Available New Orleans CSS Commodity office. Price will not be reduced during period ending August 31, 1954.
Cottonseed oil, refined,[1] 852,000,000 pounds.	Market price but not less than the minimum crude price, with appropriate adjustments for refining, location, and quality f. o. b. tankcars or tankwagons at points of storage locations. Available New Orleans CSS Commodity office. Price will not be reduced during period ending August 31, 1954.
Linseed oil, raw,[1] 218,000,000 pounds.	Market price on date of sale, but not less than equivalent of the 1953 price support for flaxseed. *Example:* A price computed by use of the 1953 support rate for oil at Minneapolis would be as follows: $4.05 per bushel (support rate) plus 45 cents per bushel (crushing margin) minus value 36.3 pound meal divided by 21 pounds oil outturn. No change in pricing policy during the period ending July 31, 1954. Available Cincinnati, Portland, and Minneapolis CSS Commodity offices.
Peanuts,[1] farmers' stock, 1,896 tons.	Bid basis, f. o. b. points of storage locations, subject to the terms and conditions of Announcement CCC Peanut Form 40. In addition, farmers' stock peanuts from CCC stocks, including any peanuts acquired under the 1953 crop programs, may be offered under separate announcements for domestic crushing subject to the terms and conditions of CCC Peanut Form 34. Available Dallas CSS Commodity office.
Cotton, 133,400 bales.	Sales will be made by the New Orleans office at prices not less than the higher of: (1) the market price as determined by CCC, or (2) 105 percent of the current support price plus reasonable carrying charges. Offerings to be made on a competitive basis periodically. Catalog showing quantities, qualities, and locations may be procured from the New Orleans CSS Commodity office at a nominal fee.
Wool, shorn and pulled grease (including some scoured), 86,000,000 pounds.	The higher of (1) the market value, or (2) 103 percent of the 1954 price support appraisal value per pound plus an allowance for sales commission, Boston basis, adjusted for net freight on wool stored outside the Boston storage area. Sales will be made ex-warehouse where stored. Available Boston CSS Commodity office.
Dry edible beans,[1] (bagged).	Prices listed below, on all beans, are at point of production. Amount of paid-in freight to be added, as applicable. For other grades of all beans, adjust by market differentials.
Large lima beans,[1] 1952 crop, 300,000 hundredweight.	$13.22 per 100 pounds for U. S. No. 1 basis California points of production. Available Portland CSS Commodity office.
Red kidney beans,[1] 1953 crop, 206,000 hundredweight.	$10.83 per 100 pounds for U. S. No. 1, f. o. b. New York points of production. Available Chicago CSS Commodity office.
Pinto beans,[1] 1953 crop, 380,000 hundredweight.	$8.82 per 100 pounds for U. S. No. 1, Denver rate area. For other locations, adjust by 1953 support price, differentials. Available Kansas City, Minneapolis, Dallas, and Portland CSS Commodity offices.
Great northern beans, 1953 crop, 20,000 hundredweight.	$9.52 per 100 pounds for U. S. No. 1, f. o. b. point of production, Western Nebraska rate area. For other locations, adjust by 1953 price support differentials. For other grades adjust by market differentials. Available Kansas City and Minneapolis CSS Commodity offices.
Small red beans, 1953 crop, 15,000 hundredweight.	$9.53 per 100 pounds for U. S. No. 1, f. o. b. Washington points of production. For other grades adjust by market differentials. Available Portland CSS Commodity office.

See footnotes at end of table.

JUNE 1954 DOMESTIC PRICE LIST—Continued

Commodity and approximate quantity available (subject to prior sale)	Domestic sales list
Cottonseed meal and cake 65,000 tons.	Information covering price, quantities, and locations may be secured from the New Orleans CSS Commodity office.
Corn, bulk: 110,000,000 bushels (1948–1949 crop).	At points of production, basis in store, the market price for No. 2 but not less than 20 cents below the applicable 1953 county loan rate for No. 3 yellow.
80,000,000 bushels[1] (1950, 1951, and 1952 crops).	At points of production, basis in store, the market price but not less than the applicable 1953 county loan rate for No. 3 yellow, plus: (1) 30 cents per bushel if received by truck, or (2) 26 cents per bushel if received by rail or barge. At other locations, the foregoing plus average paid-in freight. Examples of minimum price per bushel: Chicago, No. 3 yellow, $2.04; St. Louis, No. 3 yellow, $2.08; Minneapolis, No. 3 yellow, $1.95; Omaha, No. 3 yellow, $1.97; Kansas City, No. 3 yellow, $2.02. For other classes, grades, and quality, market differentials will apply. Available Chicago, Kansas City, and Minneapolis CSS Commodity offices.
Wheat[1].	Basis in store, the market price but not less than the domestic minimum price. Minimum price—1953 loan rate for class, grade, quality, and location plus: (1) 41 cents per bushel if received by truck, or (2) 36 cents per bushel if received by rail or barge. Examples of minimum price per bushel (ex rail or barge): Kansas City, No. 1 H. W., $2.86; Minneapolis, No. 1 H. D. N. S., $2.89; Chicago, No. 1 R. W., $2.90. Available Dallas, Kansas City, Chicago, Minneapolis, and Portland CSS Commodity offices.
Barley, bulk,[1] 1953 crop and malting quality, 1952 crop for unrestricted use.	Market price but not less than applicable county loan rate for No. 2 barley, plus: (1) 30 cents per bushel if received by truck, or (2) 26 cents per bushel if received by rail or barge. For other classes, grades, and quality, market differentials will apply. Example of minimum price per bushel (ex rail or barge): Minneapolis No. 2 barley, $1.70.
(For feed only, 1952 crop and older.)	Market price for feed, basis in store. Available Chicago, Minneapolis, Kansas City and Portland CSS Commodity office.
Oats, bulk[1] (unrestricted use).	Market price at point of production basis in store but not less than the applicable 1954 county loan rate plus: (1) 9 cents per bushel if received by truck, or (2) 6 cents per bushel if received by rail or barge. At other points, the foregoing plus average paid in freight. Examples of minimum price per bushel (ex rail or barge): Chicago No. 3, oats or better $0.96; Minneapolis No. 3, oats or better $0.89.
(For feed only) 1952 crop or older and 1953 crop from Maine, New Jersey, New York, Pennsylvania, Alabama, Arkansas, Georgia, Louisiana, Mississippi, Kentucky, Florida, South Carolina, North Carolina, and Tennessee.	Market price for feed, basis in store. Available Minneapolis, Chicago, Dallas, Portland, and Kansas City CSS Commodity offices.
Rye, bulk[1] (unrestricted use).	Market price at point of production, basis in store, but not less than the applicable 1953 county loan rate, plus: (1) 34 cents per bushel if received by truck, or (2) 29 cents per bushel if received by rail or barge. Example of minimum price per bushel (ex rail or barge): Minneapolis No. 2 or better, $1.93.
(For feed only) 1952 crop or older.	Market price for feed only, basis in store. Available Minneapolis, Kansas City, Chicago, Portland, and Dallas CSS Commodity offices.
Grain sorghums, bulk[1].	Market price at point of production, basis in store, but not less than the applicable 1954 county loan rate, plus: (1) 26 cents per hundredweight if received by truck, or (2) 15 cents per hundredweight if received by rail or barge. Example of minimum price per hundredweight (ex rail or barge): Kansas City No. 2 or better, $2.90. Available Minneapolis, Dallas, and Kansas City CSS Commodity offices.
Flaxseed, bulk[1] (for crushing only).	Market price on date of sale, basis in store. Available Minneapolis and Chicago CSS Commodity offices. No storable flaxseed from the 1953 crop acquired by CCC will be sold at less than the 1953 support price during the period ending July 31, 1954.

JUNE 1954 DOMESTIC PRICE LIST—Continued

Commodity and approximate quantity available (subject to prior sale)	Domestic sales list
Seeds (bagged)	All sales are f. o. b. point of production, plus any paid-in freight as applicable basis current freight rate at time of sale. On all seeds except Ladino: Offers will not be accepted for less than warehouse receipt lot or minimum weight carlot as prescribed by railroad carrier's regulation at point of storage.
Red clover seed [4] (uncertified), 78,941 hundredweight.	$36.75 per 100 pounds. Available Portland, Chicago, Kansas City, Minneapolis, and Dallas CSS Commodity offices.[2]
Red clover seed [4] (certified): Cumberland, 1,016 hundredweight; Midland, 625 hundredweight.	$36.75 per 100 pounds. Available Portland, Kansas City, and Minneapolis CSS Commodity offices.[2]
Red clover seed [4] (Kenland certified), 140 hundredweight.	$43 per 100 pounds. Available Portland CSS Commodity office.[2]
Ladino clover seed [4] (certified), 145,462 hundredweight.	$65 per 100 pounds. $60 in lots of 60,000 pounds or more. Available Portland, Minneapolis, and Kansas City CSS Commodity offices.
Crimson clover seed, 13,911 hundredweight.	$18 per 100 pounds. Available Portland and Dallas CSS Commodity offices.
Reseeding Crimson clover, 1953 crop (certified), 7,396 hundredweight.	$20.75 per 100 pounds. Available Dallas and Portland CSS Commodity offices.
Biennial sweet clover seed,[4] 10,085 hundredweight.	$9.45 per 100 pounds. Available Kansas City, Minneapolis, and Chicago CSS Commodity offices.[2]
Alsike clover seed,[4] 19,246 hundredweight.	$27 per 100 pounds. Available Portland, Kansas City, Chicago and Minneapolis CSS Commodity offices.[2]
Smooth bromegrass seed (uncertified), 34 hundredweight.	$15.75 per 100 pounds. Available Portland CSS Commodity office.[2]
Smooth bromegrass seed (Manchar, certified), 345 hundredweight.	$22.50 per 100 pounds. Available Portland CSS Commodity office.[2]
Mountain bromegrass seed (Bromar certified), 1,761 hundredweight.	$21 per 100 pounds. Available Portland CSS Commodity office.[2]
Hairy vetch seed, 264,965 hundredweight.	1953 county support rates, ranging from $11.65 to $12.40 plus $1 per 100 pounds. Available Portland CSS Commodity office.
Birdsfoot trefoil seed, 1,179 hundredweight.	$78.75 per 100 pounds. Available Portland CSS Commodity office.[2]
Primar slender wheatgrass seed (certified), 326 hundredweight.	$31.50 per 100 pounds. Available Portland CSS Commodity office.[2]
Slender wheatgrass seed (uncertified), 250 hundredweight.	$16 per 100 pounds. Available Minneapolis CSS Commodity office.[2]
Alfalfa seed, northern,[4] 196,455 hundredweight.	$37.50 per 100 pounds. Available Portland, Chicago, Minneapolis, and Kansas City CSS Commodity offices.[2]
Alfalfa seed, central,[4] 28,556 hundredweight.	$30 per 100 pounds. Available Portland, Dallas, and Kansas City CSS Commodity offices.[2]
Alfalfa seed (certified): Ranger, 84,139 hundredweight;[4] Ladak, 8,695 hundredweight; Grimm, 5,310 hundredweight; Buffalo, 43,037 hundredweight; Atlantic, 6,156 hundredweight.	$43 per 100 pounds. All available in Portland and Kansas City; all but Buffalo and Atlantic in Minneapolis and only Buffalo and Atlantic in Dallas CSS Commodity offices.[2]
Tall fescue seed [4] (common), 35,877 hundredweight.	$21.50 per 100 pounds. Available Portland, Dallas, Kansas City, and Chicago CSS Commodity offices.[2]
Tall fescue seed [4] (certified), 92,423 hundredweight.	$29 per 100 pounds. Available Portland, Dallas, and Minneapolis CSS Commodity offices.[2]
Rough peas, 228 hundredweight	$6.50 per 100 pounds. Available Dallas CSS Commodity office.

[1] These same lots also are available at export sales prices announced today. Where no quantity is specified, quantity available is indefinite.

[2] "In store" means at the processor's plant or warehouse but with any prepaid storage and outhandling charges for the benefit of the buyer.

[3] Prices will not be reduced during the period ending June 30, 1954.

[4] In accordance with an announcement of May 21 (USDA 1336-54), limited quantities of various varieties of alfalfa, clover, and tall fescue are being offered on a competitive bid basis. Bids are to be submitted in June. Sales will be confirmed in early July at prices not lower than those indicated in the announcement. New and higher minimum prices for the different varieties on any sales made after the special offering through June 30, 1955, were also announced.

(Sec. 407, 63 Stat. 1051)

Issued: June 14, 1954.

[SEAL]

J. A. MCCONNELL,
Executive Vice President,
Commodity Credit Corporation.

[F. R. Doc. 54-4621; Filed, June 17, 1954; 8:45 a. m.]

Commodity Stabilization Service

FAIR AND REASONABLE WAGE RATES FOR PERSONS EMPLOYED IN HARVESTING OF SUGARCANE

NOTICE OF HEARING AND DESIGNATION OF PRESIDING OFFICERS

Pursuant to the authority contained in subsections (c) (1) and (c) (2) of section 301 of the Sugar Act of 1948, as amended (61 Stat. 929; 7 U. S. C. Sup. 1131), notice is hereby given that a public hearing will be held in Thibodaux, Louisiana, in the Grand Theater, on July 21, 1954, at 9:30 a. m.

The purpose of such hearing is to receive evidence likely to be of assistance to the Secretary of Agriculture in determining (1), pursuant to the provisions of section 301 (c) (1) of said act, fair and reasonable wage rates for persons employed in the harvesting of the 1954 crop of sugarcane, and in the production and cultivation of sugarcane during the calendar year 1955, and (2), pursuant to the provisions of section 301 (c) (2) of said act, fair and reasonable prices for the 1954 crop of sugarcane to be paid, under either purchase or toll agreements, by processors who as producers apply for payments under said act.

In the interest of obtaining the best possible information, all interested persons are requested to appear at the hearing to express their views and present appropriate data in regard to wages and prices.

The hearing, after being called to order at the time and place mentioned herein, may be continued from day to day within the discretion of the presiding officers and may be adjourned to a later day or to a different place without notice other than the announcement thereof at the hearing by the presiding officers.

A. A. Greenwood, Ward S. Stevenson, Linwood K. Bailey, and Wilmer H. Grayson are hereby designated as presiding officers to conduct either jointly or severally the foregoing hearing.

Issued this 15th day of June 1954.

[SEAL] LAWRENCE MYERS,
Director, Sugar Division.

[F. R. Doc. 54-4673; Filed, June 17, 1954; 8:51 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-2015]

MID-GEORGIA NATURAL GAS CO.

NOTICE OF CONTINUANCE OF HEARING

JUNE 14, 1954.

Upon consideration of the request of Counsel for Mid-Georgia Natural Gas Company for postponement of the hearing now scheduled for June 17, 1954, in the above-designated matter;

Notice is hereby given that said hearing is postponed to 10:00 a. m., e. d. s. t., August 16, 1954, in the Commission's Hearing Room, 441 "G" Street, NW., Washington, D. C.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 54-4638; Filed, June 17, 1954; 8:46 a. m.]

[Docket No. G-2383]

CITIES SERVICE GAS CO.

ORDER FIXING DATE OF HEARING

This proceeding is a proper one for disposition under the provisions of § 1.32 (b) (18 CFR 1.32 (b)) of the Commission's rules of practice and procedure, Applicant having requested that its application, filed March 4, 1954, and supplemented April 22, 1954, pursuant to section 7 of the Natural Gas Act, for authorization to construct and operate certain facilities, as described in said application, be heard under the shortened procedure provided by the aforesaid rule for noncontested proceedings, and no request to be heard, protest or petition having been filed subsequent to the giving of due notice of the filing of the application, including publication in the FEDERAL REGISTER on March 19, 1954 (19 F. R. 1525). Notice of intervention in support of the application was filed by the Missouri Public Service Commission on March 25, 1954.

The Commission orders:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing be held on June 30, 1954, at 9:30 a. m., e. d. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved and the issues presented by the application: *Provided, however,* That the Commission may, after a noncontested hearing, forthwith dispose of the proceeding pursuant to the provisions of § 1.32 (b) of the Commission's rules of practice and procedure.

(B) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the said rules of practice and procedure.

Adopted: June 11, 1954.

Issued: June 14, 1954.

By the Commission.

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

[F. R. Doc. 54-4650; Filed, June 17, 1954; 8:48 a. m.]

[Docket No. G-2403]

TEXAS EASTERN TRANSMISSION CORP.

ORDER FIXING DATE OF HEARING

This proceeding is a proper one for disposition under the provisions of § 1.32 (b) (18 CFR 1.32 (b)) of the Commission's rules of practice and procedure, Applicant having requested that its application, filed April 6, 1954, pursuant to section 7 of the Natural Gas Act, authorizing Applicant to sell and deliver to United Gas Pipe Line Company all of Applicant's excess "take or pay gas" to the limit of United's physical ability to so take, as described in said application, be heard under the shortened procedure provided by the aforesaid rule for noncontested proceedings, no request to be heard, protest or petition having been filed subsequent to the giving of due notice of the filing of the application including publication in the FEDERAL REGISTER on April 24, 1954 (19 F. R. 2437).

The Commission on April 15, 1954, granted temporary authorization for the operations proposed by Applicant.

The Commission orders:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing be held on June 28, 1954, at 9:30 a. m., e. d. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved and the issues presented by the application: *Provided, however,* That the Commission may, after a noncontested hearing, forthwith dispose of the proceedings pursuant to the provisions of § 1.32 (b) of the Commission's rules of practice and procedure.

(B) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the said rules of practice and procedure.

Adopted: June 11, 1954.

Issued: June 14, 1954.

By the Commission.

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

[F. R. Doc. 54-4651; Filed, June 17, 1954; 8:48 a. m.]

[Docket No. G-2445]

OHIO FUEL GAS CO.

NOTICE OF APPLICATION

JUNE 14, 1954.

Take notice that on June 1, 1954, the Ohio Fuel Gas Company (Applicant), an Ohio corporation, address, Columbus, Ohio, filed an application for an order of the Commission disclaiming jurisdiction over certain facilities proposed to be constructed and operated by Applicant, or, in the alternative, for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing the construction and operation of approximately 265 feet of 3½ inch O. D. service line in the vicinity of Urbana, Ohio, extending from Applicant's existing Line Z-8 to a measuring station on the premises of the Fenton Construction Company adjacent to the southerly corporation limit of Urbana, Ohio.

Applicant proposes to serve natural gas for industrial purposes through the proposed facilities to said Fenton Construction Company which is engaged in the manufacture of bituminous road surfacing materials, and whose peak monthly requirements are estimated to be approximately 8,000 Mcf.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 2d day of July 1954. The application is on file with the Commission for public inspection.

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

[F. R. Doc. 54-4639; Filed, June 17, 1954; 8:46 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File Nos. 54-148, 59-86]

PUBLIC SERVICE CORP. OF NEW JERSEY ET AL.

SUPPLEMENTAL ORDER MODIFYING PRIOR ORDER WITH RESPECT TO FEES

JUNE 14, 1954.

In the matter of Public Service Corporation of New Jersey and its subsidiary companies and The United Corporation, File No. 59-86; Public Service Corporation of New Jersey, File No. 54-148.

The Commission by its findings and opinion and supplemental order of June 16, 1953, having approved, among other things, the payment by Public Service Electric and Gas Company, which had assumed the liabilities of Public Service Corporation of New Jersey, a registered holding company, to Drinker, Biddle & Reath, of a counsel fee in the amount of $125,000 and reimbursement for expenses in the amount of $1,895.23, for services and disbursements rendered and made in connection with the reorganization of said Public Service Corporation of New Jersey, and having denied the payment to said firm of the amount of $25,000 additionally requested by it as counsel fees; and

The United States Court of Appeals for the Third Circuit having by its opinion of January 14, 1954, and its order of February 26, 1954, reversed that part of the Commission's findings and opinion and supplemental order of June 16, 1953, which reduced the counsel fee of Drinker, Biddle & Reath from $150,000 to $125,000, and having remanded the cause to this Commission with directions to proceed in accordance with the opinion of said Court;

It is ordered, That the Commission's said findings and opinion and supplemental order entered June 16, 1953, be and hereby is modified and Public Service Electric and Gas Company is directed to pay to Drinker, Biddle & Reath, as counsel fees, $25,000 in addition to the $125,000 approved and directed to be paid in said order of June 16, 1953.

By the Commission.

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

[F. R. Doc. 54-4642; Filed, June 17, 1954; 8:47 a. m.]

[File No. 70-3252]

GULF POWER CO.

ORDER AUTHORIZING ISSUE AND SALE AT COMPETITIVE BIDDING OF PRINCIPAL AMOUNT OF FIRST MORTGAGE BONDS

JUNE 14, 1954.

Gulf Power Company ("Company"), a public-utility subsidiary of The Southern Company, a registered holding company, has filed a declaration and amendments thereto pursuant to sections 6 (a) and 7 of the Public Utility Holding Company Act of 1935 ("act") and Rule U-50 promulgated thereunder, in respect of the following proposed transaction:

The Company proposes to issue and sell, subject to the competitive bidding requirements of Rule U-50, $10,000,000 principal amount of First Mortgage Bonds, __ percent Series due 1984. The interest rate (to be a multiple of ⅛ of 1 percent) and the price to be paid to the Company (to be not less than 100 percent nor more than 102¾ percent of the principal amount plus accrued interest) will be determined by competitive bidding. The new Bonds will be secured by an Indenture dated as of September 1, 1941, between the Company and The Chase National Bank of the City of New York and The Citizens & Peoples National Bank of Pensacola as Trustees,

as heretofore supplemented and as to be further supplemented by a Supplemental Indenture to be dated July 1, 1954.

The Company proposes to apply the proceeds from the sale of the new Bonds to the redemption of the $6,593,000 principal amount of its presently outstanding First Mortgage Bonds, 4⅛ percent Series due 1983, at the redemption price of 104.15 percent of the principal amount thereof and accrued interest to the date of redemption, and toward the construction or acquisition of improvements, extensions and additions to its utility plant and the repayment of approximately $1,300,000 of short-term bank loans made or to be made for such purposes.

The Railroad and Public Utilities Commission of Florida, in which State the Company (a Maine corporation) is doing business, has authorized the proposed transaction.

Due notice of the filing of the declaration having been given in the manner provided by Rule U-23 promulgated under the act, and a hearing not having been requested of or ordered by the Commission; the Commission finding that the applicable provisions of the act and the rules thereunder have been satisfied and that no adverse findings are necessary; and the Commission deeming it appropriate in the public interest and in the interest of investors and consumers to permit the declaration to become effective forthwith, subject to the terms and conditions below set out:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of the act and the rules thereunder, that the declaration as amended be, and it hereby is, permitted to become effective forthwith; subject to the provisions of Rule U-50 and Rule U-24.

By the Commission.

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

[F. R. Doc. 54-4641; Filed, June 17, 1954; 8:46 a. m.]

[File No. 70-3253]

DUQUESNE LIGHT CO.

ORDER AUTHORIZING ISSUE AND SALE AT COMPETITIVE BIDDING OF SHARES OF NEW PREFERRED STOCK AND PRINCIPAL AMOUNT OF NEW BONDS

JUNE 14, 1954.

Duquesne Light Company ("Duquesne"), a public utility company which is a subsidiary of Philadelphia Company, Standard Gas and Electric Company, and Standard Power and Light Corporation, all registered holding companies, has filed an application and an amendment thereto pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935 ("act") and Rule U-50 promulgated thereunder, in respect of the following proposed transactions:

Duquesne proposes to issue and sell, subject to the competitive bidding requirements of Rule U-50, 120,000 shares of its __ percent Preferred Stock ("New Preferred Stock") and $16,000,000 aggregate principal amount of its First Mortgage Bonds, __ percent Series due July 1, 1984 ("New Bonds"). The sales of the New Preferred Stock and the New Bonds will be separate transactions, neither sale being contingent upon the other. The issue and sale of the New Preferred Stock will be subject to the prior approval by the stockholders of a proposed increase from 1,000,000 to 1,250,000 shares of the authorized preferred stock of Duquesne and the filing of an election return with respect thereto with the Secretary of the Commonwealth of Pennsylvania.

The New Preferred Stock will constitute the fifth series of the Company's preferred stock to be outstanding, all of the par value of $50 per share. The dividend rate of the New Preferred Stock (which shall be a multiple of 1/20 of 1 percent) and the price to be paid to Duquesne for the New Preferred Stock (which shall be not less than $50 nor more than $51.375 per share) will be determined by competitive bidding.

The interest rate to be borne by the New Bonds (which shall be a multiple of ⅛ of 1 percent) and the price to be paid to Duquesne for the New Bonds (which shall be not less than 100 percent nor more than 102¾ percent of the principal amount, exclusive of accrued interest from July 1, 1954, to date of payment and delivery) will likewise be determined by competitive bidding. The New Bonds will constitute the sixth series of Duquesne's First Mortgage Bonds to be outstanding, and they will be issued pursuant to a Trust Indenture dated August 1, 1947, between Duquesne and Mellon National Bank and Trust Company, as Trustee, as heretofore supplemented and as to be further supplemented by a Ninth Supplemental Trust Indenture to be dated as of July 1, 1954.

Duquesne proposes to use the net proceeds from the sale of the new securities, first, to pay off and discharge its outstanding bank loans, which were incurred for construction purposes and which presently aggregate $10,500,000, and, thereafter, to finance in part its 1954–1956 construction program.

The expenses to be incurred by Duquesne in connection with the issuance and sale of the new securities are estimated as follows:

	New preferred stock	New bonds
Securities and Exchange Commission filing fee	$648	$1,664
Federal stamp tax	6,600	17,600
Pennsylvania excise tax	12,000	.....
Printing	13,500	20,500
Engraving	5,500	13,500
Legal services	7,500	11,000
Accounting services	2,000	5,500
Transfer agent and registrar fees	1,440	.....
Trustee's charges including authentication	.....	7,000
Qualifying under securities laws of various States	2,000	2,000
Listing on New York Stock Exchange	1,500	2,200
Miscellaneous expenses	2,312	2,036
Total	55,000	83,000

The fees and disbursements of counsel to the underwriters, the amounts of which have not been supplied, are to be paid by the successful bidders.

Due notice of the filing of the application having been given in the manner provided by Rule U-23 promulgated under the act, and a hearing not having been requested of or ordered by the Commission; it appearing that the record has not been completed with respect to the fees and expenses for legal and accounting services; and the Commission finding that the applicable provisions of the act and the rules thereunder are satisfied, that no adverse findings are necessary, and deeming it appropriate in the public interest and in the interest of investors and consumers that the application as amended be granted, effective forthwith, subject, however, to the terms and conditions below set out:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of the act and the rules thereunder, that the application as amended be, and it hereby is, granted, effective forthwith, subject to the provisions of Rule U-50 and Rule U-24:

It is further ordered, That jurisdiction be, and it hereby is, reserved over all fees and expenses for legal and accounting services, including those of counsel to the underwriters.

By the Commission.

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

[F. R. Doc. 54-4640; Filed, June 17, 1954; 8:46 a. m.]

[File No. 70-3262]

UNION ELECTRIC CO. OF MISSOURI AND MISSOURI POWER & LIGHT CO.

NOTICE OF FILING REGARDING INSURANCE AND SALE OF FIRST MORTGAGE BONDS AND COMMON STOCK OF PUBLIC UTILITY SUBSIDIARY OF REGISTERED HOLDING COMPANY, AND ACQUISITION OF COMMON STOCK BY PARENT

JUNE 14, 1954.

Notice is hereby given that Union Electric Company of Missouri ("Union") and its public-utility subsidiary, Missouri Power & Light Company ("Missouri"), have filed an application pursuant to the Public Utility Holding Company Act of 1935 ("act"), and have designated sections 6 (b), 9 and 10 of said act, and Rules U-23 and U-50 promulgated thereunder as applicable to the proposed transactions, which are summarized as follows:

Missouri proposes to issue and sell $7,500,000 principal amount of its First Mortgage Bonds, __ Percent Series Due 1984, pursuant to the competitive bidding requirements of Rule U-50, and issue and sell to Union from time to time, but not later than December 31, 1955, 200,000 additional shares of its $5 par value common stock at the price of $5 per share or an aggregate consideration of $1,000,000.

The bonds are to be secured by an original indenture of mortgage dated July 1, 1946, entered into between Missouri and Harris Trust & Savings Bank and Clark Cox, as Trustees, as modified and supplemented by indentures supplemental thereto including a Fourth Sup-

plemental Indenture to be dated as of July 1, 1954. The Bonds are to be dated July 1, 1954, and are to mature July 1, 1984. The interest rate on the bonds (which shall be a multiple of ⅛ of 1 percent) and the price (which shall be not less than 100 percent nor more than 102.75 percent of the principal amount thereof, exclusive of accrued interest) will be fixed by the competitive bidding.

The proceeds of the sale of the bonds and the common stock will be used by Missouri to redeem $4,000,000 principal amount of its First Mortgage Bonds, 3⅝ percent Series Due 1981; to prepay its $2,800,000 3¼ percent promissory note due September 10, 1954; and to finance the construction program of Missouri.

Union proposes to purchase said 200,000 shares of Missouri's $5 par value common stock.

The application states that the issuance and sale of bonds and common stock by Missouri and the acquisition of Missouri's common stock by Union are subject to the authorization of The Public Service Commission of the State of Missouri.

Notice is further given that any interested person may, not later than July 1, 1954, at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request, the nature of his interest and the issues of fact or law raised by said filing which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after July 1, 1954, such application may be granted.

By the Commission.

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

[F. R. Doc. 54-4643; Filed, June 17, 1954; 8:47 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 29350]

AUTOMOBILES FROM EVANSVILLE, IND., TO HELENA, ARK., BATON ROUGE AND NEW ORLEANS, LA., AND NATCHEZ, MISS.

APPLICATION FOR RELIEF

JUNE 15, 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 Agent C. A. Spaninger's tariff I. C. C. No. 1390, pursuant to fourth-section order No. 16101.

Commodities involved: Automobiles (except new passenger automobiles), carloads.

From: Evansville, Ind.

To: Helena, Ark., Baton Rouge and New Orleans, La., and Natchez, Miss.

Grounds for relief: Rail competition, circuity, and operation through higher-rated territory.

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. 54-4652; Filed, June 17, 1954; 8:48 a. m.]

[4th Sec. Application 29353]

SUPERPHOSPHATE FROM EAST TAMPA, FLA., AND SHEFFIELD, ALA., TO POINTS IN MISSOURI

APPLICATION FOR RELIEF

JUNE 15, 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 schedule listed below.

Commodities involved: Superphosphate (acid phosphate) in bulk, carloads.

From: East Tampa, Fla., and Sheffield, Ala.

To: Points in Missouri.

Grounds for relief: Rail competition, circuity, to apply rates constructed on the basis of the short line distance formula, and compliance with docket 31024.

Schedules filed containing proposed rates: C. A. Spaninger, Agent, I. C. C. No. 1286, supp. 36.

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. 54-4655; Filed, June 17, 1954; 8:49 a. m.]

[4th Sec. Application 29354]

CINDERS, CLAY OR SHALE, FROM STRAWN, RANGER, AND EASTLAND, TEX., TO OKLAHOMA CITY, OKLA.

APPLICATION FOR RELIEF

JUNE 15, 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 the St. Louis-San Francisco Railway Company, St. Louis, San Francisco and Texas Railway Company and the Texas and Pacific Railway Company.

Commodities involved: Cinders, clay or shale, carloads.

From: Strawn, Ranger, and Eastland, Tex.

To: Oklahoma City, Okla.

Grounds for relief: Rail competition, circuity, and additional routes.

Schedules filed containing proposed rates: F. C. Kratzmeir, Agent, I. C. C. No. 3736, supp. 257.

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. 54-4656; Filed, June 17, 1954; 8:49 a. m.]